COMMUNITY WELFARE PORTFOLIO

NIDO Kuwait Community Orientation Portfolio 2

Immigration Status, Labour Safeguards and Legal Remedies

Practical guidance for safer recruitment, lawful employment, evidence gathering and official reporting in Kuwait.

Nigerians in Diaspora Organisation (NIDO) Kuwait

Important: Verify current official procedures with relevant Kuwaiti authorities.



NIDO KUWAIT ORIENTATION

Orientation Outcomes

What participants will be able to do after this session

Core message: **Know your status, keep your documents, document every violation and use official channels early.**

Understand Legal Status

- Explain the role of a **sponsor**, work permit and residency status.
- Distinguish major **visa categories** and recognise transfer restrictions.

Identify Exploitation

- Spot **wage manipulation**, excessive working hours and illegal deductions.
- Understand the **labour protections** described in the source blueprint.

Protect & Report

- Check essential documents **before travelling** from Nigeria.
- Build an **evidence file** and follow the official complaint sequence.
- Locate the main **channels for reporting** exploitation.

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Sponsorship: Legal Link, Not Unlimited Power

The Kafeel system is a legal requirement — not a licence for exploitation.

Sponsor (Kafeel): Legal Role

Every non-GCC expatriate entering Kuwait requires a **sponsor (Kafeel)**. The sponsor is the worker's legal link to the state and is responsible for the **work permit** (through the Public Authority for Manpower) and the **residency stamp** (through the Ministry of Interior).

Some rogue recruiters and employers misuse this relationship as psychological leverage.

- Immediate termination threats
- Residency cancellation threats
- Deportation threats when asking about late wages, unlawful deductions or unsafe conditions

Worker's response: not silent endurance. A threat made in retaliation for demanding employment rights can be documented and taken into an official labour dispute.

Keep These Documents Accessible

- Civil ID — copy of both sides
- Work permit — Tasreeh Al-Amal
- Residency & visa information
- Signed contract — Arabic & English
- Passport + secure digital copies of all documents

Keep digital backups separate from physical copies.

Document every threat. A threat made in retaliation for demanding employment rights can be submitted into an official labour dispute — preserve messages, emails, or recordings. Always verify current procedures with the Public Authority for Manpower.

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Understanding Visa Categories and Transfer Restrictions

Know your article, file type, and transfer limits before you sign or travel.

Art. 18 — Standard Private-Sector

- Tied to a private company file.
- Transfer possible after service period **without sponsor consent**, or earlier with a release or proven employer fault.
- Most common for delivery, logistics, and fleet workers.

Art. 18 — Government Project

- Issued for a designated **government contract or public project**.
- Transfer to open private-sector market is **generally barred**.
- If project ends without another placement, **you may have to leave Kuwait**.

Warning sign: **Government Contract/Project** – "عقد حكومي" on work permit.

Art. 18 — Small-Scale Business

- Connected to a **small-business file**; frequently abused by visa racketeers.
- Subject to **strong transfer restrictions**, creating dependence on sponsor.
- Shell businesses often use this file to sell "free visas".

Warning sign: **small projects** – "المشروعات الصغيرة" on file.

Art. 20 & 14 — Domestic & Temporary

- **Article 20:** Domestic roles – household drivers, cooks, helpers.
- Must **not** be used for commercial platform delivery work.
- **Article 14:** Temporary residency up to three months; **no commercial employment**.
- Offering these for delivery work is a **visa trap**.

Verify before you travel: Always confirm the exact visa article, file category, and transfer rules with the **Public Authority for Manpower (PAM)** – official procedures can change.

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The Free Visa Illusion and Recruitment Traps

Recognising illegal visa-trading schemes, shell-company abuse, and the warning signs before you travel

There is no lawful "free visa" that lets you work anywhere.

Working for any entity other than the sponsor recorded on your Civil ID can expose you to detention and deportation. Visa-trading schemes use shell companies or abused small-business quotas to sell a false promise of freedom.

RISK INDICATORS

- Recruitment fee demanded for a supposedly unrestricted visa
- No genuine job with the sponsoring company
- Job title and actual work do not match
- Article 20 or Article 14 offered for commercial delivery work
- Recruiter refuses to provide the work permit before travel
- Told that legal status can be "fixed later"

ILLUSION

Legal caution: The newer immigration framework criminalises visa trafficking and prohibits recruitment or renewal for fictitious or unauthorised commercial employment in exchange for financial gain.

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Identifying Hidden Exploitation in Salary Packages

Suppressed basic pay and “fixed overtime” erode benefits — verify every component before signing.

Example Package Structure

TOTAL MONTHLY: KWD 120

Official basic salary	KWD 80
“Fixed overtime”	KWD 40

- Suppressed basic salary reduces end-of-service gratuity and other benefits calculated from basic pay.
- A flat overtime amount can be used to demand unlimited working hours.
- A permanent 12–14 hour workday cannot be justified as “fixed overtime.”

Before Accepting, Separate & Verify

- Basic salary
- Overtime rate & calculation method
- Allowances
- Vehicle or motorcycle provision
- Fuel & maintenance responsibility
- Any proposed deductions

Get every item in writing. Verbal promises are not enforceable.

Watch for hidden operating costs

Workers may be charged undisclosed fees for vehicle rental, fuel, maintenance, uniforms, or equipment.

Fuel · Maintenance · Uniform · Vehicle rental

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Working-Hour and Overtime Safeguards

Legal limits on work schedules and mandatory overtime pay multipliers

Kuwait Labour Law Limits

REGULAR WORK
Max 8 hrs/day or 48 hrs/week

WORKWEEK
Max 6 working days

OVERTIME
Exception, not permanent

OVERTIME CAP
2 hrs/day · 3 days/wk · 180 hrs/yr

Mandatory Overtime Rates

Normal workday overtime	125%
Rest-day overtime + paid day off	150%
Public-holiday overtime + paid day off	200%

Illustrative Hourly-Rate Method

1. Identify the contractual basic salary.
2. Determine the normal basic hourly rate using the legal working-time basis.
3. Apply the relevant multiplier to actual qualifying overtime hours.
4. Compare the calculation with the amount paid through the bank.

⚠ A flat fee must not replace a record of actual hours and the applicable rate.

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Managing Illegal Deductions and Wage Evidence

Identify unauthorized fleet deductions and build a reliable wage evidence file

Disputed fleet deductions

- Automatic motorcycle or vehicle maintenance charges
- Fuel charges not agreed in the contract
- Uniform and operating-tool charges
- Unexplained penalties or punitive fines
- Salary shortages that do not match contract or work records

Legal guardrail: The blueprint states disciplinary deductions cannot exceed **five days' wages** in a single month. The worker must receive written notice of the alleged violation and an opportunity to respond.

Build a strong wage evidence file

- Monthly bank statements & WPS deposits
- Signed employment contract (Arabic & English)
- Payslips or salary calculations
- Written deduction notices
- Screenshots of employer messages
- Receipts for any amount paid by the worker

Any difference between the contractual salary and the bank deposit should be recorded immediately.

Do not pay unauthorized deductions silently. Document every charge and report through official channels.

Verify current deduction rules and procedures with the Public Authority for Manpower before acting.

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Key Protective Measures and Recent Policy Updates

Early-transfer fault exemption, malicious absconding reports, and passport retention rules

New administrative rules strengthen worker protection against sponsor retaliation

Administrative Decision No. 680 of 2026 and Ministerial Decision No. 166/2007 provide concrete legal pathways to challenge unfair sponsor conduct, cancel false reports, and reclaim official documents.

Early-transfer fault exemption

Under **Admin. Decision No. 680 of 2026**, workers may bypass the service-period restriction and transfer **without the sponsor's consent** when PAM confirms employer fault: unpaid/delayed wages, failure to renew permit or residency, suspended corporate file, or verified fraudulent deductions.

Malicious absconding reports

False or retaliatory absconding reports filed after a worker demands wages or overtime can be **cancelled where retaliation is proven** — the blueprint explicitly protects workers from this misuse.

Passport retention prohibited

Under **Ministerial Decision No. 166/2007**, an employer may not confiscate a worker's passport. A refusal to return it must be documented and reported to the authorities.

680/2026
Early-transfer fault exemption
Transfer without sponsor consent

Retaliation
Malicious absconding report
Cancellable if retaliation proven

166/2007
Passport confiscation ban
Document & report refusal

Verify current procedural requirements with the Public Authority for Manpower and other official Kuwaiti authorities before acting.

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Exit-Permit Planning and Travel Regulations

Employer-approved exit permit for private-sector workers: portal process and risk-control steps before booking travel

Mandatory since 1 July 2025: Private-sector Article 18 expatriate workers require an **employer-approved exit permit** to travel out of Kuwait.

Portal Submission Process

1. Submit request through the `Sahel` or `Ashal` portal.
2. Timing: between **seven days** and **twenty-four hours** before the flight.
3. The request requires **employer approval** before travel is permitted.
4. **Keep screenshots** of the submission and the approval record.

Risk-Control Steps

- **Check latest exit-permit procedure** before buying a non-refundable ticket.
- **Confirm access** to the required portal (Sahel/Ashal).
- **Keep screenshots** of submission and approval.
- **Assess travel access** before starting a dispute or submitting an immediate resignation.

If employer uses the exit-permit process as retaliation, seek official guidance immediately.

Confirm current exit-permit rules and portal requirements with the Public Authority for Manpower and official Kuwaiti sources before travel.

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Pre-Departure Document Checklist

Essential documents to verify before travelling from Nigeria

Essential Documents to Obtain

- **Official job offer or employment contract** in Arabic and English
- **Job title** clearly stated in the contract
- **Basic monthly salary** in Kuwaiti dinars (KWD)
- **Working hours** per day and per week
- **Allowances and overtime terms** in writing
- **Official PAM work permit** (Tasreeh Al-Amal)
- **Work entry visa** and its correct article
- **Sponsor and company details** verified
- **Written accommodation, transport, vehicle, fuel and uniform arrangements**

Verify the Work Permit For

- **Government project or contract status** — restricts transfer
- **Small-scale business status** — high abuse risk
- **Job title** matches the promised work
- **Sponsor identity** matches the recruiting employer

Absolute Refusal

- **Refuse to travel** for a commercial delivery job on an **Article 20** domestic visa or **Article 14** temporary status

Never travel on verbal promises alone. **Obtain clear, readable copies** of every document and carry digital backups separately.

Verify the latest procedural requirements with the Public Authority for Manpower (PAM) before departure.

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Critical Questions Before Signing or Paying

Ten essential questions to verify the offer complies with Kuwaiti labor law

1. What is the exact basic salary, separate from overtime and allowances?
2. Is the position under a standard company file, government project, or small-business file?
3. How many hours per day and days per week are contracted?
4. How will work above eight hours be recorded and paid?
5. Will salary be deposited into a local Kuwaiti bank account through the Wages Protection System?
6. Who supplies the commercial vehicle or motorcycle?
7. Who pays for fuel, maintenance, insurance, and mandatory uniform?
8. What deductions can be made, and where are they stated in the contract?
9. What is the lawful transfer position attached to this work permit?
10. What official contact can independently verify the offer?

Minimum Wage Caution

The blueprint warns that a basic salary **below KWD 75** conflicts with the minimum-wage guidance cited in the source. Verify this with the relevant authority before accepting any offer.

Get Every Answer in Writing

- Request written confirmation for all verbal promises.
- Keep copies of emails and messages.
- Insist on the signed Arabic and English contract.
- Never rely on verbal promises alone.

Confirm latest procedural requirements with the Public Authority for Manpower and other relevant Kuwaiti authorities before taking action.

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Building a Private Evidence File

Document delivery logs, manager instructions, and salary deposits in a secure personal account before raising any dispute.

Record These Items

- Delivery-app login and logout times, plus trip and order histories
- Daily start time, break time, and finish time for each shift
- Manager instructions sent through WhatsApp or other messaging apps
- Work rosters and attendance records from the employer
- Salary deposits and any unexplained deductions from each pay cycle
- Copies of Civil ID, work permit, residency, passport, and contract
- Threats of termination, cancellation, deportation, or an absconding report

Evidence-Handling Principles

- ✓ Keep original files untouched and secure
- ✓ Back up records to a secure personal account
- ✓ Record dates and explain the context of each item
- ✓ Avoid altering screenshots or editing original records
- ✓ Prepare a simple timeline of events in order
- ✓ Do not rely only on verbal discussions with the employer

Create a private evidence file the employer cannot delete. Preserve everything before confronting the employer or filing a complaint.

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Step-by-Step Official Reporting Sequence

Lodge a formal complaint, present evidence in order, and pursue a remedy through the PAM investigation

1 Gather evidence

- Bank statements & WPS records
- App logs showing extended shifts
- Employer messages (WhatsApp, etc.)
- Contract and identity documents
- Deduction records and event timeline

2 Lodge an official complaint

- Call the PAM hotline (103)
- Use the official online service portal
- Use the Sahel app where available
- Attend the PAM office if necessary

3 Attend the PAM investigation

- Present evidence in chronological order
- Explain the requested remedy clearly
- Seek amicable settlement where appropriate
- → If unresolved, follow the official referral process

⚠ Issues to report:

- Unpaid/delayed wages
- Excessive hours & unpaid overtime
- Unauthorised deductions
- Passport confiscation
- Failure to renew documents
- Retaliatory termination / absconding report

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Official Channels and Closing Action Checklist

Verified reporting routes and a final set of protective steps to secure your legal status and rights in Kuwait.

Official Reporting Channels

- **PAM Direct Hotline:** 103
- **Operating Time:** Sunday to Thursday, 8:30 AM – 1:00 PM
- **PAM E-Services:** Official electronic services portal
- **Sahel App:** Mobile application for government services
- **Main HQ:** Ardiya / Al-Riggae, Block 2, Street 106, behind the Courts Complex
- **Farwaniya Branch:** Andalus, Block 11
- **Capital Branch:** Sharq, Block 5, Yusuf Al-Roumi Street

⚠ Before taking action, confirm current office locations, opening times, and the correct digital service through official Kuwaiti government sources.

Final Action Checklist

- **Know** the exact visa article and file category.
- **Do not** surrender the passport to an employer.
- **Get** contract terms and promises in writing.
- **Preserve** evidence before raising a dispute.
- **Contact** NIDO Kuwait community welfare support for orientation and referral.
- **Keep** personal copies of all documents.
- **Track** actual hours and salary deposits.
- **Do not** accept a "free visa" claim.
- **Report** through official channels.

Your legal status may depend on a sponsor, but your rights do not disappear. Verify, document and report.