

Fundament SPC's response received 15th June 2020 re allegations of unpaid wages to 700 workers & 150 workers without valid visas

Business & Human Rights Resource Centre invited Fundament SPC to respond to the following item:

- ["Prestigious" construction company in Bahrain leaves workers in despair](#)

Subject: RE: Fundament SPC in our newsletter - Opportunity to respond

15th June 2020

To:

Ms. Isobel Archer

Gulf Project Officer

Business & Human Rights Resource Centre

Dear Ms. Isobel Archer

Subject: RESPONSE TO ALLEGATIONS MADE AGAINST FUNDAMENT SPC

We, Fundament SPC, have received your email outlining the allegations made against our company, and we are saddened that allegations of such nature exist.

Fundament SPC is a reputable and well-known construction company incorporated in the Kingdom of Bahrain since 2008. Over the years, we have executed various projects for both national and international clients serving both governmental and non-governmental sectors. As exhibited in our Commercial Registration, we have not experienced any violations, nor does Fundament SPC suffer from any financial challenges that could not be resolved. This is due to our company's clear vision that is dependent on our relationship and partnership with our employees.

Fundament SPC lives by its core values. Our paramount core value is that our employees are our greatest assets. Their talents, skills, and experience are the cornerstone of our success. We always strive to create a friendly environment for our employees, emphasising training, and professional development. Our employees are in a constant state of growth as they encounter fresh, exciting challenges and experience the satisfaction of a job well done. In addition to their regular benefits, we always aim to show appreciation to our employees by rewarding them based on their performances. This has encouraged majority of our employees to remain working with us despite the employment nature of the construction industry where workers are usually contractually employed for a maximum period of 2 years.

Response to Allegations:

In reference to your email dated 10th June 2020, our understandings are that the allegations made against Fundament SPC are as follows:

- 1) Fundament SPC has left around 700 workers unpaid for several months
- 2) Fundament SPC has around 150 workers that have resigned and are owed wages of between 6 and 8 months as well as their final settlements
- 3) Fundament SPC has employed 150 workers with no valid visa

We would like to respond to each of the allegations mentioned above in turn.

Fundament SPC has left around 700 workers unpaid for several months

Fundament SPC is incorporated in the Kingdom of Bahrain, a country that upholds human rights and has one of the most advanced labour laws in the region. Our labour laws were praised by the international labour organisation in several occasions, and was conducted by the representatives of the government sector. Our labour laws set high standards that condemn all acts of injustice in the workplace whilst having a very proactive mechanisms for injustices of any kind. Anyone who has followed the events in the Kingdom of Bahrain closely knows that Bahrain will, as it has always done, continue to promote respect, tolerance and solidarity. The Kingdom of Bahrain, in cooperation and coordination with Non-Governmental Organizations and other actors within the international community, make every effort in strengthening human rights, through the implementation of human rights principles enshrined in regional and international agreements.

Given this fact, if such allegations were in fact true, the Non-governmental organisations and the national mechanisms in the Kingdom of Bahrain would be the first to take severe actions against Fundament SPC.

We have received no such actions from any of the above nor have we received any actions from any embassy, governmental organisations, and any other entities interested in upholding both human and labour rights in the region.

Therefore, we believe that such allegations made against Fundament SPC is neither true nor ever occurred. However, we welcome any information in such regards, and are ready to assist in investigating this matter further in line with the Laws of the Kingdom of Bahrain.

Fundament SPC has around 150 workers that have resigned and are owed wages of between 6 and 8 months as well as their final settlements

As previously stated, Fundament SPC has been incorporated in the Kingdom of Bahrain since 2008. We have worked closely with all our employees, and having their best interest is vital to our company. For the past 11 years, we have received no such allegations against our company.

Some of the employees who have joined us in 2008 are still working with us today. All of our employees have always received and continue to receive their entitlements, despite the consequential effect the global pandemic has had on our economy. For the employees who have resigned, they have received their full entitlements in accordance with the Laws of the Kingdom of Bahrain.

For instance, the global pandemic has had a negative impact on all businesses, in particular the Construction companies, leaving many struggling in its wake. Ever since the incorporation of

Fundament SPC, this is the first time ever our company has received little to no substantial projects leaving majority of our workers with having nothing to do. Despite this, we have still provided them with all their entitlements in accordance with the Labour Laws in the Kingdom of Bahrain. Also, our employees who were tested positive for Coronavirus were provided with necessities and all of their entitlements as they brave the road to recovery.

We, therefore, reject this allegation made against Fundament SPC.

Fundament SPC has employed 150 workers with no valid visa

Any expatriate workers who enter the Kingdom of Bahrain to take up any employment must follow certain regulations set by the Labour Market Regulatory Authority (LMRA). The first crucial criteria that all expatriates must follow is 'not to work or be employed in the Kingdom of Bahrain without a valid work permit issued by the LMRA'. In addition, the LMRA carries regular inspections into the workplace and investigates this matter with both the employers and the workers. The Law regulating the Labour Market sets our severe penalties for companies who have employed workers without a valid work visa.

If the allegation was in fact true, the LMRA, from its regular inspections to our workplace, would have initiated complaints against our company and filed such matters to the Public Prosecution in the Kingdom of Bahrain. No such complaints were ever filed against our company, and we are proud to say that our records with the LMRA are clear from such complaints.

We, therefore, reject this allegation made against Fundament SPC. However, we welcome any information in such regards, and are ready assist in investigating this matter further in line with the Laws of the Kingdom of Bahrain.

Taking all things into consideration, the employees of Fundament S.P.C, who work closely with the company, know that all allegations are taken very seriously, and Fundament S.P.C condemns all acts of injustice of any kind in the workplace. We, therefore, are ready to cooperate with Business & Human Rights Resource Centre and inquire more about such allegations. We would be more than happy to schedule a conference call and discuss this matter further at your convenience.

To conclude, we do understand the nature of our business sector, and the nature of the workers employed by us. Our workers come from different backgrounds with the intention of gaining income and helping their families. We stress that our work ethics and working conditions are there to protect the fundamental rights of our workers. Our aim is to help and assist them in maintaining their work and supporting their families to help portray a positive, true, and transparent image of our company and the Kingdom of Bahrain.

The Kingdom of Bahrain has been chosen by many international organisations as the best place for expatriate workers to work, reside and raise their families. We believe that our business model represents such an image. Nevertheless, since our employees are over a thousand, having individual complaints may always be possible, and if such complaints do exist, we are ready to cooperate with Business & Human Rights Resource Centre and assist in investigating this matter further.

Your faithfully