

2018 Questions for Construction Companies in Qatar

Migrant Worker Rights

Name of company: PORR AG

Headquarters address: Absberggasse 47, 1100 Vienna

Website: porr-group.com

1)

a) Please describe the scope of your company's operations in Qatar, including reference to the company's current projects and any labour rights standards governing these projects.

Following market entry in Qatar in 2011, when PORR and its local partners were charged with enabling works and the construction of the Green Line Underground of the Doha Metro, the company has been pursuing a strategy to build up its presence in the region. In Qatar PORR is clearly focused on its core technical competencies in tunnelling, railway construction, civil engineering and specialist construction. The company realises projects together with local partners, as these partnerships give PORR the opportunity to combine its skills and technical expertise with local partners' specific market knowledge, capabilities and labour. The contracts undertaken include also the Enabling Works for Doha Metro, the "Metro Green Line Elevated" project, Trackworks for the entire Doha Metro project, Construction of the Al Wakrah Stadium and smaller Roadworks projects for the Public Authority. PORR's expertise in tunnelling and railway construction is highly acclaimed and we will continue to build on these core activities in the years to come.

The Qatar Labor Law, Workers Welfare Standards, Dhaka Principles and various Client Entities individual regulations govern the labour rights for all these projects.

b) List your company's business relationships on its current projects, including with business partners¹ and entities in its contracting chain.² If your company maintains this information publicly, please provide a link or attachment to it.

PORR is in Joint Venture Partnership with various local contractors including HBK Contracting, Midmac Contracting, Six Construct and Redco International. In addition to these local contractors PORR has also partnered with SBG of Saudi Arabia for the Metro Works projects.

¹ i.e. joint venture partners, State and non-State clients, and State and non-State project financiers

² i.e. subcontractors, recruitment agencies, and labour supply companies in countries of origin and destination

2) Does your company maintain public workforce data? If yes, please provide a link or attachment with the data.

If not, please provide the information on the number of:

a) Directly employed³ workers on your current projects, and their countries of origin

Nationality	Grand Total
Argentina	1
Australia	2
Austria	4
Bangladesh	193
British	9
Bosnia-Herzegovina	1
Bulgaria	4
Croatia	3
Czech Republic	1
Canadian	2
Denmark	1
Egypt	15
Gambia	1
Georgia	1
Germany	11
Greece	3
Hungary	6
India	462
Ireland	7
Jordan	5
Jamaica	2
Lebanon	6
Liberia	1
Macedonia	1
Malaysia	1
Nepal	53
Nigeria	11
Oman	1
Pakistan	54
Palestine, State	1
Philippines	142
Poland	2
Romania	29
Serbia	4
Slovakia	3
South Africa	10
Spain	1
Sri Lanka	11
Sudan	1

³ A directly employed worker is a worker with whom you have a contract of employment and to whom you pay wages

Syria	2
Thailand	1
Turkey	7
United Kingdom	10
United States	2
Grand Total	1092

b) **Workers employed by subcontractors on your current projects**

Not a constant number but the majority of subcontractor workers in this region is typically from (India, Pakistan, Nepal, Sri Lanka, Philippines and Bangladesh).

c) **Workers employed by labour supply companies on your current projects**

Nationality	Grand Total
Bangladeshi	575
India	313
Nepal	92
Sri Lanka	14
Grand Total	994

Human rights policy & due diligence

3) **Does your company have a publicly-available written policy to respect human rights in its operations that addresses a) the rights of workers employed by the company and b) the rights of workers employed by subcontractors, labour supply companies and other entities in the company's subcontracting chain? Please provide links or attachments to the company's relevant policies.**

The frame work of the rights of workers is strictly mentioned in the PORR policies and procedures that is publicly available to all employees. The standards applied are agreed with Joint Venture Partners and Client bodies prior to the commencement of any project. These policies are then strictly enforced and compliance audits conducted by both internal resources as well as client bodies and national departments. Independent audits are also conducted by international bodies appointed by Clients. In fact, we ensure that all our workers, vendors or any stakeholders are aware of our guidelines with regards to human rights by incorporating them into our contracts. Please see attached recruitment document that includes the Dhaka Principles as an example of our commitment.

In addition, see below an excerpt from our HR Policy that discusses the frame work of the workers rights at PORR:

PORR Qatar Construction W.L.L. is committed to the following:

- Employees have full possession of their Original Employment Contract signed and sealed by both parties, their passports and other personal documents.

- Employees possess valid work and resident permits in accordance with the Qatar Labour Law.
- PORR Qatar takes the responsibility of informing Employees about their rights and responsibilities under all applicable laws recognized by Qatar Labor Law as well as health and safety risks of the work to be performed.
- Employees are treated equally regardless of their nationality, gender, ethnicity, race, religion or legal status.
- Employees receive wages on monthly basis in amount as agreed and signed in their employment contract.
- Working hours shall not exceed eight in the day and forty-eight in the week except for the month of Ramadan when the maximum working hours shall not exceed six per day and thirty-six per week.
- Annual, sick and all other leave shall be in accordance with the minimum requirements set by the Law and the worker shall be entitled of free travel to his home country during paid leave, without any penalty or threat of termination.
- PORR Qatar shall provide and be liable for comprehensive medical insurance to Employees.
- PORR Qatar shall provide programs for Employees that create a healthy and comfortable environment both at the workplace and at the accommodation facilities. These programs should identify potential problems Employees are facing and proactively solve them.
- PORR Qatar shall provide Employees with training on the necessary skills required to carry out their tasks and shall provide or allow others to provide Employees with training such as English or Arabic language, financial management, and other kinds of skills.
- PORR Qatar will ensure the application of all elements of the Workers Welfare Standards newest edition.
- PORR Qatar shall appoint a Project Workers Welfare Officer (PWWO) as well as a Workers Welfare Officer (WFO) upon the employment of labour within the company.
- PORR Qatar will establish Workers Welfare Forums and run them on monthly basis and ensure the notification of the Workers' Welfare responsible committees 48 hours in advance for the possibility of attending.
- PORR Qatar will take the responsibility of informing all sub-contractors of the Workers' Welfare requirements. If training is performed, PORR Qatar is to inform Workers' Welfare committees of who was trained, what they will be trained on and when the training will be conducted.
- The employee shall be entitled to terminate their employment without notice and retain full rights to both the end of service gratuity and repatriation at the expense of the contractor, if:
 - PORR Qatar commits a breach of its obligations under the contract or law.
 - PORR Qatar commits a physical or immoral act upon such worker.
 - PORR Qatar mislead the worker at the time of entering into the original offer of employment and/or the employment contract as to the terms and conditions of the work.

- PORR Qatar is aware of a danger to the health, safety or security of the worker and does not take the necessary steps to remove the relevant danger.
- In case of the death of the employee, all wages (including end of service) are promptly settled and transferred to the employee's family.

4) Does your company require subcontractors and other entities in your contracting chain in Qatar to comply with your human rights and other rights-related policies and procedures? If yes:

a) How do you hold them accountable to these requirements (e.g. through contract clauses) and ensure their compliance (e.g. through training, monitoring, penalties etc.)?

Terms and conditions of the subcontract signed include the minimum standards to be maintained and how the process will be monitored. Ongoing monitoring and compliance audits are conducted periodically. Non-compliance after warnings could lead to subcontract termination as well as financial penalties being applied

b) Do you enforce compliance beyond the first-tier of your contracting chain? What challenges does the company face in ensuring subcontractor compliance, both in the first and subsequent tiers?

All efforts are made to enforce compliance across the full contracting chain where possible. Challenges are the cost of maintaining such standards being applied to smaller subcontractors, this is often very difficult to achieve and monitor.

Recruitment

5) Please describe your company's process for recruiting migrant workers to be part of your directly employed workforce in Qatar.

In some selected countries, we are obligated (as per the country labor law) to utilize a recruitment agent in order to mobilize the candidates from the country to Qatar. Therefore, once we received the requirement from a hiring manager, we either fulfill ourselves where possible from existing resources or send it to agencies for those countries that require agencies. If we utilize an agency, we select those that treat the workers fairly and with dignity and we enforce that the worker is not charged in any way with the company being fully responsible for all recruitment related costs.

6) Does your company have a publicly-available written policy to respect migrant workers' rights that addresses the specific risks migrant workers face during recruitment? Please provide links or attachments to the company's relevant policies.

Please see the answer to question number 3. PORR has made it a commitment to ensure and respect the migrant worker rights during recruitment. In particular cases of "recruitment fees"...etc. We have included our commitment in our policies and have ensured the compliance of our vendors by educating and holding them responsible morally and financial to any non-compliance through a performance bond of 500,000 QAR.

a) How does your company prevent the practice of contract substitution? Does your company have a policy of honoring the terms of contract signed in workers' home countries?

Only contracts that are prepared and approved by PORR are given to the workers and a copy of the signed contract is sent to PORR. The worker signed contract is attested at the Qatar government. Workers are interviewed when they arrive if they signed any additional documents. In addition, a performance bond for 500,000 Qatari Riyals is submitted by the agent and is liquidated if they are not in compliance or have charged the workers in any way for recruitment fees.

b) If your company has a policy of no-fee recruitment, what steps does it take to ensure workers do not pay recruitment fees and related costs?

Yes we do, we communicate with the agent and we include it in the contract, we are present during the recruitment and we inform the workers. We also communicate with the agent not to use a sub-agents. Finally, a performance bond for 500,000 Qatari Riyals is submitted by the agent and is liquidated if they are not in compliance.

- c) If your company has a policy of reimbursing fees, please describe the company's process for identifying incidences of worker-paid fees and reimbursing fees to workers.

Our workers don't pay any fees. We pay all the fees as per contract with the agent. If it is discovered that the contract was non-compliant and a worker has paid fees, it is within our contractual agreement that we liquidate the 500,000 QAR bond with the vendor and pay the worker back his portion.

- d) How do these policies apply to the recruitment agents you engage and to labour suppliers and subcontractors who have workers on your projects?

For labour suppliers, they follow PORR requirements and they fall under regular internal and external audits before supplying labour. In addition, they are also conduct self-audit on a monthly basis that is inspected by PORR and reported to the authorities. Lastly, the government authorities will conduct separate external audits on regular basis. As for subcontractors it is enforced at the site level.

Payment & wages

- 7) What is your company's process for determining the wages of its workers in Qatar, and what external benchmarks does it use to set wage levels? Does your company consider a living wage in setting its wage amounts? Please explain.

We research the market and similar companies within the construction industry. In addition, we engage in HR forums and local events to gain market intelligence on compensation. We provide basic salary plus accommodation, transportation and flight allowances among other factors. In general PORR pay wages above the minimum wage that could be achieved.

- 8) Does your company operate on a contractual "pay when paid" basis in relation to:

- a) Subcontractors?

In certain cases the "pay when paid" condition would be applied to certain subcontractors or milestone payments agreed. This is negotiated on an individual basis with each major subcontractor and in particular in relation to contract variations

- b) Employee wages?

No

- c) Other creditors? Please specify.

No

- 9) What mechanisms does your company have in place to detect unpaid wages to workers on your projects? Does your company maintain reserves to ensure salary commitments can be met, and has the company ever intervened to pay workers' wages when the direct employer has defaulted or gone into liquidation? Please describe.

We have been in a situation where we had to intervene to pay workers wages and have done so on behalf of the subcontractor when they are unable to or default on wage commitments. We provide all workers with a payslip and transfer all wages before the end of the month. We make it easy to

communicate with the payroll department through email, mobile or landline. We maintain an open door policy.

Freedom of movement

10) How does your company ensure that all workers on its project sites have free and secure access to their passports and identity documents, including workers employed by subcontractors and labour-supply companies?

We educate all workers during recruitment and during mobilization induction regarding keeping their own personal documents. We provide all workers with a metal locker (with a lock) to ensure that their belongings are safe. We have a strict practice where the workers retain their own personal documents, including passports. The only time the company has possession of the individual's passport is during the contract and residence permitting process.

11) How does your company ensure that all workers on its project sites have valid work permits and other documents required for employment, including workers employed by subcontractors and labour-supply companies? Please include information on who pays for work permits and what steps the company takes when employers on its projects fail to issue or renew workers' permits.

It is PORR policy to pay for all work permits and legal documents required to work in Qatar. We maintain an HR system that contains all the information (issue/expiry dates...etc). In addition, the system send alerts when documents are about to expire. Lastly, we produce weekly reports to ensure no system malfunction. All vendors are expected to supply valid work documents before mobilizing any workers. If the supplier does not renew a supplied worker permit, they are not allowed to work onsite.

12) How does your company ensure all workers on its projects are free to change jobs and/or leave Qatar at will?

We give all workers a no objection permit to work within Qatar or outside Qatar. We also provide them with no objection to return to Qatar whenever they request (as the country law prohibits the worker from coming back till after leaving the job for 2 years).

Living conditions

13) How does your company ensure safe and decent accommodation for all workers on its project sites, including workers employed by subcontractors and labour-supply companies? Please include information on what steps the company takes when employers on its projects fail to house workers in adequate living conditions.

All accommodation provided by the organization are audited (by self and external) on a monthly basis. We maintain Health and Safety records and cleaning records and it is inspected on weekly basis by management. We provide the employees with communication vehicles to complain. We elect worker welfare representatives and involve the workers in the election. We provide internet, entertainment and sports facilities for all workers. Accommodation features a living/dining room with TV sets, modern sanitary facilities, a lunch room that was designed with the different religions' eating habits in mind and that provides three meals a day, a mosque, sports fields and a shuttle bus to the city centre. In addition, we ensure that all manpower suppliers accommodation is inspected and meets the requirements for safe and decent accommodation. All information is included in the HR policy and in the notice board at the accommodation site where the following is posted: The Health and Safety Policy for PORR Qatar, names pictures and room numbers of Fire Marshalls and First Aiders, evacuation plan, exit and muster points, name and contact details of the WWO and Camp Boss, accommodation rules, details regarding the support system available for workers and the information should be provided in multiple languages that is understood by workers.

In addition, the company will ensure that all employees receive an adequate induction using a language that is comprehensible to the employee, at the accommodation. The induction includes HSE standards, medical

care facilities (within the accommodation or accommodation compound), policies & regulations that apply to the accommodation. The company will also make available to each employee at minimum a safe and lockable storage facilities.

In addition, the roles and responsibilities of the key personnel at the accommodation will be clearly defined to address complaints or grievances.

14) Please describe how your company makes provision for workers to have access to:

a) **safe and adequate nutrition**

On site catering facility with published food menus. Facility is inspected by external authorities for hygiene and quality standards and workers within the facility are government approved and certified.

b) **healthcare**

On site well equipped clinic and hospital facilities (certified and approved by Health ministry of Qatar) that is inspected by external government authorities on regular basis. Proactive medical wellbeing health checks. Healthy lifestyle education and promotion.

c) **banking and remittance services**

Available within 5 min walk and transport provided on off days to town to conduct such activities

d) **transportation**

a/c buses available and utilized

e) **leisure activities**

recreational facilities, sports rooms, exercise equipment, sports events, sports teams and tournament organization, computer room, internet, wifi and entertainment facilities and program available to all workers.

Health and safety

15) Please describe your company's health & safety policy and procedures, including what steps the company takes to ensure that they are applied to directly employed and subcontracted workers on your projects.

PORR is committed to its responsibilities to clients, employees, society and the environment means attaching the highest level of importance to issues relating to health, safety and environment. Responsible and sustainable actions, the active integration of all stakeholders as well as an open dialogue are the basic requirements for mutual success.

Our demands go well beyond the fulfillment of legal requirements. We set goals, review the status of their fulfillment on the basis of standardized criteria and openly communicate issues. Through continuous improvement, we further develop our standards and anchor them in the consciousness of all stakeholders.

PORR has a structured Policy and Procedures Program for Health, Safety and Environmental Management System (HSEMS). This drives continuous improvement in the delivery of safe and environmental friendly execution of this project to reach the expectation and requirements of our PORR Group Health, Safety and Environmental Policy.

These policies are applied to all PORR employees and Contractors (e.g. Sub-contractors, Suppliers, Visitors, observers, etc...) who undertake works on PORR projects.

The overall philosophy of Health, Safety and Environment (HSE) shall embody a positive safety culture by continual improvement of the HSEMS in delivery of PORR HSE Policy of Zero Harm. Compliance to our policies and procedures does not absolve PORR or stakeholders from their responsibility to comply with statutory requirements including all health and safety laws, regulations or standards imposed on them by either country of operation legislation or the contract. In fact, there are regular reviews of the performance of the HSMS and improvement actions are implemented as necessary.

As stated above, the key objective of PORR HSE Policy is for “Zero Harm” all throughout the construction process. Zero Harm is simply defined and interpreted by PORR as:

- ❖ Zero fatalities
- ❖ Zero permanent disabling injuries
- ❖ Zero injuries to members of the public
- ❖ Zero long term harm to health
- ❖ Accident Frequency Rate (AFR) of Zero

All personnel working in PORR shall commit to and adopt the philosophy of Zero Harm. Supporting Zero Harm is easy as following these five key HSE principles:

1. All accidents are preventable.
2. Health and safety is led from the top down.
3. Everyone is responsible for health and safety.
4. Positive behaviors are to be reinforced and negative behaviors are to be challenged.
5. Everyone has the right to stop work or to stop others from working if it is unsafe, without fear of any action taken against that person.

16) What is your company’s policy and procedures on overtime? Please include in your answer:

- **What the maximum/limit is on the amount of overtime** - 2 hours as per labour legislation and complied with
- **Whether overtime work is voluntary** - Yes
- **What the premium is for overtime work** - 1.25 weekdays and 1.50 holidays
- **How the company prevents all workers on its projects from exceeding overtime limits during peaks in construction activity** - All overtime is documented and signed and monitored on an ongoing basis for compliance

17) What steps does the company take to protect all workers on its projects from high temperatures, humidity and sunlight throughout the year? Please include information on how you monitor heat risk and how you communicate protective measures to all workers.

Health and safety staff are trained to identify signs and indications of heat stress in individuals. Plentiful water supply available on all sites in multiple locations as well as sheltered areas. Heat/humidity monitoring devices available on all sites as well as sirens that sound when tolerable limits are exceeded, work is then stopped immediately and all workers retire indoors. During summer months no work conducted outdoors between 11am and 3 pm in compliance with legislation. Ongoing workers education during health and safety inductions and toolbox talks about the dangers of heat stress.

18) Does your company maintain public data on fatalities and injuries to workers on its projects? If yes, please provide a link or attachment with the data. If not, please provide information for 2016 and 2017 on the total number and the causes of:

- a) **Work-place fatalities in your direct and subcontracted workforce** - 0 for all projects for 2017/ June 2018

- b) Permanent disabilities in your direct and subcontracted workforce - 0 for all projects for 2017/June 2018
- c) Lost-time injuries in your direct and subcontracted workforce ⁴ - 0.36 for all projects till June 2018

Company does maintain data on all HSE data on fatalities, injuries and other relevant statistics. This data is evaluated on regular intervals. Answers to a/b/c are shown above.

Representation and remedy

19) Given legal restrictions on freedom of association and membership of trade unions in Qatar, how does your company ensure workers' voices are represented and heard by the company, e.g. through worker-representative committees? Please describe the mechanism in place.

We have employed a workers welfare representative and he leads worker welfare forum meetings in the accommodation. The meeting are attended by worker representatives that are elected on short term basis. The scope is to provide an avenue for the workers to voice their opinion and a chance to remedy the complaints.

20) In accordance with the UN Guiding Principle on Business and Human Rights, does your company have an operational level grievance mechanism in place for direct and subcontracted workers on your projects to raise concerns, in their own language, and in a way that ensures grievances can be reported safely, without intimidation or retaliation? Please provide a description of the company's grievance mechanism.

PORR ensures that all employees have proper operational levels of grievance mechanisms so concerns are raised and dealt with in an expedited timeline. In fact, we have defined grievance procedures (see below) that is shared in the policies and procedures manual. And a hotline that is dedicated to grievances at the accommodation site to facilitate the process.

1. The objective of the Grievance Policy is to give PORR Qatar Employees the ability to raise grievances with regard to any aspect of their employment that is unfair, unacceptable, or not up to normal standard.
2. Grievance is defined as a concern, complaint or dispute rose by an employee concerning an incident, judgment, situation or problem between employees or between the employee and the Organization.
3. Grievance is a problem that does not seem able to be resolved between the employees involved. Employees who raise a grievance complaint will not be retaliated against.
4. If an Employee is interested in raising a grievance complaint, they need to follow the steps below:
 - First submit written grievance to their Line Manager. In order to maintain confidentiality, the employee may remain anonymous and no attempt will be made to identify the employee (depending on the allegation as in some cases strict anonymity may not be possible).
 - The complaint should include - Name or request to remain confidential, what they would like to report?, detail of the complaint/allegation and who is committing?.
 - Line Manager should take the necessary action with regards to the complaint or the grievance as quickly as possible. The grievance initiating employee will not be retaliated against by the organization.
 - The employee has the right to file such complaint or grievance to the department manager in case that the line manager fails to settle complaint as quickly as possible or the employee has a good reason for not accepting the decision of his line manager or the complaint or grievance itself is made against this line manager.
 - The department manager should find a solution to such complaint or grievance within

⁴ Lost time-injuries calculated on the basis of injuries resulting in incapacity for work of at least three consecutive days (excluding the day of the accident)

reasonable amount of time from receiving the employee's letter by replying in writing to the above-mentioned letter.

- The employee shall have the right to file such complaint or grievance to human resources department in case that the department manager fails to settle complaint or grievance as quickly as possible or the employee has a good reason for not accepting the decision of department manager or the complaint or grievance itself is made against department manager.
 - In case that there is no need to form a committee, Human Resources Manager has to take a decision to settle such complaint or grievance within the maximum period of 10 working days in coordination with the legal counsel.
 - In case that there is a need to form a committee, HR Manager will refer the case to the Ethics & Grievances committee. Such committee shall be formed by a decision of HR Manager and chaired by him, which shall consist of compliance representative, a human resources team member who shall be designated by human resources manager, and another two member to be appointed by human resources manager as well. This member shall be changed from time to time, depending upon circumstances or each case separately. Such committee shall settle the complaint or grievance as quickly as possible from date of committee formation (If a committee need to be formed, it should be formed within reasonable amount of time from receiving the grievance/complaint).
5. All grievances shall be treated with top confidentiality, which must not be discussed with any third party other than the persons involved in making or handling the grievance. Please refer to point 1.

21) How many grievances were raised in 2017 by directly employed and/or subcontracted workers on your projects? Please provide a summary of the grievances and the remedial actions that were taken by the company and its subcontractors.

None

Other information

22) Is there anything else that you would like to tell us about how your company takes a responsible approach to managing its operations in Qatar, including any challenges it faces in doing so?

No