

2018 Questions for Construction Companies in the UAE
Migrant Worker Rights

Name of company: Kier Dubai LLC

Headquarters address: Thuraya Tower, 15th Floor, Barsha Heights, Dubai 26641 UAE

Website: www.kier.co.uk

1)

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

Kier Group plc is a leading infrastructure services, buildings and developments & housing group. We operate across a range of sectors including defence, education, health, housing, industrials, power, transport and utilities. In the UAE, Kier delivers a wide range of building and infrastructure construction projects, keeping safety, worker welfare, quality and sustainability at the top of our delivery strategy.

The international business hub is in the UAE from where satellite offices in other territories are served. We provide traditional construction services as well as design & build, target cost, management contracting and competitive funding solutions. We have experience across a range of sectors including hospitality, residential, education, industrial and infrastructure. We are trusted partners to our customers providing quality solutions, timely delivery and the highest safety standards. We operate in an ethical and sustainable manner and positively contribute to the communities that we work in.

Our current projects include:

Town Square – Plot 35 Residential Development

Dubai Arena

Expo 2020 60-117 and 60-016 contracts for Public Realm and Infrastructure works

Dubai Harbour Infrastructure and Logistics

Bluewaters Infrastructure

Nad-Al Sheba Infrastructure Phase 2

Al Khawaneej Community Infrastructure and Landscape Phase 2

The Expo 2020 projects are governed under Bureau Expo Dubai 2020 Assurance Minimum Standards – Worker Welfare. Kier operates with Welfare Standards set internally and according to local laws in the countries.

- 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.

Below table is the list of current projects that Kier in the UAE is involved in and details of the business partners and clients.

Project	Client	Joint Venture Partner
Town Square – Plot 35 Residential Development	Al Qudra Properties LLC	ACC

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

Dubai Arena	Meraas Development LLC	ASGC
Expo 2020 60-117 and 60-016 contracts for Public Realm Works and Two Main Parks	EXPO 2020 Dubai LLC-SO	N/A
Dubai Harbour Infrastructure	Dubai Harbour Capital LLC	N/A
Dubai Harbour Logistics	Shamal Development LLC	N/A
Bluewaters Infrastructure	Meraas Development LLC	N/A
Nad-Al Sheba Gardens Infrastructure Phase 2	Shamal Development LLC	N/A
Al Khawaneej Community Roads, Infrastructure and Landscape	Meraas Development LLC	N/A

Most of our work is self-delivered by Kier, except for some specialised works such as MEP, landscaping etc. Where these specialised services are required, Kier sub-contracts this work to other contractors. Our approach to the supply chain is founded on strong compliance and rigorous due-diligence measures. These measures are implemented at tender stage and continue during the construction phase. Our Tender Pre-Qualification Questionnaire requires responses from our supply chain regarding worker welfare, health and safety and other specific Group policies relevant to human rights. Due to the competitive nature of the information, we are unable to provide the list of our sub-contractors.

- 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

1,160 directly employed workers are employed by Kier as of 31st March 2019. The majority are from India and Pakistan.

- b) Workers employed by subcontractors on your current projects

1,509 subcontractor workers were logged in as of 31st March 2019 on current Kier projects.

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

None as of 31st of March 2019.

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.

Kier has a defined set of Worker Welfare policies, procedures and guidelines to ensure all our operations are in line with the company standards and comply with the local laws and regulations.

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

Our Modern Slavery Statement and Anti-Slavery and Human Trafficking Policy is available on our website <https://www.kier.co.uk/investors/corporate-governance/group-policies>

Our local Worker Welfare Policy Statement which is in the attached folder as **Appendix 1**.

Our business is built on the fundamental behaviours and actions of our people and the way we work, both with each other and our external stakeholders. Our code of conduct sets out the basic requirements we expect from all Kier colleagues, to ensure that we continue to protect and enhance our company's reputation and welfare of our workers. <https://www.kier.co.uk/investors/corporate-governance/group-policies>

Since 2016, we have been working with our supply chain to raise awareness of the issues of modern slavery so that together we can help identify and protect vulnerable workers. We are taking an industry-leading role on the topic of modern slavery, working with the Gangmaster and Labour Abuse Authority (GLAA) to develop an understanding of the risks posed.

We have also made Speak Up, an independent, confidential helpline, available for both our employees and supply chain partners to use if they are, or they suspect someone they know is, the victim of modern slavery. (see attachment folder for Speak Up posters - **Appendix 2**)

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

As a part of our supply chain process, our supply chain is obliged to comply with applicable local and international laws that Kier is operating under. During the Pre-tender Qualification process worker welfare audits are conducted. Worker Welfare forms a part of our contract with our sub-contractors.

Worker Welfare is a part of the regular performance and progress meetings with our subcontractors and their performance is measured as per our worker welfare standards.

Our Speak Up line is open for our sub-contract workers and their affiliates. Our Speak Up policy covers our subcontractors and their affiliates, and they are encouraged to raise their concerns, if any, through our Speak Up line.

Recruitment

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

We have defined recruitment policies and procedures that cover all our recruitment operations in the UAE. Through adopting a strategic and professional approach towards the recruitment process, the company aims to ensure that all the decisions relating to recruitment and selection are taken fairly and consistently and are done based on qualification and merit only, and that recruitment is free from any form of bias or discrimination. Kier maintains a Preferred Agency List (PAL), shortlisted through the scrutiny of their credentials and performances in the past. Kier regularly reviews the approach of these suppliers to ensure that they comply with the requirements of the law within the candidate's home country and the country of employment.

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?

All interviews are conducted by Kier staff in the candidate's home country. Contract of Employment is signed, in candidates' native language, with a witness present after the selection process is completed. A copy of the contract is provided to the candidate. Our Recruitment, Mobilisation and Induction Policy (**Appendix 3**) and Procedures ensures every step of our recruitment is done ethically. In addition, our Modern Slavery Statement and Anti-Slavery and Human Trafficking Policy addresses relevant risks.

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?

All costs relating to recruitment such as recruitment supplier fees, visa costs, immigration costs and joining ticket is borne by Kier. Before, during and after the selection of candidates in their home country, the Kier HR team will conduct initial inductions (briefings) in workers' native language to ensure that candidates understand their rights and the contracts they are signing up for. At this stage our Kier representatives will ask each candidate to complete a questionnaire, in their own language, that confirms their understanding of the Kier recruitment procedure and no fee policy.

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.

All costs relating to recruitment such as recruitment supplier fees, visa costs, immigration costs and joining ticket are borne by Kier. Once a worker starts their new role with Kier the HR team will conduct another briefing session and request employees to declare compliance with our recruitment processes.

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

Kier has agreements with Preferred Agencies where all the Kier required procedures and policies are clearly stated. Periodical compliance audits are carried out on our Preferred Agencies.

Payment & wages

7) What is your company's process for determining the wages of its workers in the UAE, 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.

All Kier employees receive wages that are determined using the current market rates, their own skillset, and the seniority/ level of the role they will fulfil. Wages are periodically reviewed taking into consideration inflation and market conditions. In addition, personal performance reviews, and skills reviews are conducted to determine wage levels and changes for individuals.

All our workers are entitled to:

- Free furnished accommodation
- Free nutrition calculated meals served three times daily
- Free air-conditioned transportation from/to work is provided
- Free medical insurance
- Free health check-ups every 6 months
- 2 sets of overalls every 6 months

- Free laundry services
- Free wi-fi services at accommodation
- Recreational facilities at accommodation are available and sports, social and cultural activities organized regularly

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

- Subcontractors?
- Employee wages?
- Other creditors? Please specify.

In relation to above points a, b and c, we do not generally conduct our business on a “pay when paid” basis. Our Kier employees are paid on-time every month and provided with a payslip. We have regular meetings with our creditors to monitor their position.

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.

Kier employees are paid on time every month through the UAE Government’s Wage Protection System in accordance with UAE Labour Law. Every employee receives a payslip every month.

In the past Kier has stepped in when sub-contractors have been unable to pay their workers due to lack of funds. We have paid the workers’ salaries directly ourselves.

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?

A passport is officially the property of issuing government and the passport should be in the custody either of the owner or of a person authorised by the owner.

Kier Village Accommodation Policy clearly mandates that all workers have possession of their own passports.

Kier will not require employees to hand over their original passports other than on two occasions. They are:

- New employees need to submit their passport to HR department for a maximum of one week for arranging the residency permit stamping and legalising the employment in the UAE. Once the procedures are complete, the original passport will be returned to the owner who will be issued with an Emirates ID card subsequently. Employees must always carry the original Emirates ID card while in the UAE.
- Similarly, at the time of the renewal of residency, the owner needs to submit their passport to the HR department for a period of a maximum of one week to validate the residency and employment permit.

However, if the owner chooses to authorize the company, in writing to keep their original passport in the fire proof lockers provided, then Kier assures that the passport will be kept secured in the Village office of the same facility where the owner resides and will be made available without delay.

We require our sub-contractors to provide a passport management policy in line with UAE Labour Law during our tender pre-qualification 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.

Kier's Recruitment, Mobilisation and Onboarding Policy clearly defines our processes and policy in line with UAE immigration procedures and laws on providing and obtaining valid work permits and any other documents such as residency visas, Emirates ID and contract of employment. Our dedicated Administration Department manages renewals and new applications for Kier employees. All the cost is borne by Kier. Our Sub-contractor pre-qualification questionnaire and contracts ensures and enables Kier to regulate our subcontractors work permit process. All the paperwork is checked by the site teams before any subcontractor employees can start work.

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

All Kier employees are free to change jobs and/or leave their employment with Kier at any time they wish. At employee's request, their residency visa and work permit will be cancelled as per the UAE immigration processes. If an employee wishes to transfer to another company in the UAE, then Kier provides relevant support to arrange their transfers also.

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.

Kier provides accommodation to workers compliant with the standards set by the Dubai Municipality, Doc Ref. DM-PH&SD-P7-WI02 as well as standards set by our Health and Safety Department. Provision of worker's accommodation is often provided to expat workforce close to the area of their work.

Kier developed a Health, Safety and Environmental Management Plan under the name of Workers Village HSE Plan (KD-WVHSEP-001) to ensure that all employees of Kier Construction LLC (KCLL) and/or Kier Dubai LLC (KDLLC), henceforth known as Kier, are safeguarded, as far as is reasonably practicable, from potential hazards in the performance of their duties and during their stay in accommodation and visit during working/non-working hours, and that all practicable measures are taken to safeguard the environment. There are regular safety and welfare inspections to ensure that our high standards are maintained. This plan includes:

- Security Systems
- Kitchen Safety
- Competent Training
- Emergency, Evacuation and Medical Requirements
- Environmental Management & Controls
- Welfare Facilities

It is important to ensure a good standard of living facilities are provided to our workforce to maintain their wellbeing and wellness as well as to maintain a good level of morale. The facilities provided reflect Kier's vision and values and are designed to limit the hazards present and is appropriate for the tenant's differing needs. Living facilities are approved by Local Authorities and are always:

- kept in good condition,
- hygienically clean,
- tidy,

- secure,
- comfortable and
- in good working order.

Adequate facilities for washing and drying clothes are provided in the accommodation free of charge.

All our workers' accommodation are equipped with first aid and isolation rooms. Access to the medical clinic is provided by the worker village coordinator if necessary. All Kier employees are provided with medical insurance to be able to utilize services from listed clinics in our network.

The Labour Ministry, consultants, clients and Kier Group representatives regularly audit our facilities.

Kier's Supply Chain minimum standards requires us to audit our sub-contractors' workers' accommodation and provide feedback to our sub-contractors and procurement teams.

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

a) safe and adequate nutrition

Kier provides nutritious, free of charge catering service for its workers. Breakfast and dinner is offered in the accommodation and hot lunch is served on project sites. We accommodate different cultures and backgrounds. Our HACCP certified catering service provider serves 3 different meals every day. Kier audits the catering service provider regularly, and their facilities, to make sure the standards are in line with HACCP and quality of food is maintained.

b) Healthcare

All Kier workers are provided medical insurance to be able to utilize services from listed clinics in our network with zero co-payment charges to them. Kier arranges transportation to medical clinics on request from our workers.

Kier conducts free Occupational Health Check for our workers every 6 months. Our Health and Wellbeing Calendar focuses on different subjects every month. Every month, tool box talks and activities are conducted on different subjects, such as mental health, eye care, heat awareness, diabetes etc to raise awareness.

c) banking and remittance services

All our salaries are paid through the Wage Protection System into our employee's local bank accounts electronically. All our employees are provided a bank account and debit card. Every month Kier provides pay slips to its employees.

d) transportation

Air-conditioned transportation is provided by Kier to/from work for all our workers. In addition, during special occasions and every weekend a bus service is provided to recreation areas, malls etc, allowing employees to enjoy their time off.

e) leisure activities

Leisure and social facilities are provided for workers to rest and to socialize during their free time. Exercise and recreational facilities are available in our accommodations. In addition, it is also important to provide workers with

adequate means to communication with the outside world, therefore free wi-fi service is provided to all. Kier Recreation Committee manages all the sports, entertainment and recreational activities for our workers. Basic recreational tools are provided as per below in the villages where possible.

- Social activity - Basic collective social/rest spaces are provided for workers, which includes a multipurpose hall with TV in a designated area with different TV schedules tailored for different languages and cultures. A high-speed internet facility is also provided in the residential units.
- Recreational Activity - A gym, carom boards, foosball table, cricket ground and badminton court are provided.
- Prayer room –Residential units provided with a prayer room.
- Group Transportation - A group transportation is arranged for the residents on weekend days to go to a designated area to enable them to meet their needs, socialize and attend different sport activities such as bowling and basketball.
- Grocery and Barber shop – Our accommodation is near shops and facilities to accommodate our employees' needs.

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.

Kier Dubai LLC is part of the UK based Kier Group and implement the Kier Group Safety, Health and Environment Management System (SHEMS) procedures on all our projects. Our procedures are accredited to ISO 14001 and OHSAS 18001 and fully comply with all UAE national and regional EHS requirements. The Kier SHEMS is integrated into Kier's overall business management system (IMS).

The Kier SHEMS documents consist of Policies, Standards, Minimum Standards, Registers, Forms and Guidance. The Head of SHEA for Kier International is responsible for the production, updating and disseminating of these documents.

Annual SHE Objectives and Targets are agreed by the Managing Director and the Head of SHEA and are continually monitored by senior and project management with the results reported monthly to Kier Group HQ.

Kier apply the hierarchy for risk management to minimise risks and establish a process for working safely. In this hierarchy the provision of PPE is always the last resort in reducing risk, with collective measures being the preferred alternative. Risk assessment is undertaken at every stage, from pre-construction, through the construction phase, to the production of the safety files/operation and maintenance manuals.

A supply chain pre-qualification process is in place which requires each contractor and subcontractor to complete a pre-qualification document. Candidate companies are required to provide information regarding;

- the person overseeing SHE in their organisation,
- reportable accidents,
- competency achievements of staff supervisors and workers,
- compliance standards etc.

The selection process also considers the activities to be undertaken including the complexity of the work, resources, supervision, previous similar work undertaken, performance, etc.

Our health safety and environment staff undertake continuous monitoring of site working conditions, practices and procedures, including all work undertaken by subcontractors. In addition to our safety staff on each site, our section, construction and project managers conduct regular monitoring and recorded safety inspections. Rectification actions resulting from these safety inspections are tracked by Airsweb (an online Group database)

and the close-outs also recorded. The Head of SHE is automatically alerted by email regarding late close-outs. Group SHE also views reports regarding late close-outs and issue regular updates and monitoring data.

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

Kier Overtime Policy (POL-INT-0013) is designed to ensure that overtime is managed consistently across the company and in accordance with contracts of employment and in line with UAE Labour Law of 1980 and in line with Kier's Health and Safety Procedures.

Workers can voluntarily work overtime hours. In addition to their compensation for regular hours of work as per their employment contracts, all the workers are entitled for overtime as per UAE Federal Law no. (8) Of 1980.

Any work over 8 hours per day or 48 hours per week will be considered as overtime and will be paid at a premium rate.

Overtime is limited to two hours per day unless additional overtime is necessary to prevent substantial loss, in accordance with UAE Labour Law.

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.

Every project develops each year a specific summer shift working plan to protect workers from working under high temperatures and sunlight.

Our general 'Summer Working Hours' policy follows below principles as per UAE Labour Law:

- a) Labourers should not stay in the sun between the hours of 12.30pm, and 3.00pm.
- b) Working hours for operatives shall not exceed 10 working hours daily, including overtime.
- c) Working sites should provide the following: cold drinking water, shaded cool rooms protecting from the sun, first aid kits and rehydration supplements are provided.

Kier runs a Health and Wellbeing program and under this program 'Heat' is one of the themes that we raise awareness of regularly. Regular Tool Box Talks are conducted on the sites through-out the hot months. In these training sessions we provide information regarding specific site set up and timings, how best to reduce exposure to sun, how to prevent dehydration and how to identify individuals suffering from effects of dehydration or heat stroke.

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
- b) Permanent disabilities in your direct and subcontracted workforce

c) Lost-time injuries in your direct and subcontracted workforce ⁴

2016

- a) Work-place fatalities in your direct and subcontracted workforce = 0
- b) Permanent disabilities in your direct and subcontracted workforce = 0
- c) Lost-time injuries in your direct and subcontracted workforce [2] = 3 day = 5

2017

- d) Work-place fatalities in your direct and subcontracted workforce = 0
- e) Permanent disabilities in your direct and subcontracted workforce = 0
- f) Lost-time injuries in your direct and subcontracted workforce [3] = 3 day = 3

Lost Time Accident (1) / Work at Heights: On 30th Oct 2017, 3m Fall from shear wall shutter

Representation and remedy

19) Given legal restrictions on freedom of association and membership of trade unions in the UAE, 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.

Our Worker Welfare Committees (formerly known as Labour Action Groups) meet regularly with Project Management Teams and Worker Welfare Representatives to discuss any concerns or good practice on sites and accommodations. We invite volunteers to form the committees from each project and our accommodation coordinator, workers welfare managers are a part of our committees. Our Voice – suggestion boxes are available in visible locations in every site, offices and accommodation for workers to raise their concerns and good stories.

In addition, Recreation Committees are formed amongst our workers to coordinate yearly event calendar for social events and special celebrations.

We believe in two-way communication and our open-door policy encourages our workers to raise their concerns freely. Kier policies, procedures and guidelines are communicated through different channels including, but not limited to, communication boards in accommodation blocks, sites and offices, tool box talks etc.

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.

Kier's well trained and qualified HR Employee Relations team ensure that all the processes and policies are in place to maintain the welfare and wellbeing of our employees. In addition to our Employee Relations team, at Kier, we established a Worker Welfare Management Desk (formerly known as Labour Management Desk) to provide direct support to our workers and handle any grievances and provide continuous consultation. Our Grievance Policy (POL-

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)

^[2] 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)

^[3] 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)

KIL-004) is intended to settle any grievances that an individual employee may have regarding their employment as close as possible to the point of origin. All our employees are informed about their rights, local Labour Laws, grievance process, policies and procedures of the Company during their induction when they start their journey with Kier, and through continuous briefings and tool box talks during their employment with Kier.

There are several ways that our workers can raise their grievances and our policy clearly outlines how our workers can raise their concerns. On sites, they can raise their grievances with their line managers and project managers directly and/or call or WhatsApp our Worker Welfare Number linked to our Worker Welfare Management Desk. At the accommodation, our accommodation coordinators are trained to listen and log any grievances raised. In addition, we have a 3rd party managed support help line called Speak Up available to all in local languages widely used in Kier. It is a toll-free number and every employee can access this number 24/7 to raise their concerns.

Our information briefings include the Ministry of Labour Hotline number (800 665) that every employee can refer to for any grievance if it is not handled in a timely manner by the Company.

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.

We have not received any grievances in 2017 through our grievance mechanisms in 2017.

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 the UAE, including any challenges it faces in doing so?