Guidance Note

**Principle 1: Workers Are Treated with Dignity, Respect, and Fairness**

Workers, irrespective of their nationality, gender, ethnicity, social and legal status, race, religion, or other protected status, are treated with dignity, respect, and fairness and are not subject to harassment, discrimination, abuse, or inhuman or degrading treatment.

**Introduction**

Applying the Building Responsibly principles in practice will be unique in every instance. This guidance note offers discussion around the potential issues and challenges faced and offers suggested good practice options for the implementation of each principle in the Key Components for Consideration section.

All workers, wherever they are employed, must be treated with dignity, respect, and fairness. There is a heightened risk of abuse where companies rely on migrant workers, low-skilled workers, and/or workers with low level of literacy. In these instances, companies must pay particular attention to their projects and operations to ensure all workers are treated with dignity, respect, and fairness.

**Key Terms and Definitions**

» **Dignity**: The right of workers to be valued and treated in an ethical manner; to be protected from bullying, harassment, or any forms of disciplinary action deemed overly harsh or degrading; and to have their right to privacy respected.

» **Fairness**: The promotion of equality in workplace policies, processes, and forums to ensure fairness in employment and provide opportunities in a non-discriminatory manner.

» **Inhuman or Degrading Treatment**: Treating workers as less than human and thereby causing physical or mental suffering or feelings of fear and humiliation.

» **Harassment**: Harassment can occur in the workplace, accommodation, or transportation. It involves a range of unacceptable behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm and includes gender-based violence and harassment.

» **Discrimination**: Employees are treated with respect and fairness and, regardless of their location, are free from all forms of discrimination, including discrimination based on nationality, gender, ethnicity, social and legal status, race, religion, or any other protected status.

**Key Challenges**

**Unskilled and Low-skilled Work**

Unskilled or low-skilled work can be a major component of construction projects in certain sectors and geographies. In some developing countries and in countries with labor shortages, many construction workers may come from impoverished communities, with limited access to education and professional training and low awareness of their rights. As a result, they often work in low-paid or temporary jobs, making them more vulnerable to exploitation by unscrupulous recruiters and employers, and are more at risk of being caught in forced or bonded labor.
**Subcontracting and Multi-tiered Subcontracting Chains**

Multi-tiered supply chains are common in the engineering and construction sectors, making it challenging to assure compliance at all levels. Inadequate human rights due diligence and a failure to identify and remedy risks across the supply chain may result in a company’s facing criminal liability due to poor treatment of workers by contractors and subcontractors.

**Migrant Workers**

In some regions, the construction industry relies heavily on migrant workers, who often face heightened risks of labor abuse due to their less secure employment status and legal residence outside of their country of origin. Because of this status, migrant workers are more dependent on their employer and have fewer opportunities to raise concerns about their treatment. Low-paid migrant workers can also be subject to stigmatization and marginalization, increasing their vulnerability to abuse.

**Navigating Cultural Norms**

Cultural norms may vary greatly across the countries where engineering and construction companies work, resulting in differing views on the “normal” and appropriate treatment of workers. Some conduct which is considered normalized will be contrary to the standards set in this Principle and will need to be addressed.

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**Key Components for Consideration**

- Companies should ensure policies and systems are in place that mandate treating workers with dignity, respect, and fairness and that ensure workers are not subject to harassment, discrimination, abuse, or inhumane or degrading treatment. Such policies or systems should set a minimum standard of worker welfare management and be regularly reviewed and assessed.
- Companies should conduct or commission a pre-assessment of the legal environment in any operating location to identify potential gaps relating to international labor expectations and the Building Responsibly Worker Welfare Principles.
- Companies should ensure their code of conduct and policies on ethical treatment are fully communicated in a format and language understood by all workers, especially those with low literacy skills.
- Companies should give a senior manager clear responsibility and resources for implementing the company’s commitments to ensuring workers’ dignity, respect, and fairness.
- Companies should ensure workers have access to a mechanism to report concerns, complaints, or potential violations of their rights.
- Companies should ensure all workers are subject to a standard pre-employment assessment and due diligence process to ensure workers freely consent to all work undertaken and to unearth any potential exploitation.
- Companies should take steps to ensure that contractor and subcontractor worker welfare management processes align with company expectations and minimum standards of compliance.
- Where practically possible, companies should engage clients regarding the Worker Welfare Principles, with a view to referencing them in the construction contract.
- Where practically possible, companies should engage other engineering and construction companies regarding worker welfare, with a view to raising the bar and sharing good practices.
Tools and Resources

» UN Guiding Principles on Business and Human Rights
» ILO Helpdesk for Business on International Labor Standards
» Stronger Together, Tackling Modern Slavery in the Construction Sector Toolkit
» IFC, Managing Risks Associated with Modern Slavery
» IPIECA, Company and Supply Chain Labor Rights Guidance
» Verité, Help Wanted Toolkit, Understanding the Policy Context of Hiring, Human Trafficking and Modern-Day Slavery – A Brief for Responsible Business
» UN Global Compact Good Practice Note: Meeting the Responsibility to Respect in Situations of Conflicting Legal Requirements
» CIOB Construction and the Modern Slavery Act: Tackling Exploitation in the UK

About Building Responsibly

Building Responsibly is a group of leading engineering and construction companies working together to raise the bar in promoting the rights and welfare of workers across the industry. We have come together to foster and ensure a better working environment for workers in the engineering and construction sector. Doing so will allow us to more effectively respond to client, stakeholder, and regulatory expectations and manage a healthier, more productive workforce.

For more information and resources to support implementation of these Principles, visit www.building-responsibly.org.

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