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Ministry of Industry, Commerce and Employment  
Department of Labour



Rules and Regulations on Foreign  
Workers Management 2024



# **RULES AND REGULATIONS ON FOREIGN WORKERS MANAGEMENT 2024**

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Department of Labour

Ministry of Industry Commerce and Employment

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བོད་ལྗོངས་འབྲེལ་འདྲེན་གཞི་རྒྱུ་ལྷན་ཁག། དཔལ་ལྷན་འབྲེལ་གཞི་རྒྱུ་ལྷན་ཁག།  
**Ministry of Industry, Commerce and Employment**  
**Royal Government of Bhutan**

སྐད་པོ་  
**MINISTER**

MoICE/EOM/2024-25/51

1 August 2024

**Approval of the Rule and Regulations on Foreign Workers Management, 2024**

In exercise of the authority vested in the Ministry of Industry, Commerce, and Employment (MoICE) under Section 234 of the Labour and Employment Act of Bhutan, 2007, I hereby approve the amendment of the Rules and Regulations on Foreign Workers Management 2022. These amendments are part of a regular process to address evolving labour market conditions and ensure the effective implementation of the Foreign Workers Management Strategy (FWMS), 2022.

The revised rules and regulations have been carefully formulated, drawing on year-by-year practical experiences in managing foreign workers. This continuous reflection on real-world applications is expected to ensure the rules and regulations remain responsive to on-the-ground challenges and realities. The amendments aim to streamline the management of foreign workers, facilitate business and construction activities, and protect the rights and welfare of foreign workers, whose contributions to the economic growth of the Kingdom are well acknowledged.

The amended rules and regulations will take effect on August 1, 2024, and are expected to ease the management of foreign labour in line with the country's development priorities.

(Namgyal Dorji)

**Copy to:**

- (1) Hon'ble Minister, Ministry of Home Affairs (MoHA), for kind information.
- (2) Dasho Secretary, Ministry of Home Affairs.
- (3) Dasho Secretary, Ministry of Industry, Commerce and Employment.
- (4) Director, Department of Immigration, MoHA.
- (5) Director, Bhutan Construction and Transport Authority, MoIT.
- (6) Director, Department of Labour, MoICE.

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**TABLE OF CONTENT**

|  |           |
|--|-----------|
| Preamble .....   | 1         |
| <b>CHAPTER I PRELIMINARY .....</b>                         | <b>2</b>  |
| Title .....  | 2         |
| Commencement .....   | 2         |
| Application.....   | 2         |
| Purpose.....   | 2         |
| Revocation .....   | 3         |
| <b>CHAPTER II EMPLOYMENT OF FOREIGN NATIONALS .....</b>    | <b>4</b>  |
| General Provision.....                                     | 4         |
| Eligibility .....  | 5         |
| Work Permit.....   | 6         |
| Medical Examination .....                                  | 7         |
| Validation.....  | 8         |
| Skills Testing .....                                       | 8         |
| Recruitment.....   | 8         |
| Management.....  | 9         |
| Monitoring .....   | 11        |
| Work Permit Renewal.....                                   | 11        |
| Change of Worksite .....                                   | 11        |
| Repatriation.....  | 13        |
| Code of Conduct and Ethics .....                           | 13        |
| <b>CHAPTER III FOREIGN WORKERS RECRUITMENT AGENT .....</b> | <b>16</b> |
| Registration .....   | 16        |
| Requirement for Office .....                               | 16        |
| Process of Verification.....                               | 17        |
| Certification of Registration .....                        | 17        |
| Appeal Against Non-Approval .....                          | 18        |
| License .....  | 18        |
| Registration and Renewal Fees.....                         | 18        |
| Change or Closure of Office .....                          | 19        |
| Service Charges .....                                      | 19        |
| Roles and Responsibilities .....                           | 20        |
| Monitoring .....   | 23        |
| Suspension and Deregistration.....                         | 23        |

|  |           |
|--|-----------|
| <b>CHAPTER IV PRIVATE SELECTIVE DIAGNOSTIC SERVICE CENTER.....</b>           | <b>24</b> |
| Registration .....   | 24        |
| Change or Closure of Office .....  | 24        |
| Roles and Responsibilities .....   | 24        |
| Suspension .....   | 25        |
| <b>CHAPTER V TRANSPORTATION.....</b>   | <b>26</b> |
| Authorization for Transporting .....   | 26        |
| Roles and Responsibilities .....   | 26        |
| Transportation Fare .....  | 27        |
| Compensation .....   | 27        |
| <b>CHAPTER VI OFFENCE AND PENALTY.....</b>                                   | <b>29</b> |
| <b>CHAPTER VII MISCELLANEOUS .....</b>                                       | <b>38</b> |
| Revision .....   | 38        |
| Power to Issue Notification and Convene Meeting .....                        | 38        |
| Inspection and Penalty .....   | 38        |
| Special Committee .....  | 39        |
| Protection for Foreign Workers .....   | 39        |
| Improvement Notice .....   | 39        |
| Information Disclosure .....   | 39        |
| Definition .....   | 40        |
| <b>ANNEXURE .....</b>  | <b>44</b> |
| Annexure I: Medical Examination form .....                                   | 44        |
| Annexure II: Documents required while Applying for Professional Category ... | 50        |
| Annexure III: Transfer and Change of Workplace Form.....                     | 51        |
| Annexure IV: Application form for Foreign Workers Recruitment Agent .....    | 53        |

**RULES AND REGULATIONS ON FOREIGN WORKERS MANAGEMENT 2024  
(Revised 2024)**

**Preamble**

By virtue of the authority conferred under Section 234 of the Labour and Employment Act of the Kingdom of Bhutan 2007, the Ministry of Industry, Commerce, and Employment hereby amends the Regulation on Foreign Workers Management 2022 and promulgates the Rules and Regulations on Foreign Workers Management 2024 (RRFWM), as outlined in the following chapters:

## **CHAPTER I PRELIMINARY**

### **Title**

1. These rules and regulations shall be known as Rules and Regulations on Foreign Workers Management 2024.

### **Commencement**

2. These rules and regulations shall come into force on the Twenty Seventh Day of the Sixth Month of Male Wood Dragon Year corresponding to the First Day of the Eighth Month of the Year 2024.

### **Application**

3. These rules and regulations shall apply to a foreign worker or any person recruiting or involved in recruiting, managing, deploying and repatriating foreigner workers in the Kingdom of Bhutan.

### **Purpose**

4. The purpose of these rules and regulations are to:
  - (1) Facilitate implementation of the Labour and Employment Act of Bhutan, 2007;
  - (2) Establish standards and procedures for the employment of a foreigner in accordance with the Labour and Employment Act of Bhutan, 2007;  
and
  - (3) Provide requirements and procedures for the management of foreign workers in Bhutan.



## **Revocation**

5. These rules and regulations shall revoke:
  - (1) Regulation on Foreign Workers Recruitment and Management 2022;
  - (2) Executive order number MoLHR/DoL/06/2022-2023/60, dated February 6, 2023, issued by Chief Labour Administrator; and
  - (3) Any other guidelines, procedures, notices, and circulars issued before these rules and regulations.

## **CHAPTER II**

### **EMPLOYMENT OF FOREIGN NATIONALS**

#### **General Provision**

6. A foreign national shall be recruited for employment in the Kingdom of Bhutan only after obtaining approval from the Chief Labour Administrator.
7. The Ministry may permit the employment of foreign nationals for occupations where Bhutanese are either unavailable or unwilling to work.
8. The Ministry, in the recruitment of foreign workers, shall use any of the following non-exclusive methods, as appropriate to the relevant sectors:
  - (1) Critical Skills Shortage List (CSSL) Approach;
  - (2) Sector-Based Quota (SBQ) Approach;
  - (3) Need-Based Approach;
  - (4) Case-by-Case Approach; and
  - (5) Dependency Ratio Ceiling.
9. The employment of foreign nationals shall be categorized as:
  - (1) Professional; and
  - (2) Non-Professional.
10. The competent authorities shall determine and categorize occupations of foreign workers into professional and non-professional, including manual workers and notify the general public from time to time.
11. For the purpose of Rule 9, a professional foreign worker typically requires a bachelor's degree or diploma in a relevant field. However, the Department

of Labour may classify a foreign worker as a professional based on their specialized skills that are scarce in the domestic workforce or a person's significant experience in the field.

12. Notwithstanding rule 11, the Chief Executive Officer of a registered Foreign Direct Investment company may be exempted from the requirements.
13. An employer recruiting a foreign national shall not terminate the contract of employment of a Bhutanese worker to employ a foreign national.
14. An employer shall submit a written undertaking letter to the Chief Labour Administrator when applying to recruit foreign national for work.
15. A foreign national shall not be living in Bhutan while processing the application by the employer or any Foreign Workers Recruitment Agent.

### **Eligibility**

16. Any foreign national seeking employment in Bhutan shall:
  - (1) Have attained the age of 18 years and above;
  - (2) Not exceed a maximum age limit as determined by the Department of Immigration;
  - (3) Be medically fit;
  - (4) Possess the professional knowledge and required skills;
  - (5) Have no adverse criminal records;
  - (6) Have a specific employer; and
  - (7) Possess a valid passport, voter card, international travel documents or any other documents acceptable to the Royal Government of Bhutan.

## **Work Permit**

17. The Department of Labour shall approve work permit applications for foreign nationals and may reject a work permit if requirements are not met or based on the previous violation of work permit's terms and conditions by an employer or a foreign worker, or hold approval if there is a pending labour-related case.
18. Work permits shall be categorized as follows:
  - (1) Regular work permit (R): A foreign national shall be issued an "R" type work permit for a maximum period of one year and is required to undergo medical examination in the Kingdom of Bhutan.
  - (2) Short-term work permit (S): A foreign national shall be issued an "S" type non-renewable work permit for a maximum period of 30 days and is required to produce a certificate from the country of origin indicating that the individual is medically fit to work.
  - (3) Work permit for Border Town Foreign Workers (B): A foreign national shall be issued with a "B" type work permit only for employment in the border towns for a maximum period of one year after undergoing a medical examination in the Kingdom of Bhutan, and shall exit daily.
  - (4) Hourly work permit (H): A foreign national shall be issued "H" type work permit only for employment of a maximum of six hours mainly to provide urgent technical services related to the machinery or equipment and other services of the company.
  - (5) The Department of Labour may introduce a new type of work permit if directed by the Ministry or Royal Government of Bhutan.
19. The work permit shall become invalid:

- (1) Upon its expiry;
- (2) When the employment contract expires or terminates or the designated work is complete; or
- (3) Upon cancellation of work permit by the Department of Labour, whichever is earlier.

### **Medical Examination**

20. Except when applying for 'S' and 'H' type work permits, the employer or Foreign Workers Recruitment Agent shall arrange for a medical examination after receiving approval and before the issuance of the work permit.
21. The employer or any Foreign Workers Recruitment Agent recruiting a foreign worker shall be required to adhere to medical tests and examinations prescribed by the Ministry of Health which may be reviewed from time to time.
22. The medical tests and examinations shall be carried out by the registered Private Selective Diagnostic Centers as per the Private Selective Diagnostic Centers Establishment Framework of the Ministry of Health or in any of the government's hospitals or health centers.
23. A competent public healthcare professional shall issue the medical certificate, and any misconduct by the professional must be reported to relevant authorities for action.

**Validation**

24. The employer or Foreign Workers Recruitment Agent recruiting foreign workers in the professional categories shall submit the required documents for validation by the approving authorities.

**Skills Testing**

25. The employer or Foreign Workers Recruitment Agent recruiting foreign workers in the skilled and semi-skilled categories shall:
  - (1) Undergo skills testing as deemed necessary;
  - (2) Rigorous assessment of the qualification and experience as deemed necessary; and,
  - (3) Apply for the specific occupations required for the work.

**Recruitment**

26. The employer shall:
  - (1) Recruit a foreign worker either through Foreign Worker Recruitment Agents or by the employer; and,
  - (2) The employer shall pay on time the Agent's service charge, medical test fees, and other expenses in full to ensure the sustainability and effective functioning of foreign workers service providers.
27. The Department of Labour shall develop guidelines on foreign worker management, which the employer or Foreign Workers Recruitment Agent recruiting and employing a foreign worker in the country shall adhere to.

## **Management**

28. The employer recruiting a foreign worker shall ensure that the foreign workers are thoroughly briefed and complies with the specific laws governing foreign workers and other relevant laws in the country.
29. The employer employing a foreign worker shall ensure that the foreign worker works only at the approved worksite, occupation and employer and not vary these work permit's terms and conditions without the approval of Chief Labour Administrator.
30. The employer employing a foreign worker shall obtain approval from the Chief Labour Administrator to change worksite, occupation or employer of the foreign worker.
31. In the event of a dispute between a Bhutanese employer and a foreign worker that is unrelated to the employer-employee relationship, the Department of Labour may either consider or dismiss the dispute based on its merits.
32. The employer employing foreign workers shall:
  - (1) Ensure that a foreign worker recruited and placed by the employer is not exploited and abused;
  - (2) Ensure that the foreign worker carries a valid work permit at all times while at work;
  - (3) Ensure that a foreign worker possesses an individual bank account in any registered financial institution of the country;
  - (4) Ensure that the foreign worker is paid the agreed wage at the end of each month into their designated individual bank account;

- (5) Ensure that a foreign worker is covered under the appropriate worker's insurance scheme(s);
- (6) Ensure that worker's compensation is paid in the event of sickness, disability, or death of the foreign worker due to a workplace accident or occupational disease, if not covered by insurance.
- (7) Ensure that, in the event of illness or death of a foreign worker, all necessary support and arrangements are provided, and report the matter to the Department of Labour and the Department of Immigration.
- (8) Ensure that all statutory deductions required by the government are made from the foreign worker's income.
- (9) Ensure gender-friendly and decent accommodation are provided to a foreign worker if the accommodation is provided by the employer;
- (10) Be responsible for looking after the working conditions and working environment as per the Labour and Employment Act of Bhutan, 2007 and its regulations;
- (11) Inform the Department of Labour for SIM card deactivation if the foreign worker is leaving the country for more than three months; and,
- (12) Bear the cost associated with service charges, transportation, and medical examination or any other administrative costs related to recruitment and repatriation of a foreign workers.



### **Monitoring**

33. The employer shall not verbally or physically abuse and obstruct the foreign worker monitoring team or labour officer or advisor during the inspection and evidence-gathering and allow audiovisual documentations.
34. The monitoring team or labour officer or advisor shall have the right to take work permit into the Department's custody if deemed necessary.

### **Work Permit Renewal**

35. The renewal of a work permit may be approved by the Chief Labour Administrator based on the employment contract, project duration, or approval accorded by relevant agencies.
36. The employer or Foreign Workers Recruitment Agent recruiting a foreign worker shall seek approval from the Chief Labour Administrator to renew the "R" and "B" type work permits at least 14 calendar days before the expiry of their validity.
37. The renewal of the "S" type work permit may be granted for a maximum of 30 days, which includes the initial duration and shall not be extendable after the granted period.
38. Renewal or extension of the "H" type work permit shall not be permitted.

### **Change of Worksite**

39. The employer shall seek the online approval from the Chief Labour Administrator for the change of worksite of a foreign worker by submitting the required documents.
40. In case of inter-dzongkhag transfer, the employer shall seek the approval for route permit from the Department of Immigration.

41. The Chief Labour Administrator may approve the change of worksite either:
  - (1) Permanently, or
  - (2) Temporarily for less than 30 days.
42. The employer on the approval of the Chief Labour Administrator may change the worksite of the foreign workers without changing their occupation as follows:
  - (1) From one worksite to another worksite of the same employer; and
  - (2) From one worksite to another worksite of a different employer.
43. An employer shall not misuse the worker transfer provision for income generation or any purpose other than work-related needs.
44. The following rule applies to the transfer of a foreign worker between employers:
  - (1) No employer shall knowingly transfer a foreign worker to another employer with the intent to deceive or for unlawful gains without the approval of the Chief Labour Administrator; and,
  - (2) No person shall assist a foreign worker transfer from one employer to another without the approval of the Chief Labour Administrator.
45. No person shall violate the terms and conditions or provisions of work permit, which are as follows:
  - (1) Primary provision: Change of employer without the approval of the Chief Labour Administrator; and,
  - (2) Secondary provision: Change of occupation and worksite without the approval of the Chief Labour Administrator.

## **Repatriation**

46. The employer recruiting a foreign worker shall ensure that the foreign worker exits the country on or before the expiry of their work permit through a registered transporter.
47. In the event of the foreign worker absconding the country, the employer or any Foreign Workers Recruitment Agent recruiting a foreign worker shall report to the Royal Bhutan Police, Department of Immigration and Department of Labour.

## **Code of Conduct and Ethics**

48. A foreign worker shall:
  - (1) Possess a valid work permit or approval letter during the employment period in Bhutan;
  - (2) Engage only in an occupation or type of employment or vocation, profession, or any activity specified in the work permit; and,
  - (3) Work only for their approved employer.
49. A foreign worker shall:
  - (1) Respect the values, traditions, culture, and laws of the country;
  - (2) Respect the systems, policies, rules, and procedures of the country;
  - (3) Comply with the Labour and Employment Act of Bhutan 2007 and its regulations;
  - (4) Declare their medical history and conditions during the medical screening;

- (5) Demonstrate exemplary behavior at all times that is congenial to the decorum of the Bhutanese society;
  - (6) Be honest and sincere in their duties;
  - (7) Refrain from visiting places that are restricted for entry by a foreign worker without specific permits;
  - (8) Settle the cost-of-service charge and other administrative costs paid by the employer if they wish to leave the workplace before 3 months of the initial employment without any valid reason.
50. A foreign worker shall not:
- (1) Engage in politics, proselytization, corrupt practices, and illegal activities;
  - (2) Participate in anti-government activities, terrorism, and other actions that would undermine the peace, security, and sovereignty of the country;
  - (3) Criticize the government, policies, programs and systems through speech or in writing while in Bhutan and after repatriation;
  - (4) Pose any danger to the socio-economic and political stability of the country;
  - (5) Seek to enter into arrangements with a Bhutanese citizen that will result in a prolonged stay in Bhutan;
  - (6) Take frequent but unnecessary exits from the country especially for 'R' type foreign workers in a manner that causes inconvenience to the

employer; exit by providing false information about the urgency of the exit or exit without the approval of the employer;

- (7) Take up work in any trade or occupation listed as non-critical in the Critical Skills Shortage List of the Department of Labour without approval from the Chief Labour Administrator; and,
  - (8) Shall not exit the country at the Point of Entry once the medical tests are completed at the Workforce Management Center (WMC) and the work permit is issued, but must proceed directly to the workplace destination.
51. No person shall misuse local occupation certificates issued by local TVET institutes or any relevant national or overseas authorities to illegally employ, or facilitate the employment of, foreign workers in trades or occupations for which a work permit has not been approved by the Chief Labour Administrator.

**CHAPTER III  
FOREIGN WORKERS RECRUITMENT AGENT**

**Registration**

52. A person intending to operate as a Foreign Workers Recruitment Agent shall be registered and licensed.
53. Any person applying for the operation of Agent shall register with the Department of Labour and shall:
- (1) Be a Bhutanese citizen;
  - (2) Produce an approved security clearance certificate;
  - (3) Have no adverse record with the Department of Labour; and
  - (4) Submit an application to the Chief Labour Administrator.
54. The Department of Labour shall determine the number of agents based on needs or situational circumstances.

**Requirement for Office**

55. The office of the Agent shall:
- (1) Have a minimum of two rooms, with one room having enough space to accommodate at least 15 people for conducting orientation sessions for foreign workers;
  - (2) Be equipped with basic office equipment, including at least one laptop or desktop, one photocopy machine, one printer and five visitors' chairs; and

(3) Employ at least three employees with a minimum qualification of Class X.

56. An Agent shall not:

(1) Establish any permanent office or branch office in places other than those specified in the business license;

(2) Share the office space for other purposes; and

(3) Operate from their residence.

57. The office of the Agent shall be accessible to the employer, foreign workers, and relevant authorities.

### **Process of Verification**

58. The Department of Labour shall inform the agent proponent of the acceptance or rejection of the application submitted after verification.

59. If the application is accepted, the Department of Labour shall issue a provisional approval to the proponent for the establishment of the office.

60. The proponent shall establish the office of the Agent within seven days from the date of issuance of provisional approval.

61. The Department of Labour or the Regional Office of the Ministry shall carry out a physical verification upon the intimation of the proponent.

### **Certification of Registration**

62. A Certificate of Registration shall be issued by the Chief Labour Administrator to the proponent after fulfilling the requirements provided under these rules and regulations.

63. The Certificate of Registration shall be transferred only to the immediate family members of the proponent upon the proponent's request.
64. The Certificate of Registration shall be valid for one year from the date of issuance unless suspended, cancelled or reduced for violation of applicable laws of the country and any other pertinent issues.

### **Appeal Against Non-Approval**

65. A proponent has the right to appeal a rejection of their application to the Chief Labour Administrator within ten working days of receiving the notice.
66. The Chief Labour Administrator shall decide on the appeal and notify the proponent within fourteen working days of receiving the appeal.

### **License**

67. On being issued with the Certificate of Registration, the proponent shall apply for a business license.
68. A copy of the business license shall be submitted to the Department of Labour to activate the user account in the Foreign Workers Management System.

### **Registration and Renewal Fees**

69. The applicant shall pay non-refundable registration and renewal fees as follows:
  - (1) Registration Fee- Nu. 10,000; and,
  - (2) Renewal Fee: Nu. 5,000



### **Change or Closure of Office**

70. An Agent shall notify the Chief Labour Administrator within seven working days of:
- (1) Any changes to their office location;
  - (2) Any changes to their contact details; and
  - (3) The closure of their business to facilitate cancellation of their user accounts in the Foreign Workers Management System.

### **Service Charges**

71. An Agent shall charge employers, a maximum of 20% of the thirty days Daily National Minimum Wage per person. The fees charged may exclude the medical, transportation, work permit card, and accommodation charges.
72. For the renewal of work permit, an Agent shall charge employers a maximum of 5% of the thirty days Daily National Minimum Wage per person.
73. An Agent shall:
- (1) Ensure that the service charge is not reduced to a level that leads to unhealthy competitions and compromises the quality of the service; and
  - (2) Maintain correct records of the service charges collected and produce them to the relevant government agencies as and when required.
74. An Agent shall ensure that the charges from other foreign workers-related businesses or services owned by the Agent, if any, are separated from the Agent's service charge.

## **Roles and Responsibilities**

75. An Agent shall receive a foreign workers recruitment request in writing from the employer specifying the:
  - (1) Sector;
  - (2) Occupation;
  - (3) Number of foreign workers;
  - (4) Project duration;
  - (5) Expected date of commencement of employment at the workplace; and
  - (6) Location of the workplace.
76. Upon receiving the request from the employer, the Agent shall apply online to the Chief Labour Administrator for approval only from the Agent's Foreign Workers Management System account.
77. An Agent shall ensure that foreign workers applying to work in Bhutan meet all the eligibility criteria set in these rules and regulations.
78. An Agent shall timely mobilize the foreign workers as per the request made by the employer.
79. An Agent shall not recruit or assist any person in recruiting or employing foreign workers without approval from the Chief Labour Administrator.
80. An Agent shall undertake any additional urgent foreign worker recruitment-related tasks as directed by the Department of Labour. Upon fulfillment of these tasks, the Agent shall be awarded a certificate of recognition, which will be considered during the renewal of the Certificate of Registration.

81. An Agent shall:

- (1) Facilitate entry of foreign workers through the designated Port of Entry;
- (2) Facilitate accommodation of foreign workers during the recruitment process;
- (3) Ensure foreign workers undergo health screening;
- (4) Facilitate foreign workers opens Bank accounts;
- (5) Facilitate foreign workers in availing SIM cards;
- (6) Comply with and complete immigration requirements;
- (7) Recruit foreign workers as per the zonation system;
- (8) Facilitate workers' compensation and insurance for the foreign workers; and
- (9) Provide orientation and awareness programs to acquaint foreign workers with employment rights, prevailing laws, and socio-cultural practices.
- (10) Provide special orientation to foreign workers and employers regarding the consequences of variations and violations of the terms and conditions of the work permit, as well as the illegal employment of foreign workers in trades or occupations designated as non-critical in the Critical Skills Shortage List.
- (11) Provide orientation to the employers on the content of the employer's undertaking letter.

- (12) Ensure that occupations are assigned based on the specific needs of employers and the actual skills of foreign workers, rather than blindly assigning occupations or titles without proper assessment.
82. An Agent shall facilitate the employer in arranging transportation of foreign workers to the workplace and from the workplace to the Port of Exit.
83. An Agent shall:
  - (1) Maintain and be accountable for the user account in the Foreign Workers Management System;
  - (2) Report to the Department of Labour or relevant agencies, any grievances communicated either by the foreign worker or employer;
  - (3) Obtain an authorization letter from the employer if the employer undertaking letter is to be signed by an Agent on behalf of the employer;
  - (4) Maintain a proper record of the authorization letters;
  - (5) Inform the employers of the foreign worker's work permit validity and renewal; and
  - (6) Apply for work permit renewal 14 calendar days before the expiry of the validity at the request of the employer.
84. An Agent shall facilitate the repatriation of the foreign worker on or before the expiry of the work permit in coordination with the employer.
85. In the event of any invalid case among the foreign workers recruited through the Agent, approval for fresh recruitment shall not be granted if the invalid case persists as a result of the Agents' failure to abide by rules 83 (6).

## **Monitoring**

86. An Agents shall

- (1) Be subject to periodic monitoring by the Department of Labour or the Inter/Intra Regional Office of the Ministry.
- (2) Any violations found during the monitoring shall be subjected to necessary action as per these rules and regulations.
- (3) No agent or service provider can obstruct inspections, monitoring activities, or cause any disruption that prevents labour officers, inspectors or advisors from performing their duties under the Labour and Employment Act and its rules and regulations.

## **Suspension and Deregistration**

87. The Chief Labour Administrator has the authority to suspend or deregister the Agent's Foreign Workers Management System account, if deemed necessary or is convinced that the agent's continued operation may compromise the integrity, effectiveness or efforts to streamline the management of foreign workers.
88. In the event of suspension or deregistration, the Agent shall not be allowed to mobilize, recruit, renew or manage any foreign workers.
89. A suspended or deregistered Agent shall transfer responsibility relating to the renewal and repatriation of the foreign worker to other Agents based on the choice of the employer.

## **CHAPTER IV**

### **PRIVATE SELECTIVE DIAGNOSTIC SERVICE CENTER**

#### **Registration**

90. Any Private Selective Diagnostic Service Centers with a valid trade license, registered with the Ministry of Health and providing medical examination services, shall be registered with the Department of Labour for screening of foreign workers.
91. Private Selective Diagnostic Service Centers shall apply for registration to the Department of Labour by submitting a copy of their valid trade license and technical authorization issued by the Ministry of Health.
92. Registered Private Selective Diagnostic Service Centers will receive user accounts in the Foreign Workers Management System and must follow its procedures.

#### **Change or Closure of Office**

93. Private Selective Diagnostic Service Centers shall notify the Chief Labour Administrator within seven working days of:
  - (1) Any changes to their contact details; and
  - (2) Closure of their business.

#### **Roles and Responsibilities**

94. Private Selective Diagnostic Service Centers shall:
  - (1) Ensure timely submission of medical reports or laboratory results through the Foreign Workers Management System to the authorized person;

- (2) Ensure proper or diligent use of the Foreign Workers Management System;
- (3) Adhere to Workforce Management Center Guidelines; and
- (4) Ensure adherence to any rules, regulations and guidelines formulated by the Ministry of Health.

### **Suspension**

95. The Chief Labour Administrator has the authority to suspend a Private Selective Diagnostic Service Center from the Foreign Workers Management System as per the recommendation from relevant agencies.

## **CHAPTER V TRANSPORTATION**

### **Authorization for Transporting**

96. The Chief Labour Administrator or regional office of the Ministry shall authorize transporter registered with the Bhutan Construction and Transport Authority and therein the transporter shall possess authorizing credentials to engage in transporting foreign workers between the port of entry, the workplace and the port of exit.
97. No person or transporter shall transport a foreign worker without any authorization from the Chief Labour Administrator or regional office of the Ministry.
98. The employer or Foreign Workers Recruitment Agent shall not be permitted to hire or use vehicles other than the authorized vehicles to transport foreign workers between the port of entry, the workplace and the port of exit.
99. Rule 98 shall not apply to the foreign workers in the professional category, in case of medical emergency and the employer wishing to transport the foreign worker in the vehicles registered in the name of:
  - (1) An employer;
  - (2) Immediate family members of the employer; or
  - (3) Company registered in the name of an employer.

### **Roles and Responsibilities**

100. The transporter shall:



- (1) Arrange alternative modes of transport in case of vehicle breakdown or any unforeseen incidents;
- (2) Arrange transport for both entry and deployment to worksites, as well as for return travel to the home country.
- (3) Provide information on the foreign worker transported as and when deemed necessary by the Department of Labour and the Department of Immigration;
- (4) Fulfill due diligence at every checkpoint during the entry and exit of foreign workers;
- (5) Handover the foreign workers to the employer reflected in the work permit;
- (6) Set up counters at entry and departure points nationwide for easy access.
- (7) Avoid transferring foreign workers at late night, especially during the monsoon, to prevent potential hazards; and,
- (8) Avoid speeding to prevent accidents and protect foreign workers.

### **Transportation Fare**

101. The transporter shall charge the employer within the fares fixed by the Bhutan Construction and Transport Authority from time to time.

### **Compensation**

102. The transporter shall be liable to pay compensation for the death or injury of any foreign worker as a result of an accident during the transportation.

103. The compensation payment shall be in accordance with the Road Safety and Transport Act 1999 and amendment thereof.

*Chapter V: Transportation*

104. In case of death, the transporter, employer, and Agent shall collaborate with the relevant government agencies to ensure the deceased worker's body is handed over to bereaved family members in one's home country.

**CHAPTER VI  
OFFENCE AND PENALTY**

105. Any employer who contravenes rules 6, 29, 30 and 39 of these rules and regulations shall be considered to have committed an offence under Sections 219-222 and 229 of the Labour and Employment Act of Bhutan 2007.
106. Any employer or Agent who contravenes rule 13 of these rules and regulations shall be considered to have committed an offence under Section 225 of the Labour and Employment Act of Bhutan 2007.
107. Any employer who contravenes rule 26 (2) and is reported by an Agent or any foreign worker service provider shall be barred from applying for foreign workers until all outstanding dues are cleared.
108. Any employer who contravenes rules 32 (1), (4), (7) and (6) of these rules and regulations shall be liable for penalties as per the other relevant rules and regulations adopted under the Labour and Employment Act of Bhutan 2007.
109. Any employer who contravenes rules 32 (2), (3), (5), (8), (9), (11) and (12) of these rules and regulations shall be liable for a fine as follows;
- (1) First instance: Thirty Times (30) the Daily National Minimum Wage;
  - (2) Second instance: Sixty Times (60) the Daily National Minimum Wage;  
and
  - (3) Third and repeated instances: One Hundred Twenty (120) Times the Daily National Minimum Wage.

110. Any employer who contravenes rules 33 and 86 (3) of these rules and regulations shall be guilty of an offence under Section 38 of Labour and Employment Act of Bhutan 2007.
111. Any employer or any person who contravenes rules 43 of these rules and regulations shall be liable for a fine of Three Hundred and Sixty (360) Times the Daily National Minimum Wage.
112. The employer who contravenes rules 44 (1) of these rules and regulation shall be guilty of Felony of Fourth Degree under Section 221 of the Labour and Employment Act of Bhutan 2007.
113. Any person who contravenes rule 44 (2) of these rules and regulation shall be liable for fine and consequences as follows:
  - (1) First instance: Ninety Times (90) the Daily National Minimum Wage;
  - (2) Second instance: One Hundred Eighty (180) Times the Daily National Minimum Wage; and,
  - (3) Third instance: Three Hundred Sixty (360) Times the Daily National Minimum Wage or; if a foreign worker contravenes this rule, the worker permit will be canceled, reported to the Department of Immigration for deportation, and they will not be allowed to apply for a work permit for one year.
114. Any person who contravenes rule 45 of these rules and regulation shall be liable for fine and consequences as follows:
  - (1) Any person who contravenes rule 45 (1) shall be guilty of an offence which shall be Misdemeanor under section 229 of the Labour and Employment Act of Bhutan 2007.

- (2) Any person who contravenes rule 45 (2) of these rules and regulation shall be liable for fine and consequences as follows:
- (i) First instance: Ninety (90) Times the Daily National Minimum Wage;
  - (ii) Second instance: One Hundred Eighty (180) Times the Daily National Minimum Wage; and,
  - (iii) Third instance: Three Hundred Sixty (360) Times Daily National Minimum Wage or; if a foreign worker contravenes this rule, the worker permit will be canceled, reported to the Department of Immigration for deportation, and they will not be allowed to apply for a work permit for one year.
115. An employer who contravenes rule 46 of these rules and regulations shall be liable for the fine as follows:
- (1) First instance: Ninety (90) Times the Daily National Minimum Wage;
  - (2) Second instance and thereafter: One Hundred and Eighty Times (180) the Daily National Minimum Wage.
116. Any foreign worker who contravenes rule 48 (1) shall be reported to the Department of Immigration for immediate deportation.
117. Any foreign worker who contravenes rule 48 (2) and (3) of these rules and regulations shall be liable for a fine and consequence as follows;
- (1) First instance: Ninety Times (90) the Daily National Minimum Wage;
  - (2) Second instance: One Hundred Eighty (180) Times the Daily National Minimum Wage; and,

- (3) Third instance: Three Hundred Sixty (360) Times Daily National Minimum Wage or; if a foreign worker contravenes this rule, the worker permit will be canceled, reported to the Department of Immigration for deportation, and they will not be allowed to apply for a work permit for one year.
118. Any foreign worker who contravenes rules 49 (1), (2), (3), (4), (5), (6), (7) and 50 (1), (2), (3), (4), (5) of these rules and regulations shall be liable as per the relevant laws of the Kingdom of Bhutan.
119. Any foreign worker who contravenes rules 49 (8) shall not be allowed to apply for work permit for one year.
120. Any foreign worker who contravenes rule 50 (6) of these rules shall be liable for a fine:
- (1) First instance: Thirty (30) Times the Daily National Minimum Wage;
  - (2) Second instance: Sixty (60) Times the Daily National Minimum Wage;
  - and,
  - (3) Third instance: The work permit shall be canceled, and the foreign workers shall be reported to the Department of Immigration for deportation.
121. Any foreign worker who contravenes rule 50 (7) of these rules and regulations shall be liable for a fine and consequence as follows;
- (1) First instance: Ninety (90) Times the Daily National Minimum Wage;
  - and

- (2) Second instance: The foreign worker's permit will be canceled, reported to the Department of Immigration for deportation, and they will not be allowed to apply for a work permit for one year.
122. Any foreign worker who contravenes rule 50 (8) of these rules and regulations shall be subject to a medical re-test, or their work permit may be canceled.
123. A person who contravenes rule 51 of these rules and regulations shall be liable for a fine of Ninety Times (90) the Daily National Minimum Wage and the matter shall be reported to the concerned authorities.
124. An Agent who contravenes rules 52 and 79 of these rules and regulations shall be guilty of an offence under Section 219-222 of the Labour and Employment Act of Bhutan 2007. An Agent convicted of the felony offences by the court shall be deregistered.
125. An Agent who contravenes rules 55 and 56 of these rules and regulations shall be liable for the suspension of the user account of the Foreign Workers Management System.
126. For the purpose of rule 124, the user account may remain suspended until the rectification of the shortcomings and until the same is intimated to the Chief Labour Administrator.
127. An Agent who contravenes rules 70, 76, 77 and 78 of these rules and regulations shall be liable for a fine and consequences as follows:
- (1) First instance: Ninety (90) Times the Daily National Minimum Wage;
  - (2) Second instance: One Hundred and Eighty (180) Times the Daily National Minimum Wage; and,

- (3) Third instance: Foreign Workers Management System account suspension and deregistration of Agent.
128. An Agent who contravenes rules 71 and 72 of these rules and regulation shall be liable for a fine per person, which shall be double the amount charged exceeding prescribed limit of 20% or 5% in the renewal of work permit.
129. An Agent who contravenes rules 73 and 74 of these rules and regulations shall be liable for a fine as follows:
- (1) First instance: One Hundred Eighty (180) Times the Daily National Minimum Wage;
  - (2) Second instance and thereafter: Three Hundred and Sixty (360) Times the Daily National Minimum Wage; and,
  - (3) Third instances: Foreign Workers Management System account suspension and deregistration of Agent.
130. An Agent who contravenes rules 81 (1), (2), (3), (6), (7), (8), (9), (10) and (11) of these rules and regulations shall be liable for a fine as follows:
- (1) First instance: Ninety (90) Times the Daily National Minimum Wage; and,
  - (2) Second instance and thereafter: One Hundred and Eighty (180) Times the Daily National Minimum Wage.
131. An Agent who contravenes rules 81 (12) of these rules and regulations shall be liable for a fine as follows:
- (1) First instance: Thirty (30) Times the Daily National Minimum Wage;



- (2) Second instance: Sixty (60) Times the Daily National Minimum Wage;  
and,
  - (3) Third instance: One Hundred and Twenty (120) Times the Daily National Minimum Wage.
132. An Agent who contravenes rules 82, 83 (3), (4) and 84 of these rules and regulations shall be liable for a fine of:
- (1) First instance: Ninety (90) Times the Daily National Minimum Wage;  
and,
  - (2) Second instance and thereafter: One Hundred and Eighty (180) Times the Daily National Minimum Wage.
133. Private Selective Diagnostic Service Centers that contravene rules 93 (1) and (2) of these rules and regulations shall be liable for fines as follows:
- (1) First instance: Ninety (90) Times the Daily National Minimum Wage;  
and,
  - (2) Second instance and thereafter: One Hundred and Eighty (180) Times the Daily National Minimum Wage.
134. Private Selective Diagnostic Service Centers that contravene rules 94 (1) (2) & (3) of these rules and regulations shall be liable for fines as follows:
- (1) First instance: Ninety (90) Times the Daily National Minimum Wage;  
and,
  - (2) Second instance and thereafter: One Hundred and Eighty (180) Times the Daily National Minimum Wage.
135. Any person or employer or Agent or transporter who contravenes rules 97 and 98 of these rules and regulations shall be liable for the fine as follows:

- (1) First instance: Ninety (90) Times the Daily National Minimum Wage;  
and,
  - (2) Second instance and thereafter: One Hundred and Eighty (180) Times  
the Daily National Minimum Wage.
136. A registered transporter who contravenes rule 100 (1-7) of these rules and regulations shall be liable for suspension to transport foreign workers between the port of entry and workplace for a month.
137. A registered transporter who contravenes rule 100 (8) of these rules and regulations shall reported to the relevant authorities.
138. Any transporter who contravenes rules 101 and 102 of these rules and regulations shall be liable as per the Road Safety and Transport Authority Act 1999.
139. If a person violates any provisions of these rules and regulations for which no specific fine or penalty is prescribed, such person shall be penalized with a fine equivalent to Ninety (90) Times the Daily National Minimum Wage.
140. Approval of application for new recruitment shall not be granted to any employer if there are any unsettled penalty against them.
141. An Agent that commits offences repeatedly three times under these rules and regulations within three consecutive years shall be deregistered.
142. For the purpose of determining the repetitive offences for rule 133, the Department of Labour shall consider any of the past offences committed under these rules and regulations.

*Chapter VI: Offence and Penalty*

143. An Agent shall be penalized without any Improvement Notices for violating any provisions under these rules and regulations as per Section 214 of Labour and Employment Act of Bhutan 2007.

## **CHAPTER VII MISCELLANEOUS**

### **Revision**

144. Amendments will be made to these rules and regulations as and when required in consideration of changing circumstances.

### **Power to Issue Notification and Convene Meeting**

145. The Ministry or the Department of Labour may issue notification and guidelines for the effective implementation of these rules and regulations from time to time.

146. The Department of Labour may arrange a meeting with the employers, employees and other parties involved if it determines that issues cannot be resolved at the worksite.

147. The Department of Labour may convene a meeting if it determines that special awareness or education on Labour and Employment Act 2007 and its regulations are required for employers and foreign workers.

### **Inspection and Penalty**

148. If the employer or site supervisor is absent during ad hoc or special inspections, labour officers, inspectors, or advisors may issue necessary penalty memo without meeting them in person, provided they are informed via phone or other means of contact.

149. Labour officers, inspectors, or advisors must maintain pictorial or other evidence of the violation to support the issuance of a penalty.

### **Special Committee**

150. Any critical matters related to any violation of these rules and regulations that has not been addressed at the Division and Department level shall be subjected to discussion by the Special Committee formed by the Chief Labour Administrator/Head of the Department. The Special Committee shall also make minor corrections to these rules and regulation, as deemed necessary for clarity.
151. The necessary documents required shall be notified through the Ministry's website.

### **Protection for Foreign Workers**

152. The Department of Labour reserves the right to separate a foreign worker from his or her employer and arrange for repatriation if it determines that the worker's rights, security, well-being, or welfare are being compromised due to the employer's misconduct.
153. The Department of Labour reserves the right to separate a foreign worker from their employer and arrange repatriation if the worker is found to be a repeated violator or their conduct affects the national interests of the Kingdom of Bhutan.

### **Improvement Notice**

Improvement Notice is not a necessary condition for imposing penalty or offence covered under these rules and regulations as empowered by section 234 of the Labour and Employment Act 2007 to make the rules.

### **Information Disclosure**

154. The Department of Labour may require any employer or individual involved in the recruitment, management, employment, or repatriation of foreign workers to provide information, including through surveys or other

platforms, to ensure the effective implementation of these rules and regulations, under Section 9-12 of the Regulation of Working Conditions, 2022 and Section 232 of the Labour and Employment Act of the Kingdom of Bhutan, 2007.

## **Definition**

155. In these rules and regulations, unless the context otherwise requires:

- (1) **Agent** refers to a Foreign Workers Recruitment Agent who is registered and licensed by the Ministry of Industry, Commerce and Employment to operate as a recruitment agent inclusive of their branch offices.
- (2) **Applicant or Proponent** includes a person who submits a formal application to the Ministry to operate as a Foreign Workers Recruitment Agent or Diagnostic Service Center.
- (3) **Adverse Record** refers to the existence of negative information such as, but not limited to, illegal recruitment, falsification, swindling, and conviction for crimes involving moral turpitude.
- (4) **Business License** refers to a license issued by the relevant department under the Ministry of Industry Commerce and Employment.
- (5) **Certificate of Registration** refers to the document issued by the Chief Labour Administrator to the applicant/ proponent upon approval of their proposal.
- (6) **Chief Labour Administrator** means the Head of the Secretariat of the Ministry or an officer of the Royal Civil Service recruited, selected, and appointed under the Bhutan Civil Service Rules to exercise the functions

and powers in sections 22 to 24 of the Labour and Employment Act of Bhutan 2007.

- (7) **Competent Authority** refers to a government agency entrusted with the responsibilities and identified as the nodal agency in the relevant subject. The competent authorities include Department of Labour and Department of Immigration.
- (8) **Contract of employment** means an agreement, whether oral or in writing, expressed or implied to employ or to serve as an employee for payment and includes a contract of training.
- (9) **Department of Immigration** is a Department under the Ministry of Home Affairs responsible for entry and exit of foreign workers.
- (10) **Department of Labour** is a department under the Ministry of Industry, Commerce and Employment responsible for providing policy directives on foreign workers and overall management of foreign workers in the country.
- (11) **Employee** means a person employed under a contract of employment.
- (12) **Employer** means a person who employs one or more other persons under a contract of employment.
- (13) **Foreigner** means a person who is not a citizen of the Kingdom of Bhutan.
- (14) **Foreign worker** means a foreigner recruited from a country other than Bhutan to work for the employer.

- (15) **Foreign Workers Recruitment Agents** are the Agents registered by Department of Labour to assist the employer in recruitment and management of foreign workers as assigned by the employer.
- (16) **Grievance** means a complaint by one or more workers, a workers' association, or an employer, relating to any matter concerning working conditions or the working environment arising at work or out of the workplace, as covered by the Labour and Employment Act 2007.
- (17) **Immediate family members** mean spouse, children, parents, father-in-law and mother-in-law.
- (18) **Injury** means any physical damage to a person resulting from an accident.
- (19) **Ministry** refers to the Ministry of Industry, Commerce and Employment.
- (20) **Private Selective Diagnostic Service Center** refers to any privately operated clinical services registered with the Ministry of Health and obtained a business license to operate as a diagnostic service provider.
- (21) **Relevant Agencies** refers to government agencies entrusted with the responsibilities and identified as the nodal agency in the relevant field.
- (22) **Transporter** means any person or vehicle registered with Bhutan Construction and Transport Authority under the Road Safety and Transport Authority Act and possessing authorizing credentials to engage in public transport service.



- (23) **Wages** means remuneration or earnings that can be expressed in terms of money and payable by an employer to an employee under a contract of employment.
- (24) **Workplace** means any place, whether a building or structure, open space, home, office, or factory, where an employee works.
- (25) **Work permit** means an approval granted by the Chief Labour Administrator and Department of Immigration to work in Bhutan.
- (26) **Work Permit's Terms and Conditions** means change of employer, occupation and location of a foreign worker without the approval of the Chief Labour Administrator.
- (27) **Work Permit Requirements** means the Department of Labour can set or change the requirements for approval of work permit besides the eligibility criteria stated in rule 16.

**ANNEXURE**

**Annexure I: Medical Examination form**

|   |  |             |
|---|--|-------------|
| <b>Part I: Personal Information</b>             |  |             |
| Name  | Passport No/Identity Card No./Voter Card No. | Nationality |
| Occupation                                      | Date of Birth/Age                            | Gender      |
| Address in Bhutan (Employer's name and company) |  |             |

| <b>Part II: Medical History (to be declared and signed by the applicant in the presence of/or with the assistance of a medical or health professional</b> |   |   |                               |                   |   |   |                               |
|---|---|---|-------------------------------|-------------------|---|---|-------------------------------|
| Y= YES;<br>N=NO   |   |   |                               |                   |   |   |                               |
| Medical Condition   | Y | N | If yes, provide brief details | Medical Condition | Y | N | If yes, provide brief details |
| Mental illness  |   |   |                               | Epilepsy          |   |   |                               |
| Asthma/COPD   |   |   |                               | Diabetes Mellitus |   |   |                               |
| Hypertension  |   |   |                               | Tuberculosis      |   |   |                               |

*Annexure*

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
| Heart Disease  |  |  |  | Kidney Disease                           |  |  |  |
| Addiction to drugs or Alcohol  |  |  |  | Prolonged or repeated hospital admission |  |  |  |
| Major Surgical Operations  |  |  |  | Long-term medication                     |  |  |  |
| Visual & Hearing Impairment  |  |  |  | Pregnancy                                |  |  |  |
| <p>I declare that all the information given above is correct and true. I also understand that providing false or misleading information may result in the refusal of my application and cancellation of any work permit/visa issued</p> <p>Signature/Thumbprint of the applicant.....</p> <p>Date.....</p> |  |  |  |  |  |  |  |

|   |        |          |                                 |
|---|--------|----------|---------------------------------|
| <b>Part III: Physical Examination (to be conducted by registered medical or health professionals)</b> |        |          |                                 |
| A. General  | Normal | Abnormal | If abnormal, give brief details |
| Pulse Rate      per minute  |        |          |                                 |
| Blood Pressure.....mmHg   |        |          |                                 |
| Conjunctiva   |        |          |                                 |

|   |  |  |  |
|---|--|--|--|
| (circle): Pallor/<br>Non-icteric/Others<br>(Specify):.....<br>... |  |  |  |
| Vision: R<br><br>L  |  |  |  |
| Lymphadenopathy   |  |  |  |
| Pedal Oedema  |  |  |  |
| Visible Deformity   |  |  |  |
| <b>B. Systemic</b>  |  |  |  |
| Skin: Hypo Pigmented<br>patch                                     |  |  |  |
| Cutaneous Nerve<br>Enlargement                                    |  |  |  |
| Cardiovascular system   |  |  |  |
| Per Abdomen/ liver/spleen   |  |  |  |
| Hernia  |  |  |  |
| Mental State (Sensory and<br>Coordination)                        |  |  |  |
| Respiratory System  |  |  |  |

**Part IV: Laboratory tests and Chest X-Ray (to be conducted at authorized health/diagnostic centers in Bhutan)**

*Annexure*

|   |  |
|---|--|
| <p>Note:</p> <p>(1) <i>Minimum standard to be met to perform X-Ray services in any of the POEs: Red brick wall of double brick thickness is the minimum requirement for occupational and radiation safety of all and radiation hazard-related PPE (personal protective equipment) should be worn at all times by the radio technicians.</i></p> <p>(2) <i>Original lab. test results and chest X-ray must be attached for verification by certifying medical professional</i></p> |  |
| 1   | <p>Chest X-ray no. ....</p> <p>Date of Xray.....</p> <p>Name of Health/Diagnostic Centre: .....</p> <p>Remarks/Report.....</p> <p>.....</p>  |
| 2   | <p>Urine analysis:</p> <p style="padding-left: 20px;">(1) Albumin.....</p> <p style="padding-left: 20px;">(2) Sugar.....</p> <p style="padding-left: 20px;">(3) RBCs.....</p> <p>Name of Health/Diagnostic Center: .....</p> <p>Date of Test.....</p> <p>Remarks/Report.....</p> <p>.....</p>    |
| 3   | <p>Blood test:.....Date of Test.....</p> <p>Name of Health/Diagnostic Centre.....</p> <p style="padding-left: 20px;">(1) Syphilis Serology: Result.....</p> <p style="padding-left: 20px;">(2) Malaria Parasite: Result.....</p> <p style="padding-left: 20px;">(3) Hepatitis B: Result.....</p> |

|   |   |
|---|---|
|   | (4) Hepatitis C: Result.....<br>(5) HIV: Result.....<br>(6) Random Blood Sugar (RBS): Result..... |
| <p><i>Note: To rule out TB and MDR-TB, subject all presumptive TB (people with Cough for 2 weeks or more or Cough for more than 1-week with persistent fever, night sweats, weight loss) to Xpert MTB/RIF test. The sample will be collected at the authorized health/diagnostic centers and shall be shipped to the respective Hospital for testing.</i></p> |   |

|   |  |
|---|--|
| <p><b>Part V: Drug test (to be conducted at authorized health/diagnostic centers in Bhutan)</b></p>   |  |
| Name of Health/Diagnostic Centre.....<br>..... Date of Test.....  |  |
| 1. Amphetamine (AMP):<br>Result.....<br><br>2. Benzodiazepine (BZO):<br>Result.....<br><br>3. Cocaine (CoC):<br>Result.....<br><br>4. Ketamine (KET)<br>Result.....<br><br>5. Methamphetamine (MET):<br>Result..... | 6. Methylenedioxyamphetamine (MDMA):<br>Result.....<br><br>7. Marijuana (THC): Result.....<br><br>8. Opiates (OPI): Result.....<br><br>9. Propoxyphene (PPX): Result.....<br><br>10. Tramadol (TRA): Result..... |

*Annexure*

|  |
|--|
| Part VI: Certification and Declaration (to be completed by an authorized medical professional)   |
| I certify that I have examined the applicant bearing Passport/ ID/ voter card no.....and analyzed his/ her laboratory test results and Chest X-ray report. I declare the applicant to be:<br><br><p style="text-align: center;"><input type="checkbox"/> FIT                      <input type="checkbox"/> UNFIT</p> |
| <u>Comments (if any) by the Examining Medical or Health Professional</u>   |
| <u>Examining Medical or Health Professional</u><br><br>Name and Address:<br><br>BMHC Registration No.<br><br>Signature and Official Seal   |
| <i>Note: This form will be retained with the certifying health center/facility, and the exam will be provided with a medical certificate to process for a work permit</i>  |
| <b><u>For Official Use only</u></b><br><br><i>Fee (excludes laboratory and Chest X-ray cost) Nu.....</i>   |

**Annexure II: Documents required while Applying for Professional Category**

1. Notarized qualification certificate
2. A copy of valid passport/voter card
3. Valid business license/work order/construction approval letter/recommendation letter from the concerned agency
4. Employer undertaking form (Form: 9)
5. Duly signed authorization letter from the employer to the FWRA if he/she allows the FWRA to sign the employer undertaking form on behalf of the employer.



### Annexure III: Transfer and Change of Workplace Form

#### 1. Relieving Employer Details

##### 1.1. Relieving Employer

Employer/Name/entity: .....CID/Trade license/CDB.....

Contact number: .....

##### Work Location

Dzongkhag: .....Gewog: .....Exact Location.....

##### 1.2. Relieving Employer (Tick the relevant statement either a or b)

- a. Please cancel the work permit of ..... foreign Worker/s (in numbers) which was/were issued in my name/entity as my construction work/business undertaking is completed and the workers are being transferred.
- b. The total ..... Foreign workers is/are temporarily transferred to the receiving employer for a period of .....days/hours and will return to my work site after the completion of the specified agreed period.

#### 2. Receiving Employer's Details

##### 2.1. Receiving Employer

Employer Name/Entity: ..... CID/Trade license/CDB.....Contact number: .....

##### Work Location:

Dzongkhag: .....Gewog: ....., Exact Location.....

##### 2.2 Receiving Employer (Tick the relevant statement either a or b)

- a. I hereby undertake full responsibility of the ..... foreign worker/s (in numbers) from the above employer to be deployed in my construction or business undertaking till the completion of my work and repatriate to their origin of country without fail.

- b. I hereby undertake to deploy the ..... foreign worker/s (in numbers) from the above employer in my work site for a period of ..... hours/days on temporary basis and will send back the workers to the original employer after the completion of the specified agreed period.

*Affix legal stamp*

*(Both the  
employers'  
signature)*

**Name & Signature  
(Relieving Employer)**

**Name & Signature  
(Receiving Employer)**

Other documents for transfer of foreign workers:

1. A copy of the valid work permit card
2. Valid business license/work order/construction approval letter/recommendation letter from the concerned agency/ consent letter from the receiving employer for minor renovations (if required for few days)

**Annexure IV: Application form for Foreign Workers Recruitment Agent**

***Part 1: Forwarding Letter***

Chief Labour Administrator,

Ministry of Industry, Commerce and Employment,

Thimphu, Bhutan.

**Sub: Application for Establishment of Foreign Workers Recruitment Agent**

Sir/Madam,

I/We wish to establish and operate a Foreign Workers Recruitment Agent at [.....location.....] aimed at addressing the recruitment needs and ensuring compliance with Labour laws of the Kingdom of Bhutan.

Enclosed in this letter is a detailed proposal.

Yours sincerely,

[ Name ]

Proponent

***Part 2: Application details***

1. Proponent profile

- a. Name of the proponent: .....
- b. CID Number: .....
- c. Security Clearance Number: .....
- d. Email: .....
- e. Contact #: .....

2. Company Profile

- a. Name of the Agent: .....
- b. Proposed Location: .....

*[Dzongkhag and exact location]*

3. Administration and Management

a. Proposed Organization and management structure:

*[Attached as additional page]*

b. Proposed HR Strength: .....

*[1. Minimum of 3 employees; 2. Attached Terms of Reference for each Occupation]*

4. Equipment and Facilities *[Minimum requirement]*

a. One Laptop or Desktop  Yes  No

b. One Printer  Yes  No

c. One Photocopy machine  Yes  No

d. Visitors' chairs; 5 number  Yes  No

***Part 3: Letter of Undertaking by the proponent***

I .....bearing CID..... hereby undertake that I am fully conversant with the Regulation on Foreign Workers Management 2024 as it applies to the Foreign Workers Recruitment Agent.

I further acknowledge that I am fully aware of the roles and responsibilities of a Foreign Workers Recruitment Agent and of the penalties and sanctions to be applied for breach of any provisions of the Act and Rules and Regulations on Foreign Workers Management 2024.

*(Affix legal stamp)*

Signed by the FWRA

Address: .....

Date: .....

Signed by witness

Name: .....

CID No: .....

Address: .....

Date: .....