



Equidem report on

Labour rights concerns about your operations on World Cup projects in Qatar.

BESIX response

Reporting to Ali Mallak, Michael Clements and Isobel Archer – Business & Human Rights Resource
Email request sent to BESIX on 01 November 2022

Table of Contents

| | | |
|----------|--|-----------|
| 1 | Invitation to respond | 3 |
| 1.1 | About Business & Human Rights Resource Centre and Equidem | 3 |
| 1.2 | Invitation to respond..... | 3 |
| 2 | Questions & Answers..... | 4 |
| 2.1 | About BESIX Group and its subsidiary Six Construct..... | 4 |
| 2.2 | Fair labour standards at BESIX Group and its subsidiary Six Construct..... | 5 |
| 2.2.1 | Responsible supply chain | 5 |
| 2.2.2 | Worker representation and remedy | 7 |
| 2.2.3 | Recruitment..... | 7 |
| 2.2.4 | Diversity & inclusion policy..... | 8 |
| 2.2.5 | Payment & wages | 8 |
| 2.2.6 | Policy and procedures on overtime..... | 9 |
| 2.2.7 | Procedure on annual leave | 9 |
| 2.2.8 | Health & Safety | 9 |
| 2.2.9 | Protection from high temperatures, humidity and sunlight | 10 |
| 2.2.10 | Safe and adequate nutrition..... | 10 |
| 2.2.11 | COVID-19 sanitary crisis management 2020 at Six Construct..... | 11 |
| 3 | Annexes | 13 |

1 Invitation to respond

Email from Business & Human Rights Resource Centre, 01 November 2022:

1.1 About Business & Human Rights Resource Centre and Equidem

Business & Human Rights Resource Centre is an independent non-profit organization that tracks the human rights impacts of over 10,000 companies, in over 180 countries. With an audience of more than 2 million users per year, our digital platform links to reports about positive initiatives by companies as well as reports about concerns that have been raised by civil society.

Equidem is a human rights and labour rights charity working globally and locally to promote the rights of marginalised communities, accountability for serious violations, and building the human rights movement. Their team of experts and field investigators expose injustice, provide solutions for the most intractable human rights challenges and work closely with grassroots and regional civil society to empower the individual and the community.

1.2 Invitation to respond

Email invitation from Business & Human Rights Resource Centre (BHRRRC) (London) to BESIX to respond to a report issued by Equidem which raises labour rights concerns about our operations on World Cup projects in Qatar. More information on the allegations can be found in the Equidem report and BHRRRC hopes to publish our response alongside it, when they draw international attention to these issues when they publish it on their website on 10 November. They will also publish it in their Weekly Update newsletter on 16 November.

- Equidem report: "If we complain, we are fired": Discrimination and Exploitation of Migrant Construction Workers on FIFA World Cup Qatar 2022 Stadium Sites (embargoed until 10 November)

2 Questions & Answers

Opportunity to provide information regarding the steps BESIX is taking on migrant construction workers welfare and working conditions on FIFA World Cup Qatar 2022 stadium sites.

Six Construct, the BESIX subsidiary active in the Middle-East, is mentioned regarding its Employer systems for workers to file complaints, pp43:

A Bangladeshi worker employed as a roofer by Six Construct Qatar on Al Janoub Stadium reported challenges in enforcing contract provisions: *“We have workplace issues. According to our contract, every two years we should be given 45 days of paid vacation. Those who do not go on vacation must be paid an additional 45 days of salary and the cost of the air ticket. This is in our contract, but it doesn’t happen. We have raised this with HR but that didn’t work. If anyone complains, the company doesn’t address it but tries to hide the issue instead”*.⁸⁷

87 A Bangladeshi worker employed as a roofer by Six Construct Qatar on Al Janoub Stadium, interviewed in Qatar, May 2022.

2.1 About BESIX Group and its subsidiary Six Construct

BESIX Group is a leading Belgian group, based in Brussels and operating in 25 countries and on 5 continents, in the construction, real estate development and concessions sectors. The Group has been active in the Middle East via its subsidiary, Six Construct, since 1965.

The Group does its utmost to act everywhere under 3 principles:

1. Safeguard our people by obeying the rules of government and sanitation;
2. An employment contract in line with business activities in the region ;
3. Ensure safe & healthy working conditions, at least respecting local legislation.

Six Construct was active in the realization and the renovation of sport facilities for the FIFA World Cup Qatar 2022, from 2014 to 2019:

| Project | Location | Client | Building period | Scope of works |
|-------------------|-------------|---|-----------------|--|
| Khalifa stadium | Doha, Qatar | Government of State of Qatar | 2014-2017 | Renovation of the existing stadium Khalifa Stadium Renovation - BESIX |
| Al Janoub stadium | Doha, Qatar | Supreme Committee for Delivery & Legacy | 2016-2019 | Construction of a new stadium Al Janoub Stadium - BESIX |

Six Construct was not contacted by Equidem during their investigations during the period mentioned in their report (p9) between September 2020 and October 2022.

BESIX Group reaffirms its commitment to respect human rights, through its involvement with the United Nations Global Compact. It also follows the ILOs, which translates into decent working conditions, complete safety, against illegal work, equal opportunities for access to work without discrimination of any kind.

BESIX Group has been in contact with local authorities, BWI, Trade unions and NGOs such as Amnesty International or more recently with BHRRC that monitor the Group's activities and practices in terms of respect for human rights and well-being of its workers, particularly in the Middle East.

2.2 Fair labour standards at BESIX Group and its subsidiary Six Construct

BESIX Group communicates on **Fair labour standards on its website** :

- [Fair Labour Practices and Migrant Workers - BESIX](#), and
- its Activity report 2021 [Activity Reports - BESIX](#), pp42-45, and
- its Citizenship & Sustainability report 2019-2021 [Corporate Social Responsibility - BESIX, pp43-45; pp52-53](#).

For further questions, please contact :

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2.2.1 Responsible supply chain

- BESIX Group requires, as it does, subcontractors and suppliers to **follow applicable local legislation, the requirements of the tenders and international labor standards on social security, work-related well-being, safety and workplace organization** as a minimum requirement.
- In 2017, BESIX Group signed an **international standards and human rights conventions** (International Framework Agreement) aims to promote the well-being of people working for BESIX Group, its subsidiaries and, subcontractors, suppliers and partners, wherever they are in the world. This includes the establishment of an independent monitoring mechanism for human rights practices. The agreement is based on a wide range of international labour standards such as the ILO Fundamental Conventions and other human rights instruments such as the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, the ILO Tripartite Declaration of Principles on Multinational Enterprises and Social Policy, and the ILO fundamental rights at work Declaration.
- BESIX Group **collaborates actively and transparently with national and international institutions and organizations** (eg BWI, EWC) to guarantee and promote the rights of migrant workers. Building and Wood Workers' International (BWI) has free access to construction sites and accommodations for migrant workers.
- In 2021, BESIX Group signed together with the BWI, of which the FGTB and the CSC are members, the **Declaration for safe and healthy workplaces** which demonstrates that health and safety is a priority for BESIX Group and its subsidiaries in each of the countries where it operates.
- BESIX Group issued a **Sustainable and Responsible Procurement Code of Conduct** in 2013. The Group expects all stakeholders of the procurement chain, being the Group's own buyers and all subcontractors, suppliers and service-providers, to contribute to the

continuous alignment of the BESIX Group procurement chain with the Universal Declaration of Human Rights, the International Labor Organization Conventions 29 and 87, 98, 100 105, 111, 135, 138, 155 and 182, the ISO 9001 and 14001 standards and with the Guidance Principles of ISO 26000.

- Six Construct issue a **Worker Welfare Guide** to the subcontractors, for awareness and compliance. A set of 10 wellbeing rules, anchored in internationally recognized standards, are defined. Once the scope and contract is awarded to a Subcontractor he will be asked to comply with the Worker Welfare Minimum Standards Compliance Plan based on the guide. This plan will be used as a model during the contractual period to enforce the local labour laws of the country, as a minimum, and ensures that it is followed and managed on site.
- **Regular inspections** are organized to detect potential issues regarding our subcontractors. If irregularities are observed, we act upon them and stress our subcontractors to apply the commonly agreed action. If not, we end our collaboration as we already did for some of them in the past.

Note on cited subcontractors in this report:

| Subcontractor | Project | Scope of works | Contracting company |
|---|-------------------|--|----------------------------|
| Advanced Construction Technology Services | Al Janoub stadium | Geophysical surveys and material testing | Midmac-PORR-Six SIXCO JV |
| Audit | | | |
| <ul style="list-style-type: none"> • Monthly ethical recruitment and accommodation audits conducted along with the Supreme Committee. • One specific illegal recruitment fees campaign was conducted by the Supreme Committee in 2018: No irregularities reported • Score : high without reported concern and failure. • Worker overtime : well controlled • Wage payment done via the Wage Protection System (WPS): • Monthly wage payments controlled by the Ministry of Labor. • Free hotline set up for any worker grievance and complain: 00800 100 386 | | | |
| The cited subcontractor has no contract since then with our company related to any works for World Cup facilities. The listed comments in the report as such can't be verified by our company. | | | |

| Subcontractor | Project | Scope of works | Contracting company |
|--|---------------------------|-----------------------|----------------------------|
| Salini Impregilo Group | Worked on Al Bayt Stadium | N/A | N/A |
| Remark | | | |
| To our knowledge this company never worked on the Khalifa International Stadium. | | | |

2.2.2 Worker representation and remedy

In order to encourage communication between the workers and the Management in two ways of direction,

- Six Construct facilitated the selection of workers' representatives in a transparent way by creating its own **Workers Welfare Committee**. The Committee is composed of **12 workers representatives, elected by their colleagues**.
- The representatives, who are the voice of the workers, can raise their concerns to the People department team directly through **monthly meetings** and by contacting the Welfare Officers at any time.
- The concerns vary between accommodations, food, health, salary discrepancy, and so on.
- **All workers are free to select a** representative to discuss welfare issues on their behalf.
- **Workers' representatives will not be discriminated** against and will be given **full support** in their role. The Company helps its workers to elect their own representatives in various locations.
- Six Construct developed a **grievance & procedures policy** in order to ensure that all employees with a grievance relating to their employment, work, working and/or living conditions, relations with colleagues, relations with their supervisors and wish to talk about it with the Management, can follow certain procedures starting from informal to formal resolution as per detailed process mentioned in the said Policy.
- To make this value living and to maintain a positive spirit within the Group, an internal role of **Confidential Advisor** has been set up within each Group companies: nominated employees act as facilitators - or discrete mediators, as the case may be – whose intermediary role is aimed at safeguarding and improving the well-being of colleagues and giving them the tools and confidence they need to go beyond professional challenges, grow as individuals, and realize their personal ambitions.
- For any worker **grievance and complain** in Qatar, a **free hotline** is set up: 008000 100 386.

2.2.3 Recruitment

- Six Construct's entire **recruitment process is documented and transparent**.
 - Six Construct ensures through our policies and procedures that its workers are recruited under the 'employer pays' principle and we disengage from any recruitment agency or outsourcing company that doesn't support this principle.
- Recruitment agencies are notably compelled to **sign the BESIX Group Sustainable and Responsible Procurement Code of Conduct**.
 - Six Construct works to prevent migrant workers from paying fees associated with their recruitment by monitoring the recruitment process in the country of origin and by contracting only with a select number of overseas recruitment agencies that meet Six Construct commitments.
 - Six Construct contractually ensures that recruitment agencies are prohibited from collecting recruitment fees and they are screened for compliance at the time of selection and continually assessed and monitored throughout the contract duration.
 - The agencies must have a wide net of offices across the country, this is to avoid misleading and corruption of sub-agencies. They are also requested to demonstrate their method of sourcing and testing the workers in order to ensure that there is no chance of abuse during any stage of the recruitment process. It starts from the advertisement for "free of charge recruitment", and displays a toll-free number for complaints till the delivery of the employment visa.
- Prior to joining Six Construct team, all workers receive a **contract written and explained in a language they understand**. Employees can access their employment documents at any time.

- In order to address the risks migrants workers face during recruitment, **a team of a minimum three of Six Construct Senior and reliable employees, who speak the local language, are sent personally to do the selection** of the candidates and report any doubt of non-adherences to the agreed process that can eventually cause a deviation from the main objective and principle which is to recruit employees on an ethical, fair, and transparent manner.
 - As per its recruitment policy, Six Construct HR team explains the selected candidates about the nature of their future job as well as the terms and conditions. They also clearly communicate the wages to the selected candidates and obtain their acceptance in their own language before the departure from their home country or before the commencement of work if recruited in the country of assignment.

2.2.4 Diversity & inclusion policy

BESIX Group considers **diversity as an opportunity** for continuous co-creation and innovative teamwork. We are strongly committed to promoting a great workplace. The Group employs **more than 80 different nationalities**. Diversity is part of its DNA.

In Qatar, Six Construct employs about **22 different nationalities** endorsing various functions from workers to senior management in line with local work law regulation. The company encourages the promotion of different nationalities and backgrounds, including from Asia and Middle East to boost career perspectives, team stability and collegiality on long-term.

- see BESIX Group Diversity & inclusion policy

2.2.5 Payment & wages

- Wages and benefits are paid to Six Construct workers **on time on a monthly basis** and in line with their employment contracts, complying with applicable legislation and collective agreements.
- Six Construct is concerned and **regularly verify the wages of its employees** in order to make sure that they can afford fair living standards in the country of assignment. This is being reviewed based on candidates/employee's profile, experience and competencies, education, credentials/certificates that are required for the position. Salaries are benchmarked through the current available market trend and our recruitment partners.
- BESIX Group companies also verify to ensure that **subcontractor' employees** are always paid, and if needed take direct action.
- In the last quarter of 2020 the **minimum wage increased** with impact on the entire labor categories in Qatar. Six Construct decided to anticipate the implementation of the law before the deadline of April 2021.
- At Six Construct level, there is also a **seniority increment program** in place: an increase of seniority at regular intervals.

2.2.6 Policy and procedures on overtime

- All work is voluntary and workers work standard **8 hours per day, up to a maximum of 48 hours per week, and a minimum of a one-day weekly rest period** (on Friday). Hours of work comply with appropriate national legislation, national agreements and industry standards.
- The Company will not demand that overtime hours are worked. Under special working regimes and periods of extreme crisis, for which the company will document how the period of rest is complied with, overtime is voluntary and is remunerated in full, in compliance with all applicable laws.
- **During Ramadan**, the company reduces working times by two hours, without any salary reduction.

2.2.7 Procedure on annual leave

- Six Construct ensures that all workers receive their leave benefits in accordance with their **employment contracts, the BESIX Standards and the local labour law**.
- Workers are entitled to **30days of paid annual leave during each year of service**, as well as a company **provided air-ticket**, to the airport nearest to their place of residence in their home country, **every two years of service**.

2.2.8 Health & Safety

- All employees are enrolled in a local **health follow-up**. When required, occupational health exams and certificates are obtained for all employees. Medical insurance coverage is provided and the insurance cards are given to all workers. The validity of the health insurance coverage is ensured throughout the whole period of employment. When an employee is on sick leave, he receives the salary as per the local law.
- Subcontractors are invited to follow **training sessions** organized by the Health and Safety site teams, and also to participate to the **Group Worldwide Safety Time Out** which occurs once a year. This event is held on all projects and in all offices of BESIX Group. The Group staff and subcontractors staff took part in interactive reflection together and shared ideas for making their workplaces safer and more environmentally friendly.
- Working together with subcontractors, BESIX is committed to achieve **the highest standards of HSE** through:
 - Incorporating HSE considerations in planning/development stages, services and processes.
 - Complying with all applicable directives, laws, regulations and codes of practice which are considered to be the minimum standards to follow. If such standards do not exist, then Contractor's HSE Program shall apply.
 - Aiming to introduce improved processes to continually improve HSE performance.
 - Providing sufficient information, training and supervision to enable employees and others under Company and Contractor influence to minimize impact on the environment and to contribute positively to their own health and safety and protection of the environment.
 - Ensuring that supervisor, foremen, workers and subcontractors operate and maintain an HSE management system that meets requirements

- Establishing safe and ergonomically sound systems of working and a healthy working environment in the office and on construction sites for all staff.
- **Health & Safety objectives and KPIs and incidents rate** are published in the Citizenship and Sustainability reports The last report edition 2019-2021 is available on the BESIX Group website: [Corporate Social Responsibility - BESIX](#) (pp42 and 62)

2.2.9 Protection from high temperatures, humidity and sunlight

To ensure that workers are safe whilst doing their work during peak heat period (mainly from June to September), the following **procedure are implemented in all the Six Construct projects**:

- A system of monitoring temperature and humidity with associated records are established, using the WBGT (wet-bulb globe temperature) which takes place at start shift and at least every hour during works, results recorded in the site log (frequency of recording will vary as per area condition).
- Works cannot be performed in outdoor workplaces (where workers are exposed to weather conditions, solar radiation, humidity and heat) when WBGT reaches 32.1°C and during ban timing from 10:00am to 3:30pm.
- Heat stress risk assessments are prepared by the Safety Inspector/ Officer.
- All heat stress precautions are checked daily using daily Heat Stress Prevention Check List
- High risk groups are identified (by age and also by medical conditions (diabetes, blood pressure, heart problems)
- Medical screening for all workers working outdoor will be performed by the first aider ; first aid equipment and sufficient cooling packs provided
- Workers are provided with heat stress training, and daily toolbox talks about awareness of heat stress management.
- Adequate signage and posters related to heat stress, symptoms, precautions, and control measures are displayed at the workplace in various languages to be known by the majority of the workforce.
- Toolbox training and poster campaigns are provided for all work on the importance of keeping hydrated and recognizing signs and symptoms of heat-related illness.
- Cool potable water supplies, Cooling Towels are provided to all workers during the summer, and a water flask of at least 1 liter capacity is provided to each worker so that the water is cool.
- Air-conditioned rooms are provided in each construction area.
- A work/rest schedule is implemented along with a cool area for physical activity during high temperatures.
- Reduce the physical demands of work, reduce work time, and rotate more Workers on the job.
- Complete more physically demanding work in the coolest part of the day, preferably in the night shift or early morning.

2.2.10 Safe and adequate nutrition

- Six Construct made a contract with a **food catering company specialized in nutrition and healthy** way of cooking. This is in order to provide healthy food rich with the necessary proteins and vitamins to all our employees. The company provides shops with local products free of charge within the staff accommodation.

2.2.11 COVID-19 sanitary crisis management 2020 at Six Construct

In Qatar, the Al Janoub stadium was finished in 2019, before the COVID-19 sanitary crisis. Only MEP O&M is on going by Midmac/PORR/SIXCO JV with a limited workforce of specialized MEP workers.

MIDMAC is applying strictly the labour regulation and welfare standards. As referred above, a free hotline for any worker grievance/ complain and regular audits.

All prevention measures against Covid were taken and well monitored by Midmac and dully controlled by Supreme Committee.

During the COVID-19 sanitary crisis, **all precautionary measures possible have been implemented** by Six Construct with the aim to maintain business continuity, whilst preserving only essential team members on project sites in locations where it was active (2020-2021).

2.2.11.1 Protocols put in place to prevent the spread of the COVID-19 in labour accommodations

- **Minimal 1.5m distancing rule** has been imposed. As much as possible, teams have been divided into subgroups working alternative shifts (hours or days).
- For those remaining on site, the company initiated a **precautionary and preventive screening** of all our blue collars (staying in the company's life accommodations). This initiative remains in place on a rolling 14-days in order to continuously screen all Six Construct blue collars.

Other concrete actions taken:

- Thermal screening of all employees in camps, Project Offices and offices;
- Rooms re-allocation to give space to workers as per law (self-distancing);
- Extra cleaning and disinfection measures of facilities provided in Life Accommodation (mess, changing rooms and washrooms) ;
- Establishment of contingency plans for projects Sites and also for accommodation management;
- Clear rules established with regard to travel and related measures;
- Awareness campaigns, posters affixed on walls, and notice boards in the worker's language, as issued by the Ministry of Health in the UAE;
- Tool Box Talks conducted daily for all teams in life accommodations and on project sites;
- Provision for trained medical team to monitor the situation in camps and on project Sites;
- Establishment of Quarantine rooms in labor accommodations.

2.2.11.2 Steps to assist workers that have become infected with the COVID-19

- Workers **coming from leave**: special attention has been put on workers coming back from their leave (with a mandatory screening by our own nurse in their respective camp, before re-joining their roommates). When needed, Six Construct extended precautionary measures

to self-quarantine for returning workers in one specific life accommodation along with measures to increase frequency of control.

- Labour **accommodations**: Six Construct reorganized its labours' life accommodations to regroup as much as possible all workers *in room and floor* according to their assigned work sites, i.e. building (per block, per floor, etc.), and on, the company asked its workers to refrain as much as possible to wander around the life accommodations to exceptionally limit their contact with other workers from other adjacent labour accommodations (and companies) during this critical COVID-19 sanitary crisis period.
- In case of **symptoms**: anyone displaying symptoms such a fever, shortness of breath or coughing is removed immediately from work and sent either home when self-quarantine is an option, or to hospital for further testing.

2.2.11.3 Actions to ensure workers do not suffer hardship as the result of the COVID-19 outbreak

- Six Construct extended its precautionary measures to 2 weeks **self-quarantine** for returning workers in one specific accommodation along with measures to increase our frequency of control. Anyone facing quarantine period is paid same as being on duty.
-
- see BHRC report: World Cup & Expo 2020 Construction: COVID-19 & Risks to Migrant Workers in Qatar & the UAE, 2020 (Annexes)
 - see BESIX Group Citizenship & Sustainability report extract (Annex)

3 Annexes

BESIX Group and Six Construct Code, policies and procedures,

- 3.1 Six Construct Annual Leave Procedures
- 3.2 Six Construct Worker Welfare policy and Standards
- 3.3 BESIX Group Code of Conduct Procurement
- 3.4 BESIX Group International Framework Agreement
- 3.5 BESIX Group Diversity & Inclusion policy
- 3.6 BESIX Group Activity report 2021, extract
- 3.7 BESIX Group Citizenship & Sustainability report 2019-2021, extract

BESIX Group Website,

- Fair Labour Practices and Migrant workers: [Fair Labour Practices and Migrant Workers - BESIX](#)
- Citizenship & Sustainability chapter: [Corporate Social Responsibility - BESIX](#)

Business & Human Rights Resource Centre (BHRRC) reports published on BHRRC website,

- On Shaky Ground: Migrant Workers' Rights in Qatar & UAE Construction, 2018: [BHRRC-Shaky-Ground-Construction-Briefing-v1.1.pdf \(business-humanrights.org\)](#)
- World Cup & Expo 2020 Construction: COVID-19 & Risks to Migrant Workers in Qatar & the UAE, 2020 : [COVID-19 Risks to Migrant Workers in Qatar the UAE - v4.pdf \(business-humanrights.org\)](#)