

# VINCI's agreement with global union BWI to improve safety & labour rights in Qatar

An innovative approach to improve workers' rights in a challenging context

22 October 2019
IPLOCA HSE & CSR Workshop
Geneva



## Main principles of the agreement with BWI and QDVC

#### **November 2017**

Resulting from discussions that began in December 2014, the global union federation Building and Wood Workers' International (BWI) signed an agreement with QDVC and VINCI on workers' rights.

It applies to all workers employed by QDVC in Qatar and includes due diligence with sub-contractors.

QDVC: a Qatari company owned by Qatari Diar Real Estate Investments Company and VINCI Construction Grands Projets. Main principles of the BWI Agreement

Labour Migration & Recruitment practices

**Working Conditions** 

**Living Conditions** 

Subcontractors practices on workers' rights

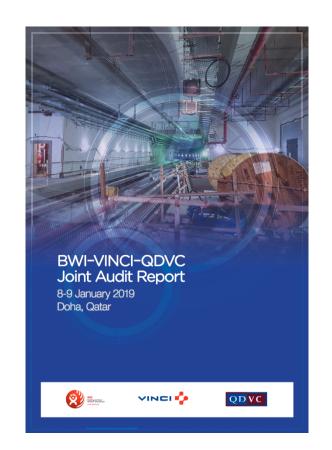
Grievance Mechanism





# January 2019: 1st audit of QDVC/VINCI workers' conditions in Qatar by the global union federation BWI

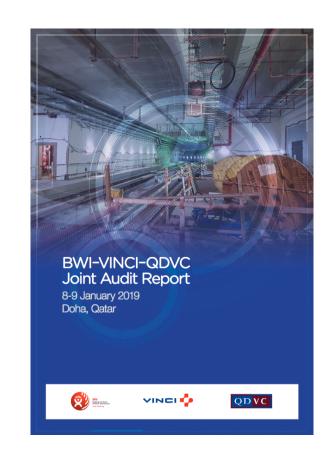
- **❖ BWI conducted the first on-site audit of the operations of QDVC** in Qatar on 8 and 9 January 2019, accompanied by French trade union representatives (CGT, CFDT and CFE/CGC) from VINCI. The audit included:
  - A site visit of QDVC's main project, the Light Railway Transit System (LRT) of Doha;
  - An inspection of the workers' accommodation, built and operated by the company;
  - The observation of the elections and counting of votes of the QDVC's Workers' Welfare Committee (WWC), the first workers' committee elected in Qatar;
  - Interviews with workers on site, workers' representatives and safety champions without management supervision;
- ❖ Publication of the audit report (full transparency with external stakeholders): <a href="https://www.vinci.com/publi/vinci/2019-01-BWI-QDVC-VINCI-Joint-Audit-Report-En.pdf">https://www.vinci.com/publi/vinci/2019-01-BWI-QDVC-VINCI-Joint-Audit-Report-En.pdf</a>





## Why was the audit innovative?

- This audit and collaboration are interesting and innovative in many aspects:
- With BWI, VINCI has set up an independent and effective grievance mechanism in a country where the freedom of association and collective bargaining is not accessible for migrant workers. The system allows all QDVC employees, including temporary workers and sub-contractors, to refer any complaint or unresolved problem to BWI.
- ❖ While audits often focus on health & safety at work, the agreement and scope of the audit was **not limited to health & safety**: it encompassed **all the key elements of what constitutes the full journey of a migrant worker in the Middle East and the human rights risks associated**:
  - o recruitment and employment practices,
  - health and safety at work and at the accommodation,
  - working conditions,
  - o living conditions,
  - o grievance mechanisms, including elected workers' committees,
  - CSR due diligence of subcontractors and manpower providers.





# FILM ON AUDIT & ELECTIONS OF WORKERS' WELFARE COMMITTEE

https://youtu.be/qP4tdpPm8W4

## BWI training and development program of WWC representatives

In 2018, QDVC and BWI conducted a training program for the workers welfare committee representatives.

The program is composed of 4 modules corresponding to the main roles that WRs are accountable on as follows:

This training aims to build the competencies of workers' representatives(WRs) in the Workers' Welfare Committee (WWC) such that they are able to represent the QDVC workers more effectively.

OTHER STILLS AND STILL

This training was first of its kind in Qatar for workers representatives.

Module 1: Leadership concepts and values

Module 2: Effective communication and public speaking

> Module 3:Team building and running effective meetings

Module 4:
Practical
knowledge on
Qatar labour law
and company

In 2019 October, QDVC has extended its training program to the workers' representatives of subcontractors/Manpower.







## Who We Are

A group of leading engineering and construction companies working together to raise the bar in promoting the rights and welfare of workers across the industry.







## Vision and Mission

Collaborating to promote the rights and welfare of workers in the engineering and construction industry and establish common baseline for treatment of workers in global E&C industry.

We advance our programs by:



Adopting common principles and practices



Engaging workers, clients, governments, civil society, and international organizations



**Developing tools** 



Driving innovation and continuous improvement



## **Timeline**



Building Responsibly is launched with six founding companies and support from Humanity United

BR launches Worker

Core Elements of

Implementation

Welfare Principles and



BR has launched the guidance notes, and continues to work on tools, and impact-oriented activities and deliverables



Global construction boom leads to growth in responsibilities for E&C industry



Humanity United funds research conducted by BSR on industry's readiness for collaboration

CH2M, Institute for Human Rights & Business (IHRB), and other partners host series of 6 multi-stakeholder roundtables on worker welfare



Membership open to new companies

Stakeholders engaged



## **Building Responsibly Principles**

Workers Are Treated with Dignity, Respect, and Fairness

6 Living Conditions Are Safe, Clean, and Habitable

Workers Are Free from Forced, Trafficked, and Child Labor

Access to Documentation and Mobility Is Unrestricted

Recruitment Practices Are Ethical, Legal, Voluntary, and Free from Discrimination

Wage and Benefit Agreements Are Respected

Freedom to Change Employment Is Respected

Worker Representation Is Respected

Working Conditions Are Safe and Healthy

Grievance Mechanisms and Access to Remedy Are Readily Available

Core Elements of Implementation: Commitment, Oversight, Training, Reporting, Engagement



## Building Responsibly Guidance Notes: published in open resource on October 10<sup>th</sup> 2019

The purpose of the Guidance Notes is to:



Building Responsibly members are committed to acting ethically and with integrity in all their business dealings with respect to worker welfare by supporting and adopting the following Principles:

- Workers Are Treated with Dignity, Workers, irrespective of their nationality, gender, ethnicity, social and legal status, race, religion, or other protected status, are treated with dignity. respect, and fairness, and are not subject to harassment, discrimination, abuse, or inhuman or
  - Workers Are Free from Forced. Workers are not subject to forced, coerced, trafficked bonded, child, or involuntary labor of any form.
- Legal, Voluntary, and Free Workers shall be recruited through ethical and legal discrimination and all forms of involuntary labor. slavery, and trafficking. Companies should commit and prohibit the payment of fees by the worker Conditions of employment shall be transparent and agreed upon in writing prior to commencing work in
- change their employment; and, where appropriate

a language that is understood by the worker

return home travel at the end of their employment

Working Conditions Are Safe subject to a robust health and safety management system that is compliant with all governing health and safety laws and regulations and is aligned with applicable international standards and industry best practice. This includes access to safe and clean transportation and welfare amenities on project sites; and the promotion of transparent and externa reporting regarding health and safety incidents



#### Living Conditions Are Safe, Clean, and Habitable

have living conditions that are safe, clean, hygienic, and habitable, where consideration is given to their physical and mental health and well-being.

Workers have access to passports and personal documentation at all times. Workers shall have freedom of movement outside normal working hours unless there are legitimate safety or security issues that might threaten the health, safety, or well-being

Workers are paid their agreed wages regularly and on time. Workers will receive all benefits to which they are entitled in accordance with contractual

Workers have the right to freedom of association. In countries where the right to freedom of association is restricted under law, companies should recognize the right of workers to develop alternative means for independent and free association and to

Remedy Are Readily Available

Workers have, and are aware of, the means to report grievances or any activity that is inconsistent with these Principles without fear of retaliation, addressed in a prompt, fair, and consistent manner



Workers, irrespective of their nationality, gender, ethnicity, social and legal status, race, religion, or other protected status, are treated with dignity, respect, and fairness and are not subject to harassment, discrimination, abuse, or inhuman or degrading treatment.

Applying the Building Responsibly principles in practice will be unique in every instance. This guidance note offers discussion around the potential issues and challenges faced and offers suggested good. replying the Suited and offers any principles in prediction in the defense faced and offers suggested good practice options for the implementation of each principle in the Key Components for Consideration

All workers, wherever they are employed, must be treated with dignity, respect, and fairness. There is a heightened risk of abuse where companies rely on migrant workers, low-skilled workers, and/or workers with low level of literacy. In these instances, companies must pay particular attention to their projects and operations to ensure all workers are treated with dignity, respect, and farmess.

- Dignity: The right of workers to be valued and treated in an ethical manner; to be protected from bullying, harassment, or any forms of disciplinary action that could be deemed overly harsh or degrading; and to have their right to privacy respected.
- Inhuman or Degrading Treatment: Treating workers as less than human and thereby causing physical or mental suffering or feelings of fear and humiliation
- Harassment: Harassment can occur in the workplace, accommodation, or transportation, it involves a range of unacceptable behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm and includes gender-based violence and harassment.
- Discrimination: Employees are treated with respect and fairness and, regardless of their location are free from all forms of discrimination, including discrimination based on nationality, gender, ethnicity, social and legal status, race, region, or any other protected status.

#### **Key Challenges**

Unskilled or low-skilled work can be a major component of construction projects in certain sectors and geographies. In some developing countries and in countries with labor shortages, many construction works may come from impoversible documunities, with limited access to education and professional training and low awareness of their rights. As a result, they often work in low-paid or temporary jobs, making them more vulnerable to exploitation by unscrupulous recruiters and employers, and are more at risk of being caught in forced or bonded labor.

- Provide an overview of potential issues and challenges relevant for each principle
- Offer suggestions for implementation
- Include a list of relevant tools and resources



### **Guidance Notes Structure**



#### Principle 9: Worker Representation is Respected

Workers have the right to freedom of association. In countries where the right to freedom of association is restricted under law, companies should recognize the right of workers to develop alternative means for independent and free association and to communicate and promote their rights and welfare.

#### Introduction

Applying the Building Responsibly principles in practice will be unique in every instance. The note offers discussion around the potential issues and challenges faced and offers suggerractice options for the implementation of each principle in the Key Components for Consection.

Worker representation, which is based on values such as transparency, collaboration, engage participation, consultation, and inclusiveness, is generally governed by local laws allowing whenever voice their concerns and represent their interests. In many countries where relevant local law falls short in protecting worker representation and association, companies seek to provide alternative ways for workers to represent and voice their interests. Having a means to engage in open and transparent discussions with workers is key to maintaining a safe, healthy, and productive work site and accommodation

#### **Key Terms and Definitions**

- » Freedom of Association: The right of workers to form and join, or not join, organizations of their own choosing for the representation of their own interests.
- » Worker Representation: Any system or committee set up, on site, or at the company level, to address workers' concerns on various topics including living and working conditions, health and safety, and payment of agreed wages and benefits.
- » Worker Representative: Workers who represent legitimately and inclusively the interests of other workers.

#### Key Challenges

#### Restrictive Law

In some countries, freedom of association is limited and may even be prohibited by law. instances, workers do not have access to legally protected forms of representation that them to voice their concerns without fear of reprisal. As a result, companies may face developing communication mechanisms to enable the voice of their workforce and the concerns of workers.

#### Inclusive Representation

The legitimacy or inclusiveness of worker representation and the capacity of worker representatives to represent others in diverse environments may present a challenge. Specific challenges may include:

- Ensuring appropriate representation for minorities, women, or vulnerable groups within the workforce
- Accounting for cultural and language differences
- Ensuring appropriate representation for different employment categories or worker classifications (e.g. craft, local, migrant, expatriate, seconded/posted workers)

Short Introduction of the topic addressed, followed by a description

of key terms and definitions

Key challenges: 3 or 4 paragraphs that

address the challenges in the industry

Guidance Note

#### Casual Labor

On some projects, casual workers may be recruited for short-term, low-skill work. These workers are seldom representation and generally <u>lack knowledge or</u> information about their rights. This is often the case when casual workers are mign!

information about their rights.. This is often the case when casual workers are migrithey do not have a long-term contract in place, they are more vulnerable to retaliation therefore be afraid to speak up.

Key components: a list of minimum standards that need to be respected

#### **Key Components for Consideration**

- Companies should establish a culture of trust and ensure genuine, inclusive worker representation that accounts for differences and that values the contributions of all workers.
- Companies should respect workers' freedom of association and identify any barriers to inclusive worker representation, such as laws prohibiting representation or cultural norms that may inhibit certain workers from voicing concerns and should identify mitigation strategies to overcome these challenges.
- Companies should identify vulnerable groups of workers on the project site and develop appropriate lines of communication with these groups. These could include worker forums or issue-specific committees.
- Companies should ensure that the project has appropriate governance mechanisms in place (rules, policies, processes) to safeguard worker representation. These might include a code of conduct, a non-retaliation policy, and a grievance mechanism.
- Companies should ensure that language and literacy, or other social drivers, are not barriers to worker representation, especially for migrant labor groups.
- Where possible, companies should encourage its supply chain to adopt open communication with workers and their representatives.
- Where possible, companies should engage local stakeholders and support industry to bring local law in line with internationally accepted labor standards and to remove barriers to worker

#### **Tools and Resources**

- ILO Helpdesk on Freedom of Association
- » ILO Good Practice on Freedom of Association

List of tools and resources

#### **About Building Responsibly**

Building Responsibly is a group of leading engineering and construction companies working together to raise the bar i promoting the rights and welfare of workers across the industry. We have come together to foster and ensure a better working environment for workers in the engineering and construction sector. Doing so will allow us to more effectively respond to client, stakeholder, and regulatory expectations and manage a healthier, more productive workforce.

For more information and resources to support implementation of these Principles, visit <a href="www.building-responsibly.org">www.building-responsibly.org</a>.

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## Why join Building Responsibly?

- Align more effectively with regulations and clients' requirements
- Share with peers effective ways to help promote the rights and welfare of workers in the industry
- Increase productivity by improving workplace management practices
- Learn from and engage civil society stakeholders



## Thank You

## **Building Responsibly**

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