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Migrant workers

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24 February 2012

## FCC CONSTRUCCIÓN

### FRAMEWORK AGREEMENT BETWEEN FCC CONSTRUCCIÓN, S.A., BUILDING AND WOOD WORKERS' INTERNATIONAL, FECOMA AND MCA

Building and Wood Workers' International (BWI) is the Global Union Federation grouping free and democratic unions with members in the Building, Building Materials, Wood, Forestry and Allied sectors. The BWI groups together around 350 trade unions representing around 12 million members in 135 countries. BWI's mission is to promote the development of trade unions in the construction and woodworking sectors throughout the world and to promote and enforce workers' rights.

FECOMA-CCOO is the Federation of Construction, Wood and Allied Sectors of Comisiones Obreras, a Spanish trade union affiliated to BWI.

MCA-UGT is the Federation of Metal, Construction and Allied sectors of Unión General de Trabajadores, a Spanish trade union affiliated to BWI.

FCC Construcción, S.A. heads the construction division of one of the world's largest citizen services groups. The Group's activities are carried out in absolute respect for human rights and public liberties, in accordance with internationally accepted laws and practices.

FCC Construcción, S.A. and BWI, with the MCA-UGT and FECOMA-CCOO federations:

Acknowledge that sustainable development of the construction industry is in the interests of both the company and workers.

Acknowledge the importance of open, democratic labour relations and of fair procedures for collective bargaining between union representatives and those of the company.

This agreement is based on the joint commitment signed by the parties to respect and promote the principles defined in the Universal Declaration of Human Rights, the Tripartite Declaration of the ILO, OECD Guidelines for Multinational Enterprises and the United Nations Global Compact.

FCC Construcción, S.A. also uses resources to oversee compliance with the provisions of the International Labour Organisation (ILO), particularly with regard to minors, and it undertakes to carry out its business and professional activities in accordance with current legislation in each of the places where it operates and it promotes and encourages such recognition and respect among its contractors, subcontractors and suppliers. Legal compliance is always the starting point for ethical conduct in the Group.

At FCC Construcción, S.A., management of human resources and relations between employees are always based on respect for people's dignity and the principles of trust and mutual respect. FCC Construcción, S.A. expressly prohibits abuses of authority and any other type of harassment, whether physical, psychological or moral, and any other conduct that could lead to an intimidating, offensive or hostile working environment.

The company recognises that corruption, bribery and unfair anti-competitive actions distort markets and hamper economic, social and democratic development.

FCC Construcción, S.A. shall not in any way reduce or undermine existing labour relations, practices or agreements relating to union rights or facilities already established by any BWI affiliate or group of affiliates or any other union within FCC Construcción, S.A.

In this spirit, FCC Construcción, S.A. and the BWI shall work together to verify the effective application by all FCC Construcción, S.A. activities and

undertakings of the following requirements, which must be applied at all times in accordance with the provisions in each case of the benchmark national legislation and without any deviation from, or contradiction with, same.

**1. Freedom of association and the right to collective bargaining are respected.**  
All workers shall have the right to form and join trade unions of their own choice. These unions shall have the right to be recognised for the purpose of collective bargaining in conformance with ILO Conventions 87 and 98, in each of the countries, in accordance with their specific legislation. In the same form and conditions, the workers' legal representatives shall not be the subject of any form of discrimination, and they shall have access to business workplaces as required to discharge their representational duties, subject to prior notice and communication with the company's representative at each workplace, in coordination with the latter and without disrupting productive activity.

FCC Construcción, S.A. shall not interfere with the possibility of its workers freely and voluntarily joining union organisations and shall avoid, within the organisation, any discrimination that might arise as a result of such membership.

FCC Construcción, S.A. shall adopt a positive attitude with respect to union activities and an open attitude towards unions' organisational activities.

**2. Employment is freely chosen.**  
There shall be no use of forced or compulsory labour, including bonded labour. Workers shall not be asked to surrender passports, identity papers or valuables (ILO Conventions 29 and 105).

**3. No discrimination in employment**  
All workers shall have equality of opportunity and treatment regardless of their ethnic origin, gender, religion, political opinion, nationality, social origin or other distinguishing characteristics.

**4. Protection of migrant workers**  
Migrating and posted employees must enjoy the same working conditions as that of the national work force. Workers should not be required to pay deposits, visa and other immigration fees, transportation costs, and recruiting or hiring fees. In the case of agencies dispatching workers to other countries, the agencies should be required to repatriate workers in the event that their employment ends or the user company disappears. Workers must not be required to surrender their passports or other travel or identity documents. Temporary migrant workers should have full rights to legal redress in the country where they work and they should have the right to organize and join trade unions. Migrant workers should receive details of their living and working conditions in a language they understand before leaving their country of origin.

**5. Child labour is not used**  
Child labour shall not be used. Only workers above the age of 15 years, or over the compulsory school-leaving age if higher, shall be employed (ILO Convention 138). Children under the age of 18 shall not perform work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (ILO Convention 182).

**6. Living wages are paid**  
Workers shall be paid wages and benefits for a standard working week that must at least conform to the minimum conditions established by national legislation or the collective agreement applicable to the industry or sector in question. All workers must be provided with clear verbal and written information about wage conditions.

**7. Hours of work are not excessive**  
Hours of work shall comply with national legislation, national agreements and industry standards. All workers shall be given a minimum of a one-day weekly rest period.

**8. Health and safety of workers**  
A safe and healthy working environment shall be provided. Best occupational health and safety practices to prevent injuries and ill health shall be promoted and shall be in compliance with ILO Convention 155 Occupational Safety and Health Convention, 1981 and ILO Convention 167 on Safety and Health in Construction, 1988.

All workers shall also be given Personal Protective Equipment, at no cost to themselves, and training on occupational hazards and their prevention. Workplace Health and Safety Committees shall be established and workers shall have the right to elect Health and Safety Representatives, by agreement with the unions, among the workers' elected legal representatives and in accordance with each country's legislation.

FCC Construcción, S.A. also undertakes continuously to improve measures for preventing occupational risks and for encouraging health in the workplace in each of the sectors and locations where it operates.

FCC Construcción, S.A. also promotes and encourages the adoption of the most

up-to-date health and safety practices by its suppliers, contractors and collaborating companies in general.

#### 9. Worker welfare

At every work site the company shall provide an adequate supply of drinking water, sanitary and washing facilities, and facilities for changing clothing.

#### 10. Skills training.

FCC Construcción, S.A. undertakes also to provide the resources to contribute to learning and training on the part of its employees and to update their knowledge and skills in order to provide professional progress and more value to customers, shareholders and society in general.

#### 11. Employment relationship.

FCC Construcción, S.A. shall respect obligations to all workers under labour and social security laws and regulations and the regulations relating to employment contracts.

FCC Construcción, S.A. considers that respect for the rights of workers is a fundamental factor in sustainable development and it promotes and encourages such recognition and respect among its contractors, subcontractors and suppliers.

#### IMPLEMENTATION

FCC Construcción, S.A. will provide verbal or written information regarding this agreement to the organization.

BWI acknowledges that this agreement is a voluntary commitment on the part of FCC Construcción, S.A. Both organisations will actively support this voluntary commitment and express their willingness to cooperate actively in eradicating violations of the agreement so as to avoid any future infringement.

A review board will be instated, consisting of representatives of FCC Construcción, S.A. management, BWI, FECOMA-CCOO and MCA-UGT, which will meet at least once per year to monitor implementation of this agreement, the company will offer the necessary support for the meeting. BWI, MCA-UGT and FECOMA-CCOO will bear their own costs for participating in meetings of the review board, except those activities carried out at the request of the company, in which case the company assumes the costs.

Both parties recognize that effective local monitoring of this agreement must involve the local management, the workers and their representatives, health and safety representatives and local trade unions. To enable local and national union representatives of BWI affiliated unions to play a role in the monitoring process, the company assures that they will be given appropriate access to the workers and the necessary rights to information.

The annual review of this agreement shall be incorporated into the annual report of FCC Construcción, S.A. with the consent of the signatories.

#### CONFLICT RESOLUTION

The signatories agree that any difference arising from the interpretation or implementation of this agreement will be examined jointly, for the purpose of providing recommendations to the parties involved.

In the event of a complaint or an infraction of the agreement, the following procedure will normally apply:

- a) Firstly, the complaint should be raised with the local site management.
- b) Any infractions which could not be resolved through discussion at the workplace or national level will be addressed by the BWI coordinator in close cooperation with the BWI affiliates in the home country and will be reported to the responsible manager.
- c) If the issue is not resolved, the reference group will deal with the matter with the goal of providing recommendations to the parties involved with a view to resolving the dispute.

#### DURATION

This agreement is effective from today's date, with a mutual three-month notice of termination.

Madrid, 21 February 2012.


Francisco Martín  
FCC Construcción, S.A.

Fernando Serrano  
FECOMA - CCOO

Ambet Yuson  
Internacional de Trabajadores de la Construcción y la Madera (ICM)

Teodoro Escorial  
MCA - UGT

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