

Respecting Worker Welfare during COVID-19

Construction and Engineering Sector Overview

In the fight against the COVID-19 global health pandemic, it is more important than ever for companies to ensure respect for the rights and welfare of workers. The provision of a safe and secure worksite and living conditions, access to healthcare and treatment, and respect for wage and benefit agreements should be prioritized to help safeguard the health and rights of the workforce and business continuity now and in the wake of the crisis.

Introduction

From site closures to critical disruptions in the supply chain, the COVID-19 crisis has led to unprecedented challenges for the construction and engineering sector. The pandemic is forcing companies to make critical and often difficult decisions about their strategy for business continuity and to determine the appropriate balance between operational continuity, the health, safety and human rights of their workers, and the protection and support of the wider community.

Construction and engineering companies have had to grapple with differing governmental restrictions on the sector and contrasting definitions of “essential workers”. In some parts, non-essential construction has all but stopped, placing companies under financial strain and workers in precarious situations. In others, works have continued, forcing companies to rapidly respond with a series of measures to prevent the transmission of the disease. From focusing on robust health and safety protocols, to the provision of financial and material support to the wider community, BR member companies have responded to the crisis in a variety of ways.

The Building Responsibly (BR) [Worker Welfare Principles](#) provide a framework for companies to navigate the unprecedented challenges presented by COVID-19. The Principles, which address a wide range of worker welfare issues from working and living conditions to respect for labor standards and worker representation, are more relevant for companies now than ever.

Informed by BR members’ responses to the pandemic, this Guidance Note highlights the main challenges to worker welfare for the construction and engineering sector during COVID-19 and offers key recommendations to addressing some of the principle risks at play. It also provides a list of useful tools and resources for additional support and reference.

Key Challenges

Ensuring a safe and secure worksite and living conditions

BR Principles 5 and 6 state that working and living conditions are safe and secure. The primary risk from the pandemic is the transmission of the virus, potentially affecting the safety, well-being and health (including mortality) of workers. Construction workers are required to work on-site and often at close proximity with other workers, making adherence to social distancing rules challenging. Many workers, particularly in Asia and the Middle East, live in employer-owned or -operated accommodation which, if not correctly managed, can become fertile ground for the transmission of the disease. Transportation between construction sites and worker accommodation presents additional risks of infection. Inadequate health and safety measures, poor living conditions and unhygienic accommodation all accelerate the transmission of COVID-19. Companies will incur additional costs from the implementation of these health and safety measures and can consider requesting that clients share the associated costs.

In an uncertain job climate, the pandemic can have negative impacts on workers’ mental health, both those working on site and remotely. Migrant workers may in particular face increased levels of stress and anxiety related to COVID-19 due to concerns over job loss, the withdrawal of work permits and the risk of deportation. Without appropriate worker representation or adapted grievance mechanisms in place (BR Principles 9 and 10), workers may feel reluctant to speak about concerns regarding their health and safety and welfare.

Providing information and access to healthcare

In the face of the global pandemic, it is critical that all workers have access to quality healthcare services both for their physical and mental health. In accordance with BR Principle 1 which establishes that all workers are treated with dignity, respect and fairness, information about the virus and access to healthcare should be provided regardless of immigration status and background.

- **Awareness:** Workers across industries may not be sufficiently informed about the virus or have the necessary information about how to protect themselves and others. This risk is particularly elevated in workforces where there are low levels of literacy and an absence of common linguistic background. It could lead to the stigmatization of workers with COVID-19
- **Protection:** Companies are faced with a lack of availability or restricted access to protective equipment and testing kits, which could increase the likelihood of disease transmission.
- **Access:** It is crucial that all workers with symptoms of COVID-19 have access to treatment. There are systemic issues that prevent workers from accessing healthcare outside of a pandemic, including inadequate or absence of insurance coverage and immigration status, risks exacerbated in the current period. Workers may be reluctant to seek treatments due to concerns over cost and uncertain immigration status, which could contribute to the spread of the disease. In addition, with resources and attention diverted to COVID-19, there may be reduced access to medicines and treatment for workers with existing medical conditions. The spread of disinformation may further fuel workers' anxieties and prevent them from seeking support. At a global level, informal workers and irregular migrants are particularly vulnerable as they may face additional barriers to accessing social protection and healthcare.

Respect for wage, benefits and visa status

Under BR Principle 8, companies should commit to respecting workers' wages and benefits. With the spread of the virus and the temporary closure of many worksites, workers are losing their salaries and even their jobs.

- **Unfair wage practices related to COVID-19:** Employers may decide to terminate contracts or not pay workers due to absences caused by illness, enforced quarantine or caring for others during COVID-19. In some cases, there is a risk that workers are not paid for their work, and forced to do compulsory and involuntary overtime.
- **Migrant workers:** Migrant workers are particularly vulnerable. Layoffs and non-payment of wages may force migrant workers to incur debt to cover the costs of temporary accommodation, food and transport home. In addition, they risk losing their visa status and becoming irregular migrants in hosting countries while unable to return home due to international travel restrictions.

Ensuring that recruitment practices are ethical, legal, voluntary and free from discrimination

In accordance with BR Principle 3, workers should be recruited through ethical and legal means and recruitment shall be free of all forms of discrimination. Associated with the sharp decline in employment opportunities, travel restrictions and border closures increase the risk of unethical recruitment in the construction and engineering industry. Candidates may be charged fees by sub-agents or intermediaries at various stages of the recruitment process and incur heavy debts as a result. As stalled projects resume and companies start to ramp-up operations they should be particularly aware that unscrupulous recruiters may target vulnerable low-skilled workers who are desperate to secure employment and are unaware of their rights, or feel pressured to compromise.

Key Components for Consideration

Ensure that working and living conditions are safe, clean and healthy

- ☑ Companies should carry out a rapid assessment of existing health, safety, labor and social protection measures and identify most pressing needs.
- ☑ Companies should establish a prevention and response protocol in response to COVID-19 and strictly follow health authority guidelines to limit the spread of infection. This should cover new and existing occupational health and safety measures, the roles and responsibilities of each department and a clear communication plan.

- ☑ Companies should implement strict hygienic measures including regular disinfection of worker worksites, transport and accommodation, and the provision of accessible hand sanitizer and hand washing facilities for all workers. Other measures may include the distribution of face masks or other personal protective equipment (PPE). Cleaning teams should be provided with appropriate PPE equipment and regular disinfection records kept.
- ☑ Companies should engage worker representatives on a regular basis and solicit their suggestions on how to provide a safe working and living environment, including the implementation of social distancing measures. The introduction of a survey can also help companies to understand workers' concerns and to better assess camp and site management.
- ☑ Companies should consider screening workers, including daily temperature checks at worksites and surveys. Companies should arrange to isolate workers with COVID-19 symptoms, establishing quarantine zones, and ensure strict adherence to public health measures and guidance and support to workers' mental wellbeing.
- ☑ Companies should foster a positive and supportive atmosphere among the workforce and focus on workers' mental health, ensuring that they feel safe and secure while on site. In cases of remote working, management should ensure that regular calls and check-ins are scheduled.
- ☑ Companies should ensure that social distancing measures are implemented on the worksite, in canteens and in worker accommodation. This may include adapting shifts and rearranging workstations. In cases where living conditions cannot be easily adapted to public health guidelines, companies should consider renting temporary accommodation (for example, hostels or guesthouses) to house workers for the short-term.
- ☑ Canteens should provide workers with healthy and nutritious meals (for example, fruit high in Vitamin C) and advice on how to have a balanced diet. Where possible, workers should be encouraged to exercise regularly and the benefits of exercise for both their mental and physical health explained.
- ☑ Companies should ensure that workers are provided means to communicate with families both in normal accommodation or in quarantine or isolation, including free wifi.
- ☑ Companies should establish new due diligence mechanism or adapt existing ones to enhance worker protections and provide the necessary channels for workers to report health and safety concerns, including the use of hotlines. These should be available for workers to use without fear for retaliation, retribution or dismissal.
- ☑ Companies should modify transportation schedules to and from worksites to ensure that social distancing measures are respected.
- ☑ A checklist should be provided to contractors and a regular dialogue conducted to ensure that appropriate health and safety measures are introduced.
- ☑ In cases where off-site is possible, companies should allow employees to work from home.

Provide information and access to healthcare

- ☑ Companies should provide guidance and communicate with workers on a regular basis to ensure that all staff are aware of safety and prevention measures. A variety of communication tools should be considered including regular or daily workforce meetings, the translation of guidance into multiple languages and the appointment of a dedicated welfare officer in charge of relaying information in worker accommodation.
- ☑ To reduce instances of social stigma, companies should focus on building trust within the workforce, show empathy with those affected and use appropriate language which does not perpetuate existing negative stereotypes or assumptions.
- ☑ Companies should ensure that all workers have access to healthcare and to cover all medicals costs incurred by workers as result of COVID-19. Companies should ensure that there are dedicated workplace medical staff who are equipped to respond to the crisis and are prepared to address the physical and mental health needs of workers.

Guarantee respect for wage, benefit, and visa status

- ☑ Companies should observe and comply with all laws, regulations and collective agreements, and that salaries are up to date and processed.
- ☑ Companies should provide for full paid quarantine leave as per government guidelines.

- ☑ In case of worker redundancies and layoffs, companies should observe their obligations regarding notice periods and compensation.
- ☑ Companies should take into account the consequences of lay-offs and other employment measures on the visa status of their migrant workers.
- ☑ Companies should consider covering costs of temporary accommodation and return assistance for migrant workers.
- ☑ Workers' freedom of movement should only be restricted where it is necessary to limit to the spread of virus. Companies should ensure that migrant workers have direct access to their identity documents.

Ensure that recruitment practices are ethical, legal, voluntary and free from discrimination

- ☑ For recruitment in this period, companies should ensure the ethical recruitment of workers and in particular be aware of unscrupulous practices. They should monitor the recruitment, mobilization and work process to ensure that candidates are not charged fees at any stage.
- ☑ Companies should adhere to appropriate measures to protect workers' health at all stages of the recruitment period. This may include the introduction of a preventative quarantine workers entering from abroad, following reports and recommendations of WHO or equivalent national authorities. Companies should ensure that salaries are paid for periods of quarantine and consider reimbursing workers charged quarantine fees by national or local authorities.
- ☑ Companies should make efforts to encourage local transfers and inter-company mobility, making links or coordinating with other companies to prevent job losses and support worker local recruitment where feasible.
- ☑ For companies wishing to ramp up operations quickly in the aftermath of the crisis, a clear plan for ethical recruitment should be established.
- ☑ Companies should ensure that grievance mechanisms are in place for new workers to report any instances of unethical recruitment.

Tools and Resources

- » [Building Responsibly – Guidance Notes](#)
- » [Building Responsibly – Worker Welfare Responsible](#)
- » [BWI – Trade Union Responses to Covid-19 Pandemic](#) (June 2020)
- » [Human Rights Watch – Human Rights Dimensions of COVID-19 Response](#) (March 2020)
- » [IHRB – Impact of COVID-19 on Migrant Workers in South East Asia](#) (April 2020)
- » [IHRB – Respecting Human Rights in the Time of the COVID-19 Pandemic](#) (April 2020)
- » [ILO – COVID-19 and the world of work: Country policy responses](#) (updated regularly)
- » [ILO – The construction sector can help lead the economic recovery – Here's how](#)
- » [ILO – Safe Return to work: Guide for employers on COVID-19 prevention](#) (May 2020)
- » [IOM – Information about COVID-19 and how to protect yourself in multiple languages](#)
- » [IOM – IRIS Guidance for employers and business to enhance migrant worker protection during the current health crisis](#) (April 2020)
- » [IOM CREST COVID-19 response website with regular updated guidance](#) (April 2020)
- » [IOM Promise – Tips for Migrant Workers whose Job is Affected by the COVID-19 Pandemic](#)
- » [UNDP – Human Rights Due Diligence and COVID-19 – Rapid Self-Assessment for Business](#) (April 2020)
- » [WHO – Getting your workplace ready for COVID-19](#) (March 2020)
- » [WHO – A guide to preventing and addressing social stigma associated with COVID-19](#) (February 2020)

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.