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Workplace Injuries and Compensation: Analyzing the Legal Framework for Employee Protection

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This research paper examines the legal framework surrounding workplace injuries and compensation, focusing on employee protection within various jurisdictions. Workplace injuries pose significant risks to employee safety and well-being, necessitating a thorough understanding of the laws governing compensation and employer responsibilities. The study utilizes a comprehensive literature review, and legal analysis, to identify gaps and inconsistencies in existing regulations that may hinder effective protection for injured employees. Key findings reveal a lack of uniformity in compensation systems, often leaving workers vulnerable to financial insecurity following injuries. Furthermore, the research highlights the importance of policy reforms aimed at enhancing legal protections and compensation mechanisms. The paper concludes with practical recommendations for employers to improve workplace safety, ensure compliance with legal obligations, and create a culture of accountability. Ultimately, this study aims to contribute to the discourse on labor rights, emphasizing the critical need for robust legal frameworks that prioritize employee safety and welfare in the workplace.



Introduction:

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Work-related injuries (WRIs) are a critical concern globally, representing a substantial source of mortality and morbidity in various sectors. Defined by the International Labor Organization (ILO) as "an unanticipated and unplanned occurrence including acts of violence resulting from and in connection with work which cause one or more workers to incur a personal injury, disease, or death," WRIs encompass a wide range of incidents that can profoundly affect employees' health and well-being. The Occupational Safety and Health Administration (OSHA) in the United States further clarifies that any event or exposure in the work environment that causes or significantly aggravates an existing injury qualifies as a work-related injury. These definitions underscore the complexity and broad scope of workplace injuries, which not only lead to fatalities and disabilities but also precipitate significant economic costs. The economic burden of work-related illnesses and injuries is estimated at 4% of gross domestic product (GDP) across various nations, varying between 1.8% and 6% in countries such as the United States, Australia, and Singapore. This variance highlights the disparity in workplace safety measures and health systems worldwide. (Mehmood, et al. 2019)

The staggering statistics associated with WRIs illustrate the severity of this issue; according to the ILO, approximately 7,600 individuals die each day from work-related injuries or illnesses, with 15% of these deaths directly attributable to WRIs. Furthermore, the likelihood of experiencing a fatal workplace injury is significant, with estimates suggesting that six out of every 1,000 workers may face such an outcome over a 40-year career in the United States. Notably, while WRIs are often underreported, the Global Estimates of Occupational Accidents and Work-related Illnesses (2014) revealed that approximately 289 out of 313 million cases of WRIs occurred in low- and middle-income countries. This underlines the urgent need for improved reporting mechanisms and enhanced safety protocols, particularly in regions where the labor force is predominantly composed of expatriate workers. (Mervartová, 2014)

Certain industries and occupations are disproportionately affected by WRIs due to the inherent risks associated with the work environment. In high-income countries, significant progress has been made in reducing the incidence of WRIs, primarily through targeted investments in occupational safety and health initiatives. For example, in the United States, work-related fatalities dramatically decreased from 37 to four per 100,000 workers between 1933 and 1997, with similar declines noted in work-related road traffic injuries. Such successes are recognized as major public health achievements, yet similar progress in the Middle East remains elusive. (Spieler, 2016) Countries within the Gulf Cooperation Council (GCC) have experienced rapid economic development since the oil boom of the 1970s, heavily relying on an expatriate workforce to fill labor shortages in sectors like construction and hospitality. Despite advancements in health and economic indices, these nations face a troubling prevalence of WRIs, particularly in high-risk industries, raising concerns about the associated economic losses and the overall safety of workers. (Rutgers, Ulrichsen, 2017)

In Qatar, the issue of workplace injuries is particularly pressing, given the substantial influx of migrant labor and the hazardous conditions often encountered in sectors such as construction and oil extraction. However, there exists a notable scarcity of literature examining the burden, characteristics, and risk factors related to WRIs in this context.

This research aims to explore the current labor law landscape in Qatar and identify gaps in the current legal frameworks designed to protect employees. By examining and interpreting the legal texts that reveal Qatar's prevention efforts, this study seeks to propose a comprehensive framework that encourages multi-sectoral participation and enhances worker safety in line with international standards. Through this analysis, the paper will contribute to the ongoing dialogue on occupational health and safety in the GCC countries, emphasizing the need for informed policies that prioritize the protection of vulnerable worker groups.

Study Problem:

Despite the growing emphasis on workplace safety and employee rights in Qatar, there remains a significant gap in understanding how effectively the existing legal framework addresses workplace injuries and compensates affected employees. This research seeks to explore the extent to which Qatar's labor laws, regulations, and policies adequately protect employees from workplace injuries and ensure fair compensation. Key questions include:

1. What are the key provisions of the Qatar Labor Act No. (14) of 2004 related to workplace safety and employee rights?



2. How effective is the Labor Act in promoting accountability among employers for reporting work-related injuries and fatalities?
3. To what extent does the Qatar Labor Act align with international labor standards regarding workplace safety and employee protection?
4. What challenges do employers and employees face in implementing the provisions of the Labor Act related to workplace safety?
5. What is the forms of compensation imposed by the Qatari legislator on the employer as a result of work injuries that cause harm to workers?

Through this theoretical legal study, the research aims to identify gaps and inconsistencies in the legal framework, assess the effectiveness of current compensation mechanisms, and provide recommendations for enhancing employee protection in Qatar.

Study Objectives:

1. To analyze the provisions of the Qatar Labor Act No. (14) of 2004 concerning employee rights and employer responsibilities in workplace safety.
2. To assess the effectiveness of the Act in promoting accountability and transparency in reporting work-related injuries and fatalities.
3. To evaluate the extent to which the Labor Act aligns with international labor standards in protecting workers' rights and ensuring workplace safety.
4. To identify potential gaps and challenges in the implementation of the Labor Act regarding workplace safety and employee welfare.
5. To provide recommendations for enhancing the effectiveness of the Labor Act in safeguarding employees and improving workplace safety standards in Qatar.
6. Determine the forms of compensation imposed by the Qatari legislator on the employer as a result of work injuries that cause harm to workers.

Study Importance:

The research plays a crucial role in ensuring employee safety and welfare by identifying gaps in existing laws and regulations, promoting compliance among employers regarding their legal obligations, and informing policymakers on necessary reforms. By emphasizing workers' rights, the study empowers employees to seek appropriate compensation for workplace injuries while raising awareness of safety practices in the workplace. Overall, this research contributes valuable insights to the academic literature on labor law and occupational health, offering practical guidance for employers to foster safer working environments and improve employee protection.

Study Limitations:

The study addresses the legal framework governing work injuries and compensation in Qatar by analyzing the current Qatari Labor Law No. (14) of 2004, taking into account the limitations related to relying on secondary data, the dynamic nature of labor laws, and the influence of cultural factors, which may affect the comprehensiveness and applicability of the results.

Study Methodology:

The research will focus on analyzing legal texts, case laws, and international conventions. The inductive approach will be used to observe patterns and derive theories, while the deductive approach will be employed to test these theories through the application of legal principles to specific cases.

- **Inductive Approach:** The inductive method will be used to infer general legal theories from specific legal texts. This begins with detailed observations and analysis of the legal documents, after which broader conclusions or principles will be derived. The focus is on uncovering gaps or inconsistencies in the legal texts, particularly those related to work injuries and compensation in the Qatar Labor Law and relevant international standards. (Azungah, 2018)



Deductive Approach: After deriving general conclusions from the inductive analysis, the deductive method will be employed to validate or challenge these conclusions by applying them to specific legal cases, provisions, or real-world scenarios. This approach helps in confirming the applicability of general principles by testing them through specific instances or examples. (Pandey, 2019)

Theoretical Framework and Previous Studies:

Definition of Workplace Injuries and Compensation:

a) Workplace Injuries

Workplace injuries refer to physical or psychological harm that occurs to an employee during the course of their employment. These injuries may result from accidents, unsafe working conditions, or even long-term exposure to hazardous elements in the workplace. Workplace injuries are broadly categorized into two main types: (Consunji, et al. 2020)

- **Physical injuries:** This includes any harm to the body such as fractures, sprains, burns, or repetitive strain injuries. They can occur due to accidents (e.g., falls, equipment malfunctions) or continuous exposure to harmful conditions (e.g., noise, chemicals).
- **Mental injuries:** These involve psychological conditions such as stress, anxiety, depression, or trauma caused by workplace conditions. These conditions can arise from excessive work demands, harassment, or exposure to traumatic incidents in certain job roles (e.g., first responders, healthcare workers).

According to the International Labour Organization (ILO), "an occupational accident or injury is one that occurs during the course of employment, resulting in personal harm, including diseases and even fatalities". (ILO, 2015)

What Constitutes a Workplace Injury? (Strid, et al. 2021)

- **Accidents or Mishaps:** Sudden incidents leading to bodily harm, like slipping and falling, machinery malfunctions, or being hit by falling objects.
- **Repetitive Motion Injuries:** Injuries caused by repetitive tasks, such as carpal tunnel syndrome or musculoskeletal disorders, due to long-term strain on certain body parts.
- **Exposure to Harmful Substances:** Long-term exposure to chemicals, asbestos, or loud noise that leads to health issues, such as respiratory illnesses or hearing loss.
- **Mental Health Injuries:** Psychological harm caused by work-related stress, harassment, or exposure to traumatic incidents, often leading to anxiety, depression, or PTSD.

b) Compensation

When an employee sustains a workplace injury, compensation is typically provided through Workers' Compensation Insurance, a system designed to offer financial support to employees who suffer from work-related injuries or illnesses. The scope of compensation can cover several areas: (Orchard, et al. 2020)

- **Medical Expenses:** This includes coverage for hospitalization, surgeries, medications, physical therapy, and any other treatment required for the injury. For example, in the United States, Workers' Compensation typically covers all necessary medical treatments related to the injury.
- **Lost Wages:** Compensation often covers a portion of the wages lost during the time the employee is unable to work. In many jurisdictions, this compensation is around 66% of the employee's average weekly wage.
- **Permanent Disability Benefits:** If an injury results in permanent impairment or disability, compensation may be extended to cover ongoing financial support.
- **Vocational Rehabilitation:** In cases where employees are unable to return to their previous job due to injury, compensation can cover the costs of vocational training to help the worker gain new skills and transition to a different job.
- **Death Benefits:** If the workplace injury leads to the employee's death, compensation may also include death benefits paid to the employee's dependents, covering funeral costs and financial support.



Workplace injuries encompass both physical and mental harm, and the scope of compensation depends on the nature and severity of the injury. Workers' Compensation Insurance generally covers medical expenses, lost wages, disability benefits, and even death benefits in certain cases.

Legal Theories and Principles:

The Qatar Labor Act No. (14) of 2004 lays out essential legal theories and principles that govern employee rights, employer obligations, and workplace safety regulations in Qatar. Understanding these principles is critical for ensuring fair treatment in the workplace and maintaining a safe working environment. Below is an exploration of these fundamental concepts as articulated in specific articles of the Labor Act. (Aboud, 2020)

1. Employee Rights

The Labor Act emphasizes the rights of employees, particularly concerning workplace injuries and fatalities. Article 108 mandates that employers must report any work-related incidents resulting in injury or death to both the police and the relevant authorities. This reporting requirement ensures that the circumstances surrounding workplace accidents are thoroughly investigated, thereby safeguarding the rights of employees and their families. In cases of injury, Article 109 entitles workers to receive medical treatment at the employer's expense and guarantees them full wages during their treatment period, which may last up to six months. This provision underscores the importance of supporting employees during recovery and acknowledges the financial implications of workplace injuries.

Furthermore, Article 110 extends the rights of employees' heirs in the event of a work-related death. The provision establishes compensation for the deceased worker's family, calculated in accordance with Islamic laws. This ensures that employees' families are provided for in the unfortunate event of a work-related fatality, demonstrating the law's commitment to protecting workers' rights even after their passing.

2. Employer Obligations

Employers have a series of obligations under the Labor Act to ensure employee welfare and compliance with safety regulations. One of the primary obligations outlined in Article 108 is the immediate reporting of workplace injuries or deaths. By mandating timely reporting and investigation, the law aims to foster accountability among employers, compelling them to maintain safety standards and minimize risks in the workplace.

Additionally, Article 115 requires employers to provide the Department of Labor with statistics on workplace injuries and occupational diseases every six months. This requirement not only promotes transparency but also holds employers accountable for tracking workplace safety issues and addressing them appropriately. By maintaining accurate records, employers can better understand safety trends and implement necessary preventive measures.

3. Regulations Governing Workplace Safety

The Labor Act establishes several regulations aimed at ensuring workplace safety and promoting health standards. For instance, Article 111 delineates situations where the employer is exempt from liability for injuries, including instances where the worker intentionally injures themselves, is under the influence of drugs or alcohol, or grossly neglects safety instructions. These exclusions underscore the importance of adherence to workplace safety protocols and the consequences of negligence.

Moreover, Article 112 provides a mechanism for resolving disputes between workers and employers regarding an employee's ability to return to work following an injury. By requiring referral to the Competent Medical Authority for final decisions on medical matters, the law ensures that disputes are handled fairly and based on expert assessments.

The legal theories and principles embedded in the Qatar Labor Act No. (14) of 2004 serve to protect the rights of employees while imposing clear obligations on employers to uphold safety and health standards. The act promotes accountability through its reporting requirements, compensation provisions, and regulations governing workplace safety. Understanding these frameworks is essential for both employers and employees to navigate the complexities



of labor relations in Qatar effectively. By fostering a culture of safety and compliance, the Labor Act contributes to a healthier and more equitable work environment for all.

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Conditions for the employer's liability for damage in the event of work-related injuries

1. Execution of work assignments and their direct correlation

For an employer to be liable for damages incurred by employees, the injury must have occurred during the execution of job tasks or in direct relation to them. The execution of work tasks refers to the fulfillment of job responsibilities stemming from an employment relationship, agreements for work conducted outside of such a relationship, as well as other activities undertaken at the employer's request and those related to business travel. The execution of work tasks may occur at the behest of the trade union organization, other employees, or at the employee's own discretion, provided the employee does not require authorization for such work and does not contravene any explicit prohibitions set by the employer, as well as any voluntary assistance organized by the employer. (Abraham & Liebman, 2021) Acts necessary for work performance, customary actions during work, activities required prior to commencing or after concluding work, as well as common practices during meal and rest breaks occurring on the employer's premises (even if meal breaks are not considered working time) are directly related to the execution of work tasks. Nonetheless, commutes to and from work, meal breaks, medical check-ups, and treatments at a healthcare facility, as well as the associated travel (unless conducted on the employer's premises), must not be considered activities directly related to the execution of work duties. Employee training conducted by their employer, trade union organization, or the employer's superior entity, intended to enhance vocational skills (qualifications), shall be regarded as an activity directly related to the execution of work responsibilities. (Johnson, et al. 2024)

2. The causal relationship between the fault and the damage

The employer's liability for damages in cases of industrial harm or occupational sickness is founded on the "objective principle." The fundamental prerequisites include the presence of an employment-related industrial injury or occupational disease, the occurrence of harm, and a causal link between the industrial injury or occupational disease and the damage. The employer is liable for the resultant damage, and the employee is not required to demonstrate the employer's culpability. The fundamental criterion for employer culpability is a causal link between the incident and the employee's adverse health state. For a compensation claim to arise, it is essential that all three conditions are concurrently satisfied.

The employees must demonstrate that the occurrence occurred, the extent of the damage, the monetary amount involved, and the causal relationship among these elements. The employer bears responsibility, regardless of the inability to establish wrongdoing. The employer is required to compensate for damages, regardless of compliance with all legal and regulatory safety responsibilities, unless such obligations mitigate the circumstances.

However, Article (111) outlines conditions under which the employer may be fully or partially relieved of liability, which mirrors the provisions you mentioned regarding exemptions from liability. These include cases where the worker intentionally injures themselves, is under the influence of drugs or alcohol, or grossly neglects safety instructions, establishing a link between the worker's misconduct and the injury. This allows employers to escape full liability if they can prove the employee's fault, aligning with the principle that an employer may be partially or fully relieved from liability if the worker contributed to the damage through reckless behavior or intoxication.

Overall, Qatar's labor law clearly reflects the principle of employer liability for workplace injuries, with specific provisions addressing compensation and relief from liability in cases where the employee's own conduct played a significant role in causing the damage.

Types of compensation:

According to the provisions of Labor Law No. (14) of 2004, the legislator has specified several types of compensation in the event that a worker sustains a work injury or dies as a result of his work. These compensations include:



1. **Medical Treatment Costs:** As specified in Article 109, if a worker sustains a work-related injury, the employer is responsible for covering the costs of the worker's medical treatment as prescribed by the Competent Medical Authority.
2. **Loss of Earnings:** Article 109 also states that the worker is entitled to receive their full wage during the treatment period or for up to six months, whichever is sooner. If the treatment period extends beyond six months, the worker is entitled to half their wage until recovery or until they prove permanent incapacitation.
3. **Compensation for Permanent Incapacitation:** Article 110 specifies that if a worker suffers from permanent partial or total incapacitation as a result of a work injury, they are entitled to compensation. The compensation is calculated based on the proportion of the permanent incapacitation according to a schedule attached to the law.
4. **Compensation for Death:** If a worker dies as a result of their work, the heirs are entitled to compensation. This compensation is to be calculated according to Islamic law or the Personal Status Law of the deceased's country (Article 110).
5. **Lump-Sum Compensation for Death:** Article 114 establishes that the employer must deposit compensation for the worker's death with the competent court within 15 days, and this compensation will be distributed to the heirs.
6. **Compensation for Survivors:** As mentioned in Article 110 and Article 114, in the event of a worker's death, compensation is provided to the worker's heirs according to the provisions of Islamic law or the Personal Status Law of the worker's country.

Therefore, the types of compensation include loss of earnings, medical treatment costs, compensation for permanent incapacitation, compensation for death, and compensation for survivors' maintenance. These are the primary types of compensation under the law.

The employer's duties relating to Workplace Injuries:

Under the provisions of Labor Law No. (14) of 2004, the employer's duties in the event of work-related injuries are outlined as follows:

1. Reporting the Incident (Article 108):

The employer is required to immediately report any work-related death or injury to both the police and the relevant Department. The report must include the worker's details (name, age, profession, address, nationality), a brief description of the incident, and the actions taken for rescue and treatment.

The employer or their representative must also provide statements during the police investigation and assist in establishing the link between the incident and the work.

2. Medical Treatment (Article 109):

The employer is responsible for covering the full cost of the worker's medical treatment as prescribed by the Competent Medical Authority.

The employer must ensure that the injured worker receives their full wage during the treatment period, or up to six months. If the treatment extends beyond six months, the worker is entitled to half of their wage until they recover or prove permanent incapacitation.

3. Compensation (Article 110):

In case of death due to work, the employer must provide compensation to the worker's heirs, calculated in accordance with Islamic law or the worker's country's Personal Status Law.

If the worker suffers a permanent partial or total incapacitation due to a work injury, the employer must pay compensation, with the amount calculated based on the degree of incapacitation.



4. Exemptions from Compensation (Article 111):

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The employer is not obligated to provide compensation if the worker's injury or death is a result of their intentional actions, gross negligence, drug or alcohol influence, or refusal to undergo necessary medical treatment.

5. Timely Payment of Compensation (Article 114):

The employer must pay compensation for incapacitation within 15 days of the official establishment of the injury or the result of the investigation confirming it.

In the event of death, the employer must deposit the compensation with the competent court within 15 days of the worker's death or the investigation's result. The court will then distribute the compensation to the heirs.

6. Statistical Reporting (Article 115):

Employers are required to submit statistics on work injuries and occupational diseases every six months to the relevant Department, following the forms and procedures specified by the Ministry.

These duties highlight the employer's responsibility to ensure immediate reporting, cover medical expenses, compensate for injuries or death, and provide necessary data on workplace injuries.

Impact of International Law on Qatar's Labor Act No. (14), 2004

International labor standards and conventions, such as those established by the International Labour Organization (ILO), have played a significant role in shaping Qatar's labor law, including its Labor Act No. (14) of 2004. These international frameworks have influenced employee rights, employer obligations, and workplace safety regulations in Qatar, and can be seen throughout various articles of the Act, including provisions on work injuries, compensation, and health and safety standards.

1. Influence of International Labor Standards

The ILO, of which Qatar is a member, sets out key labor standards through conventions and recommendations aimed at promoting fair and safe work environments globally. These conventions address a wide range of issues, including occupational safety, workers' compensation, and the treatment of work-related injuries and fatalities. For instance, ILO Convention No. 121 on Employment Injury Benefits establishes basic rights to compensation and medical care for workers injured on the job, which echoes in the Qatar Labor Act's provisions, particularly Articles 108-115. (Alkhayareen, 2023)

Article 108 of the Qatar Labor Act mandates the immediate reporting of work-related injuries or deaths to the relevant authorities and ensures that incidents are thoroughly investigated. This reflects ILO standards that emphasize the importance of transparency and timely reporting in cases of workplace accidents. The international emphasis on accountability has driven Qatar to adopt such measures in its legal framework to ensure fair treatment of workers and quick responses to workplace hazards.

2. Employer Obligations and Worker Protections

International treaties and labor conventions influence employer obligations, especially concerning worker health and safety. ILO Convention No. 155 on Occupational Safety and Health promotes a system of rights and responsibilities in the workplace, requiring employers to ensure a safe working environment. This convention's principles are evident in Article 109 of the Qatar Labor Act, which holds employers responsible for the medical treatment of workers injured on the job and ensures the continuation of wage payments during the treatment period. This mirrors international norms that require employers to bear the financial burden of injuries sustained at work.

The obligation to pay compensation to workers or their heirs in the event of injury or death, as laid out in Article 110, is also a reflection of ILO Convention No. 121 and the broader international principle of fair compensation for



workplace accidents. The compensation structure in Qatar, aligned with Islamic laws, also respects local legal and cultural norms while adhering to the global standards of worker protection.

3. Regulations Governing Workplace Safety

Workplace safety is another area where international law has greatly impacted Qatar's labor framework. ILO Convention No. 187 on the Promotional Framework for Occupational Safety and Health stresses the importance of promoting safety standards and reducing workplace hazards. The Qatar Labor Act echoes these principles in Article 111, which outlines cases where the employer is exempt from liability, such as when workers engage in gross negligence or fail to adhere to safety guidelines. By including such provisions, Qatar's labor laws reinforce the global principle that safety is a shared responsibility between employers and employees. (Thomas & Turnbull, 2018)

Additionally, Article 115 requires employers to report statistics on workplace injuries and occupational diseases, which ties directly to international efforts to monitor and improve workplace safety. The emphasis on record-keeping and data collection supports the global agenda for transparency and the continuous improvement of health and safety standards.

4. Treaties and International Conventions

Qatar has signed and ratified several ILO conventions that influence its labor laws, including ILO Convention No. 87 on Freedom of Association and ILO Convention No. 98 on the Right to Organize and Collective Bargaining. (Le, 2020) While these conventions focus on broader labor rights, their influence on Qatar's overall labor framework, including the provisions relating to workplace safety and compensation, is clear. The ratification of these conventions signifies Qatar's commitment to aligning its national laws with international labor standards, providing workers with protection that meets global expectations.

The impact of international labor standards, conventions, and treaties is evident in Qatar's Labor Act No. (14) of 2004, especially concerning workplace safety, employer obligations, and employee rights. The influence of the ILO conventions is particularly notable in the Act's provisions regarding the reporting of workplace injuries, compensation for work-related injuries or fatalities, and the shared responsibility for occupational safety. By integrating these international standards into its legal framework, Qatar not only protects its workers but also aligns itself with global efforts to ensure safe and fair working conditions.

The legislative gaps that the Qatari legislator has not addressed concerning occupational injuries and compensation:

While Qatar's Labor Law No. (14) of 2004 offers comprehensive provisions for work injuries and compensation, there are several potential legal loopholes or areas of ambiguity that may affect the full protection of workers. These loopholes can arise from either unclear provisions or gaps in coverage, which could disadvantage workers in certain situations. Below are some of the key legal loopholes that the Qatari legislator has not fully addressed:

1. Lack of Clarity in Determining Work-Relatedness of Injuries

Article 108 of the Labor Law requires employers to report work injuries or deaths to the authorities. However, the criteria for determining whether an injury is "work-related" are not thoroughly defined. The law states that an injury should be linked to the work, but it leaves room for interpretation as to what constitutes a work-related injury. For example, injuries that occur during breaks, off-site, or during travel for work may fall into a grey area. Without clear guidelines, employers may argue that an injury is not directly related to work, potentially depriving workers of compensation.

2. Limited Scope of Coverage for Occupational Diseases

Article 113 references a list of occupational diseases that are eligible for compensation. However, this list (Schedule No. 1 attached to the law) may not cover all potential work-related diseases. As industries evolve and new workplace hazards arise (such as psychological injuries or long-term chronic diseases like stress-related illnesses), the failure to



update this list regularly can leave workers without adequate protection for emerging conditions that are increasingly recognized in other jurisdictions.

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3. Burden of Proof on Workers

While the law requires employers to compensate workers for injuries, it does not clarify who holds the burden of proof in cases where there is a dispute over the cause of injury. In practice, workers may need to prove that their injury is work-related, which can be challenging, especially for complex or long-term health issues like repetitive strain injuries. Without clear provisions outlining the responsibility of employers to disprove claims, this burden could unfairly fall on injured workers.

4. Ambiguities Around Medical Decisions

Article 112 states that in cases of disputes over a worker's medical condition or ability to return to work, the Competent Medical Authority's decision is final. However, the law does not outline what recourse workers have if they disagree with the medical assessment. This lack of an appeals process could result in workers being forced to accept unfavorable decisions regarding their recovery or compensation without the ability to challenge them through an independent or third-party review.

5. Exemptions for Employer Liability

Article 111 outlines several instances where employers are exempt from liability for work injuries, such as when a worker is under the influence of drugs or alcohol, or intentionally causes harm to themselves. While these provisions make sense in principle, the terms like "gross negligence" or "intentionally contravening safety instructions" are broad and vague. This ambiguity could potentially be exploited by employers to deny liability by arguing that workers did not follow safety protocols or were at fault, even in cases where these factors were not the primary cause of the injury.

6. Compensation for Temporary Workers or Contractors

The law generally focuses on the rights of permanent employees. However, temporary workers, contractors, and part-time employees may not be as fully protected under the law, depending on their employment status. The ambiguity in how these workers are classified under the law could lead to situations where they are excluded from full compensation rights for work-related injuries.

7. No Explicit Mention of Psychological or Emotional Injuries

The law does not directly address psychological or emotional injuries that may arise from work, such as stress, anxiety, or post-traumatic stress disorder (PTSD), even though these are recognized as work-related injuries in many countries. This gap may result in workers who suffer from mental health conditions due to their job being excluded from receiving compensation or treatment at the employer's expense.

8. Cap on Compensation and Wage Continuation

Article 109 limits the period during which a worker can receive their full wage to six months following an injury. After this period, the worker only receives half of their full wage. If treatment continues beyond six months, the injured worker's financial situation may deteriorate, especially in cases of long-term or permanent incapacity. This cap on compensation can leave workers with insufficient financial support during extended recovery periods or in the event of serious, long-term injuries.

9. Exclusion of Domestic Workers

Qatar's domestic workers are largely governed by a separate law, the Domestic Workers Law (Law No. 15 of 2017). While the general labor law provides protections for most workers, domestic workers face weaker protections, particularly regarding work injuries. As they are not covered by Labor Law No. (14), domestic workers may face



greater difficulty in receiving appropriate compensation or medical care for work-related injuries, making this a significant loophole in Qatar's broader labor framework.

While Qatar's Labor Law No. (14) of 2004 provides a strong foundation for protecting workers in cases of work-related injuries and fatalities, certain loopholes and ambiguities may reduce its effectiveness in practice. Gaps in coverage for new types of occupational diseases, the burden of proof on workers, and limited protections for specific categories of workers are just some of the issues that can lead to inadequate compensation or protection. Further reforms or clarifications may be necessary to ensure that all workers, regardless of their employment status or the nature of their injury, are fully protected under Qatari law.

Conclusion:

a) Results:

1. The analysis of the Qatar Labor Act No. (14) of 2004 highlights a robust legal framework aimed at protecting employee rights and defining employer obligations in workplace safety.
2. The Act requires employers to report work-related injuries and fatalities, promoting accountability and transparency regarding workplace incidents.
3. Employees are entitled to essential rights, such as access to medical treatment and wage continuation during recovery, reflecting the law's commitment to worker welfare.
4. Compensation provisions for permanent incapacitation and work-related deaths align with international labor standards, demonstrating Qatar's dedication to safeguarding workers' rights.
5. Clear employer responsibilities, including timely incident reporting and safety record maintenance, contribute to a structured approach to workplace safety.
6. The incorporation of international labor standards in the Act underscores Qatar's commitment to fair labor practices and adherence to safety regulations.

b) Recommendations:

1. Increase awareness and training programs for employers and employees regarding the provisions of the Labor Act to foster understanding of their rights and obligations.
2. Implement stricter enforcement measures and penalties for non-compliance to ensure employers meet their reporting and safety obligations, thereby reducing workplace incidents.
3. Establish a dedicated body to monitor workplace safety and facilitate the reporting of injuries, promoting a culture of accountability.
4. Encourage employee participation in safety committees and decision-making processes to empower workers and foster a proactive approach to health and safety management.
5. By adopting these measures, Qatar can further strengthen its labor framework and ensure a safer working environment for all employees.



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تتناول ورقة البحث هذه الإطار القانوني المحيط بإصابات العمل والتعويضات، مع التركيز على حماية الموظفين في مختلف الولايات القضائية. تشكل إصابات العمل مخاطر كبيرة على سلامة الموظفين ورفاهتهم، مما يستلزم فهماً شاملاً للقوانين التي تحكم التعويضات ومسؤوليات صاحب العمل. تستخدم الدراسة مراجعة شاملة للأدبيات والتحليل القانوني لتحديد الثغرات والتناقضات في اللوائح الحالية التي قد تعيق الحماية الفعالة للموظفين المصابين. تكشف النتائج الرئيسية عن عدم وجود توحيد في أنظمة التعويض، مما يجعل العمال غالباً عرضة لانعدام الأمن المالي بعد الإصابات. وعلاوة على ذلك، يسلط البحث الضوء على أهمية إصلاحات السياسات الرامية إلى تعزيز الحماية القانونية وآليات التعويض. وتختتم الورقة بتوصيات عملية لأصحاب العمل لتحسين السلامة في مكان العمل، وضمان الامتثال للالتزامات القانونية، وخلق ثقافة المساءلة. في نهاية المطاف، تهدف هذه الدراسة إلى المساهمة في الخطاب حول حقوق العمل، مع التأكيد على الحاجة الماسة إلى أطر قانونية قوية تعطي الأولوية لسلامة الموظفين ورفاهتهم في مكان العمل.