

**Qatar2018 Questions for Construction Companies in Qatar**  
***Migrant Worker Rights***

Name of company: BIN OMRAN TRADING & CONTRACTING L.L.C  
Headquarters address: 21<sup>st</sup> Floor, Qatar Tower, West Bay, Doha, Qatar  
Website: <https://www.botc.com.qa>

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.

Bin Omran Trading & Contracting L.L.C (BOTC) is a contracting company, established in the year 1997 in the state of Qatar. Initially being a Class B Contractor, BOTC was able to pave its path towards achieving an elevation to become a Class A Contractor, in the year of 2003. Establishing solid grounds with being one of the leading contractors in Qatar, BOTC has delivered a reputable sum of contracts abiding by its own time-efficiency and high-quality regulations. In August 2015, BOTC was able to acquire Three Companies to add to its family. With a complete group of Bin Omran Trading & Contracting L.L.C, Bin Omran Engineering & Projects L.L.C, Al Alia Trading & Contracting L.L.C, STROM Construction Company L.L.C & Sidra Agricultural Company L.L.C, BOTC and its reputation became one of the most distinct corporations in the state of Qatar.

- b) List your company's business relationships on its current projects, including with business partners<sup>1</sup> and entities in its contracting chain.<sup>2</sup> If your company maintains this information publicly, please provide a link or attachment to it.

<https://www.botc.com.qa/our-current-projects>

- 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 employed<sup>3</sup> workers on your current projects, and their countries of origin

**BANGLADESH: 2393**

**EGYPT: 27**

**GHANA: 1**

**INDIA: 1560**

**NEPAL: 2048**

**NIGERIA: 3**

**PAKISTAN: 154**

**PHILIPPINES: 20**

**SRI LANKA: 557**

**Grand Total: 6763**

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<sup>1</sup> i.e. joint venture partners, State and non-State clients, and State and non-State project financiers

<sup>2</sup> i.e. subcontractors, recruitment agencies, and labour supply companies in countries of origin and destination

<sup>3</sup> 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 -1000 approx.

c) Workers employed by labour supply companies on your current projects - 2350

### **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.

We do have a policy to make sure all workers are being treated fairly and ethically.

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?

We conduct frequent internal audits in order to make sure everything is being followed as per the policy.

Also, we are being audited monthly by the Supermen Committee as per their guidelines.

### **Recruitment**

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

- We mostly recruit workers from overseas through a local recruitment agency. In most cases the agency will be responsible for testing and selecting the apt candidates in their respective home countries.
- The CV's of the screened candidates are sent to us and we do a general screening against years of experience and age.
- The shortlisted candidates are provided with employment offers through the agent and once they accept we proceed with other governmental formalities like visa, immigration clearances etc.

Note: We also hire from local market if they have NOC and are willing to change sponsorship.

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 honoring the terms of contract signed in workers' home countries?

- We do have a policy in our HR Policy Manuel (Chapter 7, para 5.3)

#### Chapter 7, Paragraph 5.3 (additional Paragraph)

The worker may terminate the service contract before its expiry date if the contract is of a definite duration and without giving reasons for the termination if the contract is of an indefinite duration and retains his full right to obtain the end of service gratuity in the following cases: (To refer to Article "51" of Qatar Labour Law No (14) of the year 2004).

- If the Company commits a breach of his obligations under the service contract or the provisions of Qatar Labor law.

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- If his responsible Supervisor commits a physical assault, violence, bullying, harassment, victimization, threats, intimidation or immoral act upon the worker or any of his family member.
- If the Company or his Agency has misled the worker at the time of entering into the service contract as to the terms and conditions of the work.
- If continuance with the work endangers the safety and health of the worker provided that the Company is aware of the danger and does not take the necessary steps to remove it.

- 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?
- 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.

- We do have a policy in our HR Policy Manuel (Chapter 1, para 3.12) for (b & c)

#### Chapter 1, Paragraph 3.12 (additional text)

3.12. All related recruitment fees (i.e. mobilization tickets, visa fees, medical examinations and immigration clearances at home country requested for visas process fees) should not be charged to the workers under any circumstances.

Any payment of the above fees by the workers must be reimbursed to them upon submission of factual evidence.

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

If the recruitment agent breaches any of the policies, company can terminate the contact with them based on the agreement and Qatar labour law.

### **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.

Wages are decided based on the current market and existing workers salary. In some cases, wages are also decided based on the experience of the worker.

- 8) Does your company operate on a contractual "pay when paid" basis in relation to:
- a) Subcontractors? - NO
  - b) Employee wages? - NO
  - c) Other creditors? Please specify. - NO
- 9) What mechanisms does your company have in place to detect unpaid wages to workers on your projects?
- First, BOTC has a process called Salary Inquiry which employees can activate if they are not paid. Employees may also activate it if they feel that the salary they received is not what they expected/computed. All they have to do is fill up a Salary Inquiry Form and submit it to the site time keeper. The site time keeper then forwards that form to Payroll and Payroll will process, investigate and finalized. Second, we have welfare officers that check the needs of the employees. They also can receive reports/ complaints of non-payment of wages.
- A) 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.

Yes, BOTC has ample reserves and assets. So far, we have not yet experienced a situation where we needed to intervene in cases of default and liquidation.

### **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 labor-supply companies?

All BOTC employees have the possession of their passports and QID and we also make sure that the sub-contractors as well as the labor supply companies also follow the same through audits. If they fail to do so we raise an observation and advise them for the same.

- 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.

BOTC workers usually have their work permits within 3 months of their arrival, and for subcontractors and labor supplies we don't entertain any workers without proper resident permit or work permit inside our projects.

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

Workers are free to submit resignations whenever they are no more interested to work or if they are willing to go back to their home country due to domestic reasons.

All other related formalities as being followed as per the Qatar Labor law.

### **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.

Company provide the accommodation inside labor city which is approved by Qatar government. Company appointed representative to make sure all the health safety & facility maintain up to standard as well.

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

a) safe and adequate nutrition

14 days rotated menu has been provided. Including protein (meat, fish or chicken) & strictly monitoring the catering supplier to make sure they are follow bellowing the food safety procedures according to the international food safety standard: GHP Good Hygiene Practices GMP Good Manufacturing Practices HACCP Hazard Analysis Critical Control Point IEC Information, Education and Communication ISO International Organization for Standardization SPS Sanitary and Phytosanitary

b) healthcare

24/7 Clinic facility provided by company with certified doctors, nurses & also suitable health card has been provided.

c) banking and remittance services

Suitable 24/7 banking card has been provided

d) transportation

Fully facilitated with air conduction transport provided

e) leisure activities

Recreation room with internet, pool house, table tennis, gym, football ground has been provided

## 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.

a) The health and safety policy are based on the overall commitment the company is committed to ensuring certain legal and standards are met across its projects.

The basis of this acts as the main framework for the development and delivering of plans and procedures for work activities and events that are part of the company's work requirements with the relevant controls being identified.

Additional to plans and procedures specific risk analysis and specific methods of safe working is also developed and put in place where required for individual working tasks.

Dissemination is of all plans, procedures, risks and method of work are then completed through various platforms of medium delivery as to the requirements, responsibilities, worker involvement and the required learning and understanding.

Medium delivery through:

- General and specific training, in house or specialist at required intervals as determined through 1 to 1, groups or teams.
- Pre-task briefings and instructions
- Onsite and work area visual requirements
- Supervision and monitoring

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.

a) The policy for the company for overtime within and across the works for is purely voluntary and is meeting the requirements as prescribed within the relevant sections of the current labour laws applicable to working hours.

Overtime is monitored to ensure that workers are not subject to excessive durations and is completed in moderation linked to the various disciplines and requirements of the relevant units in the company.

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.

a) With the region government facilitated requirements for worker protection during summer periods, with restriction in place for certain times of the day where work cannot be completed under direct sun light, these restrictions are fully met and are supported by a standardized approach that included working plans and procedures that include the following:

- Project specific heat stress management plan and associated support documents.
- Health and welfare checks of worker who are potential exposed to the sun. Education and awareness sessions for requirements and controls – either in group or project specific formats and campaigns.
- Monitoring systems that including hourly and daily standards of the workers, the heat and humidity along with required warning systems in place throughout the working periods.
- Visual system to increase worker participation and awareness.

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 <sup>4</sup>

a) The company does not issue or maintain data to the public domain for its incident rates, these are recorded internally of the company and to client representatives that cover operational project which we work on or for. The following table represents our total figures for A, B and C for the periods as indicated.

	2016	2017
Work-place fatalities in our direct and subcontracted workforce	0	0
Permanent disabilities in our direct and subcontracted workforce	0	0
Lost-time injuries in our direct and subcontracted workforce	8	14

**19) Representation and remedy**

a) 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.

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<sup>4</sup> 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)



Worker-representative committees has been stabilizing according to nationality to raise their problem & concern. Committee meeting held every month & committees member change every year according to voting of employee.

b) 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.

- Yes, the company has grievance mechanism
- Workers are provided with a handbook in their own language upon joining the company. Support systems are enumerated under Labour Welfare of the handbook to properly address their concerns/issues. A monthly workers welfare meeting with representative from each nationality is also held to hear complaints/concerns of workers.

c) 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.

- There are 25 recorded minor complaints
- Please see below summary of complaints and action taken

COMPLAINT	ACTION
<p>Food:</p> <ul style="list-style-type: none"> <li>• The quality of Dhal is watery</li> <li>• Curry should be thick</li> <li>• Reduce oil from served curries</li> <li>• Give attention to cleaning of dining tables</li> <li>• Improve cooking to meet original taste</li> <li>• consistency of fruits and juice service are not followed</li> <li>• Requested for better quality of bread (khubus)</li> <li>• Request for fruits as alternative pack juice served</li> </ul>	<ul style="list-style-type: none"> <li>• Complaints and requests are discussed and forwarded to catering company</li> </ul>
<p>Accommodation:</p> <ul style="list-style-type: none"> <li>• Laundry service is poor</li> <li>• Poor signal (mobile phones)</li> <li>• No cold water</li> <li>• Noise from TV sound during dinner</li> <li>• Water leaks in some washroom</li> <li>• Noise coming from washroom</li> <li>• Room doors are not closing properly</li> </ul>	<ul style="list-style-type: none"> <li>• Washing machines are sent for maintenance</li> <li>• 15 new washing machines were installed</li> <li>• Reported to internet provider (Ooredoo)</li> <li>• Repair water cooler</li> <li>• Reported to the Landlord for repair</li> </ul>



	<ul style="list-style-type: none"> <li>• Reported to maintenance for repair</li> <li>• Reported to Landlord maintenance</li> </ul>
<b>Project site</b> <ul style="list-style-type: none"> <li>• Not all sites have WC/bathroom</li> <li>• Negative attitude of workers</li> </ul>	<ul style="list-style-type: none"> <li>• Maintenance team provided additional WC</li> <li>• Advise to make complaints official and forward to Project Manager in-charge.</li> </ul>
<b>Salary, Overtime</b> <ul style="list-style-type: none"> <li>• Workers requested copy of timecards</li> </ul>	<ul style="list-style-type: none"> <li>• Timekeepers are instructed to provide copies of timecard</li> </ul>

**Other information**

20) 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?