

2018 Questions for Construction Companies in Qatar
Migrant Worker Rights

Name of company: [TEKFEN CONSTRUCTION AND INSTALLATION CO., INC.](#)

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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.

[Tekfen's actual operations in Qatar includes construction by following Qatar Labour law and Labour rights standards. Furthermore, Al-Thumama project follows not only Qatar Labour law but also Supreme Committees Workers Welfare standards which has been built to protect labour rights.](#)

- [TEKFEN Job No: 354 QATAR - QATAR - DESIGN AND BUILD OF AL KHOR EXPRESSWAY](#)
- **[TEKFEN Job No: 357 - QATAR - AL-THUMAMA STADIUM PROJECT](#)**
- [TEKFEN Job No: 359 - QATAR - EAST INDUSTRIAL ROAD BETWEEN AL MUNTAZAH STREET AND WEST CORRIDOR PROJECT](#)

- 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.

[TEKFEN Job No: 357 – Business Partner - Al Jaber Engineering L.L.C](#)
http://www.tekfenconstruction.com.tr/civil_project_detail.asp?id=16

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

[No, but necessary information given below,](#)

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

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

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

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

a-Total Direct Employees = 1409

a) Indian	= 296
b) Nepalese	= 251
c) Bangladesh	= 249
d) Egyptian	= 21
e) Ethiopian	= 2
f) Filipino	= 37
g) Ghana	= 6
h) Kenya	= 17
i) Nigerian	= 4
j) Pakistan	= 33
k) Sri Lankan	= 28
l) Tanzanian	= 1
m) Thailand	= 1
n) Turkish	= 305
o) Vietnamese	= 158

b) Workers employed by subcontractors on your current projects

Workers Employed by sub-contractor = 131 workers

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

Workers Employed by sub-contractor = 131 workers

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.

We have not a written policy to respect human right but as a Turkish company all our workers have the same rights. We have a HR Policy which worker right mentioned in terms of their gratuity, leave rights, food, accommodation etc.)

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:

Yes, all our sub constructors should follow our standards for human rights

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.)?

Workers welfare commitment statement signed and stamped by our subcontractors means they will follow below details and we are auditing them too. Also, there is a

mechanism (a toll-free number) that workers can call and complain about any breach on their rights which has been followed not only by our client but also by us.

- Health and Safety – foster and actively encourage a world class health and safety culture;
- Employment Standards – comply with the SC's required employment standards and all relevant Qatari laws;
- Equality – treat all workers equally and fairly, irrespective of their origin, nationality, ethnicity, gender or religion;
- Dignity – ensure that workers' dignity is protected and preserved throughout their employment and repatriation;
- Unlawful Practices – prohibit child labor, forced labor, and human trafficking practices;
- Working and Living Conditions – create and maintain safe and healthy working and living conditions;
- Wages – ensure that wages are paid to workers on time;
- Grievances – prohibit retaliation against workers who exercise any rights deriving from the SC's required employment standards or relevant Qatari laws;
- Access to Information – provide access to accurate information in the appropriate language regarding workers' rights deriving from the SC's required employment standards or relevant Qatari laws
- Training – provide workers with training on skills necessary to carry out their tasks, including areas related to their health and safety.

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?

Our standards can be challenging time to time in terms of cost basis for our sub constructors but we are solving them by agreeing mutually.

Recruitment

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

We are contacting to our Gulf approved manpower companies to recruit migrant workers from Asian countries. They are sending us the CVs of the required occupations then after the selecting process we are requesting passport copies for the visa procedure.

After sending visa copies to the recruitment company they are starting Immigration process in their country to deploy the candidates. Once they are ready we are sending tickets to the company to distribute to the workers for departure. When they reach to

Qatar under our company's visa we are taking them from the airport to our accommodation place.

- 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.
- a) How does your company prevent the practice of contract substitution? Does your company have a policy of honouring the terms of contract signed in workers' home countries?
 - 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?
 - 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.
 - d) How do these policies apply to the recruitment agents you engage and to labour suppliers and subcontractors who have workers on your projects?

No, we do not have. But we are making ethical recruitment audits which includes closes between contractor and its recruitment agents. Us, All the subcontractors and their recruitment agencies should be validly registered with the Qatar Ministry of Labor and follow the information below,

Contract between the Contractor and its Recruitment Agent:

- stipulates that a Worker is not to be charged any Recruitment or Processing Fees including any upfront deposits or security-payments for the provision of recruitment services;
- prohibits the confiscation or retention of the Workers passport or other personal documents by the Recruitment Agent;
- stipulates that the Contractor is responsible for the payment all Recruitment or Processing Fees relating to the recruitment of Workers and set out the amount of such fees and charges which the Recruitment Agent will charge the Contractor for the recruitment of Workers;
- stipulates that any job advertisements placed by the Recruitment Agent for recruiting Workers includes a statement to the effect that no Recruitment or Processing Fees shall be charged to, or refunds demanded from the Workers, at any time;
- stipulates that the Recruitment Agent shall clearly inform the Worker in a language they understand the nature of the role and the working and living conditions in Qatar, including the risks of the work to be performed and that the Worker is not required to pay any Recruitment or Processing Fees
- prohibits any payment or provision of any gift or hospitality from the Recruitment Agent to any employee or agent of the Contractor

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 consider a living wage for our migrant workers in Qatar. We are looking and checking wages in market. Most of the Asian countries has a minimum wage for their countries worker. If you do not obey these wages they will not approve your documents to bring them from their countries.

- 8) Does your company operate on a contractual "pay when paid" basis in relation to:
- Subcontractors?
 - Employee wages?
 - Other creditors? Please specify.

In Qatar as per Labor department's decision and instruction all the companies should pay their workers' salaries on time max on the 7th of every month thru WPS (Wage Protection System). WPS lists are going thru Central Bank to Labor Dept. office for checking.

- 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 time keepers and card system to check attendance of the worker. We have a double check system.

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?

As a contractor, we ensure that all Workers have personal possession of their passports and other personal documents, identification cards and bank cards. Also, we are making sure that our subcontractors following same procedures with us by the help of monthly audits.

- 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.

As a contractor we ensure that, at its cost, all Workers possess a valid work visa which shall be transferred into a residence permit, Qatari identity card and health card in

accordance with the Law. With self-ethical recruit audits, we are following these issues and applying same process to our subcontractors.

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

Every worker of us has right to leave or change their jobs after agreed mutually.

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.

We are following the Supreme Committees Worker Welfare Standards and complying with them means all our workers has a decent accommodation. We are making sure with the monthly accommodation inspections that our camp and subcontractors camp is following the standards continuously. You can see the below information describing what we are auditing monthly to provide continuance to our accommodation standards in detail.

- Building Requirements
- Infrastructure Requirements
- Bedroom Requirements
- Toilet/Showering Facility Requirements
- Communal TV and Social Room
- Sport and Recreational Facilities
- Communication and Internet Access
- Laundry
- Food Requirements

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

a) safe and adequate nutrition

To provide safe and adequate nutrition we are working with reliable catering companies which has all related certificates like HACCP, ISO and food handling for their staff. Also, we are auditing them monthly basis in terms of food standards by checking food requirements, on-site catering requirements, external catering requirements, provision of food to construction site, food service requirements, dining hall requirements and drinking water requirements.

b) Healthcare

For health care, we have our clinic working 24/7 at our site with 1 doctor and 1 nurse for each shift. We are monitoring the high-risk workers who has hyper tension, sugar ext. and keeping records for them. We have emergency vehicle ready 24/7 and dedicated driver for any emergency. We are making medical drills to create awareness and understand the timings to take fast action. We are giving first aid training to our staff, drivers and workers with 3rd party companies to support and act faster

c) banking and remittance services

For Banking, we and our subcontractors paying the wages through WPS (Wage protection system) which guarantees workers to have their salary and rights on time.

d) transportation

In terms of Transportation, we provide to Workers at the Contractors expense transportation to and from the Construction Site and to other events and services, including medical care, as required. All vehicles of ours passing an annual inspection by competent local authority.

e) leisure activities

We are providing transportation for the day off for our workers to designated areas so they can enjoy the day. Our camp also has lots of leisure activities like sport and recreational activities, a shopping mall nearby, cinema and other board games, internet, tv with sport channels ext.

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.

HSE Policy and the plans are submitting to sub-contractors during tendering stage with them acknowledge signature. Also, all policies are presenting at site with the help of notice boards and offices to reach the workers.

- 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
 - Whether overtime work is voluntary
 - What the premium is for overtime work
 - How the company prevents all workers on its projects from exceeding overtime limits during peaks in construction activity

The maximum limit on the overtime is 2 hours as per our standards but not limited. Overtime can be done voluntary if construction needed with the approval of project management.

- 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.

We have heat stress procedure which has been approved by SC and meet their requirements included SC heat index web page. Additionally, calibrated anemometers are used at site for the specific locations.

<https://www.humidexalert.com/Pages/Default>

Besides that, as welfare department we have rest areas with water ventilation system separated on each zone, we have water stations with dedicated personnel whom provide ice and water when needed. And as per our mutual discussions and support of our client we are distributing cooling vest to our workers which will help them to get cooler.

- 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:
- Work-place fatalities in your direct and subcontracted workforce
 - Permanent disabilities in your direct and subcontracted workforce
 - Lost-time injuries in your direct and subcontracted workforce ⁴

Below our HES statistics can be seen,

Weekly Statistics	Combined man-hours worked	Fatality	RIDDOR Reportable	First Aid accident <1 Day	Lost Time >1<3 Days	Damage Incident	Near Miss – Hi Potential	Learning Event - Low Potential	Current AFR
This Week	91,521	0	0	0	0	0	0	0	0
LTI Free M-H	724,797	0	2	15	0	6	2	4	0.08
Cumulative Man-hour	2,650,987								

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)

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 are processing every 6 months election for workers to have workers representatives for each nationality whose is responsible to share and follow workers problems with the monthly workers welfare meetings with management.

- 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.

Yes, we have grievance box in labor mess hall that will allow workers to share their problems with us and, they can share their problems with us through their representative once we process monthly Welfare Worker Forum. Also, there is a toll-free number that workers can report the problems anonymously.

- 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.

Two grievances raised in 2017.

1. Workers complain and request to work more overtime but their request is against labor law and our standard so we explain this to the workers and only selected teams are provided extra overtime with the approval of management if required.
2. Workers complained about food quality and quantity. We took direct action and change the catering company with the new one. Most of our workers are happy with the quantity and taste of the food now.

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?

We as TEKFEN, trying always best for our workers to make them happier. We always believe that they are part of our success and keep the best standards as much as we can and keep improving our self's and so as our standards. Whatever challenges we are having, we are solving all together with the internal meetings and monthly welfare forums for our workers.