

Final Project 1

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Project title

The Role of the Qiwa Platform in Protecting Employees Before and After Employment Contract Formation in Saudi Arabia

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1. Chapter 1: Introduction

1.1. Research Background

Employment contracts are fundamental instruments that establish the obligations and entitlements of both employers and employees, forming the legal basis of the employment relationship. Within Saudi Arabia, these relationships are largely regulated by the Saudi Labour Law, which seeks to maintain a balance between managerial authority and the protection of workers' rights while promoting job security. Nevertheless, despite the presence of this legal framework, employment disputes have historically arisen not only from breaches of contractual terms but also from complications occurring during recruitment and the early stages of employment (Khoja, S., & Thomas, S., 2022).

Prior to the implementation of digital labor reforms, workers, especially expatriates, were exposed to several vulnerabilities, including ambiguous job offers, contract replacement practices, restricted access to employment documentation, and limitations on job mobility. Such challenges frequently contributed to unequal power dynamics, making it difficult for employees to contest unfair practices or substantiate claims relating to contractual violations.

In response to these concerns, Saudi Arabia initiated comprehensive labor market reforms in alignment with Vision 2030, prioritizing transparency, labor mobility, and digital transformation in governance. One significant development resulting from these reforms was the launch of the Qiwa Platform by the Ministry of Human Resources and Social Development. This platform facilitates the digital management of employment procedures, including electronic contract authentication, job mobility services, and ongoing employee access to employment information and records (Rezk, W. M., 2025).

Unlike conventional regulatory approaches that primarily addressed disputes after they occurred, the Qiwa platform is designed to mitigate conflicts proactively by enhancing transparency prior to contract formation

and safeguarding employee rights throughout the duration of employment. Accordingly, this research investigates the extent to which the Qiwa platform contributes to employee protection both before and after employment contract formation, assesses its role in promoting contractual fairness, and critically evaluates persistent challenges that may affect its overall protective effectiveness.

1.2. Research Problem

Despite the existence of a comprehensive legal framework under the Saudi Labour Law governing employment relationships, workers have historically faced various vulnerabilities during recruitment and after contract formation. Issues such as misleading employment offers, discrepancies between agreed terms and actual working conditions, and restrictions affecting job mobility have contributed to instability in employment and a higher likelihood of disputes. Although the introduction of the Qiwa platform marks a substantial advancement through the digitalization of employment contracts and formal recording of employee consent, its practical effectiveness is shaped by factors including employee awareness, ease of access, and the level of employer compliance. Moreover, reliance on digital documentation alone may not fully address imbalances in bargaining power or workplace challenges that extend beyond contractual provisions.

- **Research Problem:**

The effectiveness of Qiwa in providing comprehensive employee protection remains influenced by awareness, accessibility, and enforcement factors despite its strong digital safeguards.

1.3. Research Significance

This study is significant as it captures the expanding influence of digital governance on employment protection and the promotion of fairness in contractual relationships. The transition from conventional paper-based agreements to digitally verified contracts represents a fundamental transformation in the regulation and supervision of employment arrangements. From a legal perspective, the research demonstrates how digital documentation strengthens enforceability by preserving clear

evidence of employee consent and offering dependable proof in dispute resolution processes, thereby enhancing procedural fairness and minimizing uncertainty regarding contractual duties.

From a practical viewpoint, the research enhances employee awareness by illustrating how access to digital contracts, mobility mechanisms, and formally documented resignation procedures contribute to greater employment security. Improved awareness enables workers to make well-informed decisions and decreases exposure to unfair labor practices. Additionally, the study carries economic importance by showing that stronger employee protection can foster workforce stability, lower costs associated with disputes, and reinforce employer accountability. These benefits support broader labor market reforms aimed at boosting productivity and attracting qualified talent.

1.4. Research Questions

This study aims to address the following key issues in order to evaluate how Qiwa enhances employee protection before and after:

- RQ1: In what ways does the Qiwa platform strengthen employee safeguards throughout recruitment and the process of contract approval?
- RQ2: Which employee rights following contract formation are reinforced through the use of digital employment services?
- RQ3: To what extent does the adoption of digital contract documentation contribute to a reduction in employment-related disputes?
- RQ4: What challenges or constraints limit the ability of the Qiwa platform to provide comprehensive employee protection?

1.5. Research Objectives

General Objective

To evaluate the role of the Qiwa platform in strengthening employee protection across pre-contract and post-contract employment stages.

Specific Objectives

- To investigate how electronic contract approval promotes transparency and clarity during the recruitment phase.
- To evaluate post-contract safeguards, including job mobility options, formally documented resignation procedures, and employee access to contractual records.
- To determine whether the implementation of Qiwa contributes to lowering dispute rates and strengthening evidentiary reliability.
- To identify operational and practical challenges that may influence the platform's ability to deliver effective employee protection.

1.6. Research Hypotheses

Based on the research objectives and the existing literature on digital labor governance, this study proposes the following hypotheses:

- ❖ H1: Utilization of the Qiwa platform improves transparency during the pre-contract stage by enabling employees to review and formally approve employment terms prior to contract activation.
- ❖ H2: The digital preservation of employment contracts within Qiwa enhances post-contract employee protection by facilitating access to employment records and strengthening evidentiary certainty in dispute resolution.
- ❖ H3: Mobility and resignation functionalities offered through Qiwa promote greater employee independence and lessen reliance on employer authorization compared with traditional employment arrangements.
- ❖ H4: Notwithstanding the protective mechanisms embedded in Qiwa, limitations relating to employee awareness, bargaining strength, and digital literacy may constrain the platform's overall effectiveness in safeguarding worker rights.

- ❖ H5: The integration of digital employment platforms with enforcement mechanisms under the Saudi Labour Law leads to a measurable decline in employment disputes and reduces opportunities for contractual manipulation.

1.7. Employee Protection Through Qiwa

A. Pre-Contract Protection

The recruitment phase is particularly critical, as individuals frequently depend on employer-provided information when making employment decisions. The Qiwa platform contributes to employee protection at this stage by mandating the digital recording of job offers, thereby promoting transparency regarding wages, benefits, and working conditions. This digitalization helps ensure that employment terms are clearly communicated prior to contract formation.

Furthermore, the requirement for employees to formally approve contracts electronically reinforces informed consent and limits the possibility of unilateral modifications by employers. The platform's verification mechanisms also minimize the likelihood of contract substitution, thereby strengthening legal certainty and shielding employees from unexpected alterations to agreed terms. In addition, standardized contract templates improve clarity and help ensure compliance with minimum labor standards before the commencement of employment.

B. Post-Contract Protection

Following the start of employment, Qiwa continues to enhance worker protection by providing ongoing access to contractual documents, which increases employee awareness and supports evidentiary reliability in the event of disputes. The job mobility function represents a significant reform, as it improves employee negotiating power and reduces reliance on employer consent for employment transitions.

Moreover, the ability to submit resignations digitally promotes procedural fairness by formally recording termination requests and

preserving documentation. Monitoring mechanisms related to contract renewal also help protect employees from unauthorized amendments or unapproved changes to employment terms. Collectively, these features contribute to lowering contractual disputes while improving transparency throughout the employment relationship.

1.8. The Suggested Project Structure

- Chapter 1: Introduction and foundational framework.
- Chapter 2: Comprehensive Literature Review.
- Chapter 3: Research Methodology (to be developed).
- Chapter 4: Data Analysis and Discussion (to be developed).
- Chapter 5: Conclusion and Recommendations (to be developed).

Chapter 2: Literature Review

2.1 Digital Labor Governance and Employment Protection

Recent academic studies emphasize the increasing role of digital labor governance in strengthening employment regulation and improving transparency within contractual relationships. Digital employment platforms enable employment terms and agreements to be electronically recorded, securely stored, and easily accessed, thereby reducing uncertainty and reinforcing accountability between employers and workers. Scholars indicate that electronic contract systems enhance the reliability of evidence by clearly documenting employee consent, which helps minimize disputes arising from vague or disputed employment terms (International Labour Organization [ILO], 2022).

In addition, digital verification procedures promote procedural fairness by ensuring that employees actively review and confirm employment conditions before contracts become effective. The transition from employer-controlled documentation to government-supervised digital systems represents a notable development in safeguarding vulnerable workers and strengthening contractual certainty (World Bank, 2021).

2.2 Digital Transformation of the Saudi Labour Market

In Saudi Arabia, labor market reforms introduced under Vision 2030 highlight digital transformation as a central strategy for modernizing employment relationships and enhancing labor market efficiency. The creation of the Qiwa platform reflects this policy direction by offering electronic contract authentication, mobility services, and centralized access to employment records through a system managed by the Ministry of Human Resources and Social Development.

Academic commentary suggests that digitalization strengthens transparency during recruitment and reduces risks associated with contract substitution or misleading employment information. By allowing employees to review and approve employment terms electronically, Qiwa supports

informed consent and helps address information imbalances between employers and employees (Alsharif, 2021). Furthermore, these reforms facilitate labor mobility and flexibility, which remain key objectives of Saudi labor market restructuring efforts (Vision 2030, 2022).

2.3 Pre-Contract Vulnerabilities and the Role of Digital Verification

The literature identifies the recruitment stage as a particularly vulnerable period for employees, especially migrant workers who often depend heavily on employer assurances prior to relocation. Challenges such as misleading job offers, unclear compensation structures, and contract substitution practices have historically contributed to worker insecurity and employment disputes.

Digital verification tools, including those incorporated within the Qiwa platform, help address these concerns by requiring standardized documentation and employee approval before employment becomes effective. Researchers argue that these mechanisms limit opportunities for manipulation while providing stronger legal safeguards for employees before entering into contractual relationships (ILO, 2022).

2.4 Post-Contract Protection and Employment Mobility

Beyond the recruitment phase, existing research highlights the importance of post-contract protections in maintaining fair employment conditions. Continuous employee access to contractual records and mobility services enhances worker autonomy while reducing dependence on employer authorization. Digital platforms that enable workers to request transfers, submit resignations, and track contract status contribute to greater bargaining power and support the prevention of disputes.

Studies further suggest that mobility reforms can improve labor market efficiency by limiting involuntary job retention and promoting equitable competition among employers. Within the Saudi context, Qiwa's mobility features are considered a significant mechanism for achieving these outcomes

while ensuring continued regulatory oversight (World Bank, 2021; Alsharif, 2021).

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