

Decent Work for Migrant Workers in Qatar *Role of Construction Companies*

Introduction

The Building and Wood Workers International through its engagement with governments, construction companies, and international organizations have proposed various standards and guidelines to ensure decent work, safe and healthy working conditions, dignity, and labour rights for all workers in the construction sector. **With this in mind, the following are 11 key areas that construction companies need to address to ensure decent work for migrant workers in Qatar.**

Areas for Discussion

1. Kafala and Exit Visa-system

Although abolishment of the Kafala (employment sponsorship) and Exit Visa systems are within the mandate of the Qatari government, the construction companies have a fundamental role to ensure that workers have freedom of movement.

The company should allow workers to change jobs should they choose to do so. The company should not object and provide on demand exit-visas and no objection certificates without delay to their employees wishing to leave the country.

The company should not confiscate or withhold workers' passports unless the worker agrees in writing and they have easy accessibility to their passports

2. Respect, Dignity, and Equality for Migrant Workers

The company should ensure, respect and promote the rights of migrant workers in accordance with international standards and ILO conventions related to migrant workers. They should also ensure that all of its recruiters and sub contractors follow this policy.

We have noted that there are discrepancies in terms of employment contracts, wages, and standards of migrant workers from different countries of origin. The company should immediately address these discrepancies and eradicate these forms of employment discrimination.

3. Occupational Health and Safety Measures in line with International Conventions and Standards

The company must ensure that all project sites have occupational health and safety system in place where the following are included:

- Establishment of mandatory occupational health and safety committees which includes worker representation.
- Workers should have the right to elect their Health and Safety representatives.
- Mandatory occupational health and safety trainings conducted regularly.
- Provision of free personal protective safety equipment to all workers.
- Trained medical personal and facilities available on site.
- Mid-day break for workers working outside during high temperatures even if it is not in the summer months.

In addition, companies should provide health insurance coverage at no cost to workers. This would resolve cases of migrant workers failing to seek medical attention due to lack of health insurance coverage.

Since it appears that there are high incidents of cardiac arrest, companies should do an internal investigation to see if there is a link between the working and living conditions as contributing factors to cardiac arrest.

The company should conduct regular medical check-ups for its workers to ensure the health of their workforce.

4. Workers Right to Organize and Collective Bargaining

The company should allow workers to independently organize trade unions and establish worker committees at every work site and at every company. This would be the vehicle for workers to be able to negotiate with employers on issues of working conditions, safety and health, conditions of employment contracts and living accommodations. These committees and organizations can also address and resolve grievances raised by workers.

The companies should ensure that workers will not face any repercussions such as dismissals, repatriation to their country of origin, imprisonment, discrimination, or any other form of punishment by employers or government representatives for organizing independent workers committees, networks, associations, and trade unions.

5. Joint Liability of Principal and Subcontractors and Employment Relationship

The company should agree to joint responsibility and liability with all of its subcontractors in relation to the working and living conditions of migrant workers. As a first step the companies should ensure that the standards and conditions of all bidding documents and contracts should be applicable to all subcontractors. The company should assume responsibility for working and living conditions of all workers even if they are hired by subcontractors.

6. Regulate Recruitment Agencies to Prevent Exploitation

The company should directly recruit its workers. In the case that the company uses recruiting agencies, it should only use reputable and internationally recognized recruiting agencies.

The company should not charge recruiting or placement fees. It should also make sure that any recruiting agencies they use do not charge any fees. Should they find that the recruiting agencies they use exploit workers, they should immediately cease its relationship to the agent and reimburse workers who have paid recruitment fees.

7. Conduct Effective, Independent, and Legally Binding Labour Inspections

The company should independently hire and train labour inspectors to regularly inspect and monitor all of its sites and accommodation facilities. The role of the inspectors should be the following:

- Interview all workers and if needed through interpreters to ensure the safety, health, and welfare of workers are met according to international standards.
- Provide technical information and advice to employers and workers to ensure that standards are effectively implemented.

- Mandate to shut down construction sites and projects as well as living quarters that hinder and violate health and safety standards and workers welfare.
- Issue fines and penalties to subcontractors that fail to meet the minimum guidelines set by international standards.

The company should conduct joint labour inspections with BWI.

8. Ensure Effective Labour Dispute and Court System

The company should put into place an effective dispute mechanism where workers can freely file complaints without fear of retaliation. Should the worker file a formal complaint through the Qatari government legal system, the company should not impose any threats or fire the worker during the labour dispute process.

9. Employment Contracts

The company and its sub-contractors should directly employ its workers and they should all receive an employment contract in a language they read or understand. The company should standardize all employment contracts for all of its workers regardless of their nationality.

The company should honor the employment contracts that were signed in the country of origin and not alter them upon the worker's arrival in Qatar without the legal consent or agreement of the worker. The Employment contract should be in a language that the worker understands or reads.

10. Living Wage

The company should review its current wage guidelines and scale taking into consideration the type of work, skills, education, and standards. Based on this they should set minimum wage standards.

The company should not deduct costs for food, transportation, and accommodation.

The company should inform workers regarding pay and deductions each time wages are paid and these should not be changed other than by written consent of the individual worker. The company should make sure that there are no discrepancies of wages based on race, gender, religion, and country of origin. The wages should be paid regularly and accompanied by official company wage slips and records.

11. Safe and Decent Accommodations

The company should provide safe and decent accommodation for all workers in accordance with international guidelines and standards. The company should review all camps that accommodate its workers to make sure that they are meeting international guidelines and standards for health and safety. In cases where the accommodation is sub-standard, the company should close the camps and provide alternative housing for the workers.

The company should further push all its contractors and subcontractors to provide health education and HIV/AIDS awareness raising and prevention program in accordance with the ILO Code of Practice on HIV/AIDS and the World of Work.