

2018 Questions for Construction Companies in Qatar
Migrant Worker Rights

Name of Company:

Muhibbah Engineering Middles East LLC

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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.

Muhibbah Engineering Middle East LLC provides EPCIC (Engineering, Procurement, Construction, Installation, Commissioning) solutions for industrial buildings, airport, marine and infrastructure works. MEME has been awarded two project contracts with MANATEQ Qatar Economic Zone and is currently on maintenance period for catering facility in the Hamad International Airport in the State of Qatar

- I. Construction of Roads and Infrastructure at Um Alhoul Economic Zone (QEZ-3) Phase 2.1 (portion 2A, Marine Cluster), started September 2017
- II. Design, Construction and Erection of Syncrolift and Travel Lift with Ancillaries and All Associated Works in Marsa Um Alhoul at Um Alhoul Special Economic Zone.
- III. Hamad International Airport Catering Facility (on maintenance period)

These projects are governed with QF Mandatory Standards of Migrant Workers' Welfare and Qatar Labour Law

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

Muhibbah Engineering Middle East LLC (MEME) is a subsidiary of Muhibbah Engineering (M) BHD partnered with Qatari company Watad Group Enterprises.

Client	<ol style="list-style-type: none">1. MANATEQ Economic Zone2. Hamad International Airport Project Management
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¹i.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

Project Management Consultant	1. Egis International
Labour Supply	1. Gulf Technical Solution 2. Deacon
Recruitment Agency	1. PT FIOKEN KENCANA MANDIRI
Subcontractors	1. AALCO 2. UNIQIP 3. SPARROW 4. AL MASREQ 5. EPT 6. ANZ 7. STRUKTON 8. MIDECO 9. KTC 10. DEACON 11. OMEGA

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

Countries	Numbers of Workers (As of August 2018)
Indonesians	69
Bangladesh	20
Nepalese	23
Filipino	32
Indian	65
Malaysian	16
Pakistani	1
Sri Lankan	1
Egyptian	1
Irish	1
Singaporean	1
UK	1

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

b. Workers employed by subcontractors on your current projects

Subcontractors	Number of Workers (As of August 2018)
AALCO	55
UNIQUIP	10
SPARROW	39
AL MASREQ	4
EPT	8
ANZ	3
STRUKTON	120
MIDECO	88
DEACON	108
OMEGA	13
KTC	4

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

Labour Supply	Number of Workers (As of August 2018)
GTS	123
DEACON	4

Human rights policy & due diligence

- 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.

[MEME follows QF Mandatory Standards of Migrant Workers' Welfare to implement human rights obligations in its operations.](#)

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.)?
 - 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?

MEME is under way enhancing its project contract with Subcontractors and Labour Suppliers by inserting clauses stipulating the ethical recruitment, highlighting welfare of migrant workers and covering human rights issues to ensure compliance with those principles. Termination of service agreement shall be done if requirement is not respected.

Recruitment

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

MEME advocates ethical recruitment and engages only with licensed and accredited recruitment agencies approved by the Embassy of the country where workers are recruited and does not charge workers any recruitment and processing fees or placement fees. The job advertisement from recruitment agency shall state that no fees shall be charged to workers on any phase in the recruitment to mobilization process. Selected workers shall receive the original offer of employment attested by the Ministry of Labour, in the language they understand. Workers shall undergo a pre-departure orientation seminar making them aware of their rights and responsibilities and their privileges in accordance to Qatar Labour Law.

In parallel, MEME prepares accommodation, transportation, and catering facilities prior to mobilization. Work visa is applied followed by purchasing of air ticket. As soon as workers arrive, medical exam shall be scheduled to acquire residence permit. Labour contract shall be authenticated by the Ministry of Labour in Qatar.

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? During the recruitment process, the potential employee is well informed that he will not pay any recruitment fee.
 - 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?

MEME uses the Workers' Rights Book by National Human Rights Committee as a tool for migrant workers awareness of their rights and duties which shall be discussed during pre-departure orientation. Moreover, it is stated in the recruitment agreement with the agency that if they charge workers any recruitment and processing fees or placement fees, failing to inform or misinform workers about their working and living conditions in Qatar or do not provide a copy of an original offer of employment to workers in the language they understand, MEME shall terminate the service of the recruitment agency wherever MEME has become aware of the agency in breach of this recruitment agreement and shall report the agency to Ministry of Labour and local embassy.

MEME has started inserting clauses in the service agreement with Subcontractors and Labour Suppliers regarding ethical recruitment. Termination of service agreement shall be done if requirement is not met.

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.

MEME follows the minimum wage sets by the Embassy of the worker's origin. Visa cost, decent accommodation, beddings, health care, food and transportation provided without any wage deductions.

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

MEME does not in any way operate on "pay when paid" basis.

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.

MEME pays workers' salary without delay through WPS and ensures payment for labour supplies is prioritised. MEME shall assess at bid time the financial capacity of the Subcontractors and Suppliers and shall incorporate in the project contract the clauses for workers' welfare and rights. MEME shall require certified payrolls from its Subcontractors and Suppliers and use them to verify prevailing wage compliance.

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?

Workers' passports are kept by themselves. MEME does not hold these documents as it is strictly prohibited as per Qatar Labour Law. Safety box is provided for the workers for safekeeping of documents and valuable things. However, there are employees entrusted their documents to MEME HR. In this case, workers voluntarily sign a waiver that MEME has no any liabilities in any case.

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.

MEME processes and pays for the work permit and renewal of the residence visa of its own direct labourers prior to expiration. For Subcontractors and labor supplied workers, MEME requires for a valid residence visa and passport of each workers before mobilization. Workers without these documents shall not be mobilized at the project site.

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

MEME does not hold its workers should they wish to change job or leave Qatar after completing their employment contract or even the contract is unexpired provided that notice period is given. This provision is clearly stated in the workers' employment contract.

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.

MEME follows the Qatar Foundation (QF) Accommodation Standards. MEME only engages with labor camp caterers with QF certificate to offer such services. Requirements on labour accommodation and welfare standards is included in the subcontracting agreement. MEME conducts surveillance audit in a regular basis to subcontractors and suppliers to ensure workers' living conditions are met and termination of contract shall be done in the event of a breach of this agreement.

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

- a. safe and adequate nutrition –

The accredited accommodation facility includes kitchen and separate mess hall for all workers with provision to cater for different ethnic dietary needs. Moreover, so workers do not need to go back to accommodation to take their lunch, MEME has provided mess hall at project site based on the safety and security standard and engages with catering service provider with Food Handler License acquired from Health Authority.

- b. Healthcare –

In addition to government health card provided to all employees, MEME has four affiliated clinics/hospitals. All workers have the right to choose among MEME's health care providers where they want to consult without any wage deductions. MEME has a dedicated registered resident nurse on project site with a clinic approved by Supreme Council of Health.

Moreover, the accommodation facility has provided medical care within the community and provides adequate first aid.

c. banking and remittance services –

Opening an account, where the salary is banked in, is one of the mandatory requirements of MEME for all workers during on boarding. MEME also provides transportation to the closest remittance center. MEME has participated to Ministry's Better Connection Program which gives workers access to internet and ICT tools making their remittance prompt and manageable.

d. transportation –

MEME provides worker with air-conditioned and appropriate transportation to and from work site without any wage deductions.

e. leisure activities –

MEME provides workers with air-conditioned and appropriate free transportation to and from commercial centers and religious facilities during leisure time. The accommodation facility has social room and indoor recreational spaces provided for 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. –

MEME's HSE policy and procedures is designed for all workers, clients, third parties in line with the requirement of the QCS 2014, QF Mandatory Standards, project specification requirements, MEME HSE Management System, and CEMP (Construction Environment Management System Plan. Effectiveness of this policies and procedures shall be maintained, reviewed and analysed in a regular basis through inspection and audit, analysis of relevant data, management review, improvement plan, measures, and key performance indicators. MEME's HSE policy is distributed to all Subcontractors and Suppliers during bid and kick-off and an internal audit shall be conducted to ensure strict adherence.

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
MEME follows Qatar labour law that overtime works shall be maximum two hours per day.
- Whether overtime work is voluntary
Voluntary overtime is pre-approved by the Head of Department
- What the premium is for overtime work
Workers are paid 125% of their basic salary in normal days and overtime rendered beyond 9pm for regular shift, 150% on rest days and public holidays.
- How the company prevents all workers on its projects from exceeding overtime limits during peaks in construction activity
Two shifts are arranged during peaks in construction activity. MEME strictly follows the working schedule of 6 hours during Ramadan and 8 hours plus 2 hours overtime

per day on regular day. Attendance is monitored to ensure overtime does not exceed.

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.

MEME has designed and implemented Heat Stress Management Plan in accordance to Supreme Council Qatar. This plan outlines OHS guidelines for implementing an adequate Heat Stress Program for the works period during summer months and implement organizational and technical measures to prevent and minimize heat related illness. Workers are made aware of risks and hazards and relevant requirements under the heat stress management plan in the daily toolbox talk. The requirements set out in this plan shall also communicated to all subcontractors

MEME follows the government regulation during summer time where it is prohibited to work from 11am to 3pm from mid of June to end of August where the high temperature index recorded.

MEME provides enough sunshades in outdoor construction site and supplies its workers with cold drinking water with ice cubes to keep them hydrated all the time.

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
None.
- b. Permanent disabilities in your direct and subcontracted workforce
None.
- c. Lost-time injuries in your direct and subcontracted workforce⁴
None

MEME submits HSE reports to the Client in a regular basis (see Attachment 1 and 2). MEME has never experienced any fatalities on any of its projects nor had major incidents had been recorded to date. In fact, MEME has received numerous awards showing its unwavering commitment to HSE (See Attachment 3).

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.

MEME has a committee represented by Camp Manager and multi lingual HR Executives responsible for gathering workers feedbacks and grievances and develop action plans. The representatives are available to be contacted 24/7 by any workers or supervisors and deal with it in confidential manner without intimidation or retaliation. Grievances are compiled, recorded, resolved, and monitored. Workers' forum is held every four months to voice out their issues concerning living conditions, salaries, overtime, and other personal matters. Post boxes in which queries, comments, and suggestions are available for staff.

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)

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.

MEME is under way enhancing its operational grievance mechanism for workers of Subcontractors and Labour Supplies. MEME shall include clauses in the subcontracting agreement regarding this mechanism.

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.

See Attachment 4 for MEME workers' grievances and remedial actions 2017 record.

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?

MEME operates in line with the normative standards of National Human Rights Commission of Qatar, Guiding Principles on Business and Human Rights, and QF Mandatory Standards of Migrant's Welfare in promoting and protecting the rights of every single employee. We aim to promote the best practices, acting ethically and with integrity and adhere to the principles of Building Responsibly. MEME is under way adopting these standards and takes this challenge as an opportunity to be one of the moral agents in construction industry in the country it operates.