



External Labor Compliance Monitoring at NYUAD

Report

May 2018

Table of Contents

Executive Summary	3
Introduction.....	5
NYUAD Project labor standards and compliance activities	6
Impactt’s methodology	7
Compliance monitoring findings	11
Worker experience.....	22
Recommendations	26
Glossary of terms	27
Limitations	28
Appendix A	30

Executive Summary

New York University Abu Dhabi (NYUAD) is a research university located in the United Arab Emirates. In 2015 NYUAD and its Abu Dhabi partner appointed Impactt Limited as the third-party verifier of labor compliance at the NYUAD Project. This report covers the period from December 2015 to March 2017 with further follow-up audits in August 2017 and remote desktop reviews in March 2018. It presents and analyzes the findings of Impactt's compliance monitoring activities and the stakeholder interviews carried out to understand the Project's commitment to enforcing their labor standards.

Impactt developed an audit methodology for the NYUAD Project by combining our worker-focused approach with the principles of Sedex Member Ethical Trade Audit (SMETA) methodology.¹ Impactt's audit process followed the worker journey, from recruitment to repatriation. We used worker interviews, management interviews and documentation reviews to assess contractors' compliance with the NYUAD Project labor standards and provide insight into root causes of non-conformances identified.

Impactt selected contractors for compliance audits based on a master list provided by the NYUAD Project. In this reporting period we audited 15 contractors who employ 803 workers. This represents 59% of the workforce at NYUAD (see Table 1).

Impactt's third-party verification of compliance with the NYUAD Project labor standards identified a good level of compliance among contractors and a high level of satisfaction among workers. Impactt's initial audits identified 87 non-conformances. Impactt classified these non-conformances by severity as critical, major and minor.

Impactt carried out follow-up audits of contractors to assess their progress in rectifying non-conformances. Impactt carried out follow-up visits between March 2016 and August 2017, and carried out additional follow-ups, via desktop review, in March 2018. In the follow-up audits, contractors closed 77 of 87 non-conformances (89%) and made progress in rectifying 2 of 87 non-conformances (2%). A total of 10 non-conformances remain open (11%),² of which 7 could not be closed as the contractors were no longer operational on the NYUAD campus at the time of Impactt's follow-up audit.

As part of worker interviews during compliance audits, Impactt carried out a survey to measure the degree to which workers are satisfied with their jobs.³ The average score across all satisfaction results was 4.02 (in the baseline survey) and 4.35 (in the latest follow-up survey) on a scale of 1-5, with 5 being best.

Throughout the reporting period there has been a significant shift towards conformance with both the number and severity of non-conformances decreasing over the reporting period. Our stakeholder interviews also highlighted the level of commitment and effort made by NYUAD and its Abu Dhabi partner to carry out their own compliance monitoring activities.

Based on our compliance monitoring findings, we make recommendations to NYUAD and its Abu Dhabi partner in order to support contractors' compliance with the NYUAD Project labor standards.

¹ [Sedex](#) is the Supplier Ethical Data Exchange, a global, non-profit membership organization with 40,000 members in 150 countries. Sedex provides members with a platform to share supply chain labor standards data and a methodology to carry out labor standards audits against the Ethical Trade Initiative (ETI) Base Code. The [ETI Base Code](#) is a global labor standard that follows the conventions of the International Labour Organization (ILO) and applies across industries and countries.

² "Open" means not closed and is equal to the sum of "NCs progress made" and "NCs without progress made".

³ See Appendix A for a list of survey questions.

The recommendations relating to **contractor compliance** with the NYUAD Project standards are:

- Address the remaining open non-conformances
- Further investigate areas where worker satisfaction is low
- Provide greater support to contractors to implement robust labor standards compliance systems
- Explore avenues to support contractors in applying the NYUAD Project labor standards to other non-NYUAD projects.

The recommendations relating to the NYUAD Project’s compliance process are:

- Ensure that all contractors receive communication and training on the labor standards (SCC 2016)
- Continue to train internal stakeholders on labor compliance risks
- Implement a system to document clearly that all contractors working at NYUAD have undergone a labor standards assessment
- Streamline the compliance monitoring activities

Table I - Impactt’s sampled contractors and worker interviews

Contractor Type	Total		Audit type	Sample	
	Entities	Workers		Entities	Worker interviews
Direct contractors	15	1,140	Full audit	11	135
			Follow-up audits	8	303
Subcontractors	38	213	Full audit	4	26
			Follow-up audits	4	50
Total	53	1,353⁴		15	514

⁴ This is the total highest number of workers that worked at the NYUAD Project during the reporting period.

Introduction

New York University Abu Dhabi (NYUAD) is a research university located in the United Arab Emirates, providing a liberal arts and sciences education to some 1,250 students from around the world.⁵ The university opened to students in 2010 in a temporary campus in downtown Abu Dhabi during the construction of the main campus (NYUAD Project) on Saadiyat Island. The construction of the NYUAD campus on Saadiyat Island took place from 2008 to 2014. The construction of the campus was delivered by NYUAD's Abu Dhabi partner.

Since 2009, NYUAD and its Abu Dhabi partner have developed mandatory labor compliance requirements (NYUAD Project labor standards) for all contractors at the NYUAD Project. They have also developed a program to monitor contractors' compliance with the NYUAD Project labor standards. The latest version of the NYUAD Project labor standards is the [Supplier Code of Conduct 2016](#) (SCC 2016). The SCC sets the bar high, covering workers' journey from recruitment to repatriation and drawing on local and international law and good practices.

In 2015 NYUAD and its Abu Dhabi partner appointed Impactt Limited as the third-party verifier of labor compliance at the NYUAD Project. This report presents and analyzes the findings of Impactt's compliance monitoring activities and the stakeholder interviews carried out to understand the Project's commitment to enforcing their labor standards. We make a set of recommendations to support NYUAD and its Abu Dhabi partner to continue strengthening the labor compliance program into the future, and to help ensure that the partner's aspirations are fully realized.

Since the completion of construction activities at the main campus in 2014, the bulk of the workforce at the NYUAD Project has shifted from construction to services. As of March 2017, 35 contractors, who supply 792 workers from 21 countries, work at the main campus providing services to run the campus (e.g. catering, cleaning, security, maintenance).

"New York University Abu Dhabi (NYUAD) and its government partner are committed to ensuring fair working and living conditions for employees of service providers and contractors who work at the NYUAD campus."
(NYUAD, Supplier Code of Conduct, October 2016)

Introduction to Impactt

[Impactt Limited](#) is a consultancy firm, founded in 1997, that specializes in delivering tangible and systemic improvements for workers in multiple industries and countries worldwide.

Our mission is to help improve the lives of 6 million workers in global supply chains by 2020 by developing win-win solutions that work for businesses and workers, harnessing the power of supply chains for positive change. Since 2006, we have reached some 1.63m workers.

Our global teams draw on both ethical and commercial expertise, and include former workers as well as technical experts to bring a full understanding of complex supply chain challenges. We help companies all along the supply chain to address pressing social issues, from modern slavery to empowering women. Importantly, we 'bridge the gap' between diverse stakeholders to develop robust, long-term, holistic solutions.

⁵ NYUAD Website (figure dated as of August 2016)

NYUAD Project labor standards and compliance activities

This section explains the evolution of the NYUAD Project Labor standards and the NYUAD labor compliance activities

NYUAD Project labor standards

From the early stages of the construction phase, NYUAD and its Abu Dhabi partner have established and continuously updated a set of labor requirements for contractors operating at the NYUAD Project.

The first version of the NYUAD Project labor standards were the [Statement of Labor Values \(SOLV\)](#). In 2010 it was expanded by fourteen additional measures to operationalize the SOLV. These additional measures came to be known as the [14 Points](#). Both the documents were publicly available until the adoption and publication of the latest set of standards in 2016. The SOLV, released in 2009, tracks UAE labor law (Federal Law Number 8 of 1980) and covers eleven areas: wages and benefits, working hours, overtime compensation, child labor, forced labor, health and safety, non-discrimination, harassment or abuse, resolution of work disputes, women's rights and compliance with laws.

In 2010, NYUAD and its Abu Dhabi partner developed the Supplementary Specifications Document (SSD). This document set out detailed contractual specifications which supplement those set out in the SOLV and 14 Points. The SSD also includes wage tables specifying wage levels for different job categories.

In 2013, NYUAD and its Abu Dhabi partner developed the Supplier Code of Conduct 2013 (SCC 2013), which replaced the SSD, and sets out detailed contractual specifications to supplement the SOLV and 14 Points. This document is confidential and contains detailed compliance specifications, with the exception of wages tables.

As part of an effort to make labor requirements more transparent and practical to operationalize, NYUAD and its Abu Dhabi partner engaged in a year-long multi-stakeholder consultation to improve and streamline the standards. In 2016, NYUAD and its Abu Dhabi partner publicly released a revised set of standards, the [Supplier Code of Conduct 2016 \(SCC 2016\)](#).

As of October 2017 all contractors at the NYUAD Project have been transitioned to the SCC 2016 and the SCC 2016 also applies automatically to all new service providers and contractors whose employees work at the NYUAD campus. Additionally, all service providers and contractors who work at the NYUAD campus are required to ensure that any subcontractors they engage to work on the NYUAD campus are also contractually obligated to comply with this Supplier Code of Conduct.

During the period covered by this report, all contractors at the NYUAD Project were covered by at least one of the standards above. Some of the requirements – such as working hours and working days per week – varied between standards at the time of audit. Impactt audited the contractors against the specific standard with which they are required to comply.

Compliance activities

NYUAD provides ongoing training and awareness programs for contractors to promote understanding of the labor standards, and to ensure continuous learning and development from the early stages of the procurement process and throughout the contract term. NYUAD has, at a minimum, monthly communications with contractors to communicate compliance findings and to receive progress updates from contractors. The NYUAD Office of Compliance and Office of Social Responsibility meet regularly to plan and discuss programming provided for the benefit of workers. NYUAD and its Abu Dhabi partner meet regularly to discuss compliance issues and share information gathered through the each organization's monitoring activities.

Impacttt’s methodology

This section presents Impacttt’s approach to our third-party monitoring of labor compliance at the NYUAD Project between December 2015 and March 2017, with further follow-ups in August 2017 and March 2018. It covers the standards, methodology and types of findings, our approach to sampling contractors and workers, and our worker satisfaction survey.

In this reporting period, Impacttt carried out 86 person-days of fieldwork in four audit cycles between December 2015 and March 2017, including the additional follow-up visit in August 2017.

SMETA methodology

Impacttt developed the audit methodology for the NYUAD Project by combining our worker-focused approach with the principles of the SMETA methodology.⁶ We selected the SMETA methodology as the appropriate framework for the NYUAD Project, because it has been developed and reviewed through a consultative process involving brands and retailers, non-governmental organizations, industry experts and associations and audit companies around the world.⁷ SMETA is one of the most comprehensive standards in terms of sample size for worker interviews (see Table 2 below) and has provisions for the assessment of third-party service providers, which comprise the majority of contractors at the NYUAD Project.

Table 2 - SMETA sampling guidelines

Auditor days	No. of workers excl. management	Individual interviews	Group interviews	Total employees interviewed	Worker files / time and wage records	Effective time spent on interviews
1	1-100	6 or total workers if <5	1 group of 4	10	10	2.5hrs
2	101-500	6	4 groups of 5	26	26	6hrs
3	501-1000	12	6 groups of 5	42	42	8.5hrs

Impacttt’s audit process followed the worker journey, from recruitment to repatriation. We used worker interviews, management interviews and documentation reviews to assess compliance with the NYUAD Project labor standards and provide insight into root causes of non-conformances identified.⁸

Each of our audits was carried out by a minimum two-person and maximum four-person team, and included a lead auditor and a dedicated worker interviewer. Our worker interviewers spoke workers’ languages and used appreciative enquiry and participatory techniques. These techniques focus on the positive aspects of a workers’ experience and allow each worker to tell their individual story in order to provide a safe space for workers and gain their trust.

⁶ [Sedex](#) is the Supplier Ethical Data Exchange, a global, non-profit membership organization with 40,000 members in 150 countries. Sedex provides members with a platform to share supply chain labor standards data and a methodology to carry out labor standards audits against the Ethical Trade Initiative (ETI) Base Code. The [ETI Base Code](#) is a global labor standard that follows the conventions of the International Labour Organization (ILO) and applies across industries and countries.

⁷ For further information see the [Sedex Stakeholder Forum](#) (SSF).

⁸ As of the conclusion of this reporting period (March 2017) there were four labor standards in force at the NYUAD Project (although by October 2017, all contracts were on the Supplier Code of Conduct 2016):

- Statement of Labor Values (SOLV) and 14 Points – Covered 2% of workers at the NYUAD Project
- Supplementary Specifications Document (SSD) – Covered 18% of workers at the NYUAD Project
- Supplier Code of Conduct 2013 (SCC 2013) – Covered 2% of workers at the NYUAD Project
- Supplier Code of Conduct 2016 (SCC 2016) – Covered 78% of workers at the NYUAD Project

Impactt carried out three types of audit:

- **Full audit:** Covered all the requirements of the relevant NYUAD labor compliance standard with which the contractor is required to comply.
- **Follow-up audit:** Reviewed the progress made by the contractor against identified non-conformances and observations identified in previous full audits. Follow-up audits were carried out in-person; the one exception was in March 2018 when follow-up audits were carried out via (remote) desktop review. In the desktop review, Impactt reviewed the progress on non-conformances and did not close any issues that required in-person worker testimony.

Each audit (with the exception of the March 2018 follow-up audits) began with an opening meeting with the contractor management, followed by interviews with key managers (human resources, operations, and payroll), review of documentation (including workers' personnel files, and pay and hours records) and worker interviews. Impactt also inspected the accommodations provided by 42% of the contractors audited.⁹ Each audit finished with a closing meeting with each contractor to discuss the findings and to provide an opportunity for management response. At the beginning and end of each of the four audit cycles, Impactt held meetings with NYUAD and its Abu Dhabi partner to review the fieldwork plan and agree fieldwork findings.

Contractor sampling

Impactt selected contractors for audits based on a master list provided by NYUAD and its Abu Dhabi partner, which includes all contractors working on campus, and additional information such as any significant compliance issues (and their status), that were already identified by NYUAD and its Abu Dhabi partner. We took into account size, tier, service provided and length of contract, in addition to findings from Impactt's previous audits, in order to sample a cross-section of companies operating at the NYUAD Project.

Employee sampling

For each audit, Impactt followed the SMETA sampling guidance (Table 2) as a minimum. However, in general, we interviewed more workers in more depth than the guidance requires.

As part of the pre-audit information or during the opening meeting, each sampled contractor provided Impactt with a full list of workers. Impactt selected a representative sample of workers across job roles, length of service, sex and country of origin. We carried out individual worker interviews and group interviews in a private area and away from management. We also carried out spontaneous interviews (each lasting approx. 20 minutes) with other workers on campus and in workers' accommodation.

Table 3 presents Impactt's sample of contractors and worker interviews for the reporting period (December 2015 – March 2017) and the follow-up audits in August 2017 and March 2018.¹⁰

Table 3 - Impactt's sampled contractors and worker interviews

Contractor Type	Total		Audit type	Sample	
	Entities	Workers		Entities	Worker interviews
Direct contractors	15	1,140	Full audit	11	135
			Follow-up audits	8	303

⁹ Low sample size due to issues in obtaining access to worker accommodation. NYUAD reported that they visited 9 accommodation sites between December 2015 and March 2017 where 78% of workers at the NYUAD Project reside. Combined, Impactt and NYUAD visited accommodations covering 98.2% of the workforce for the reporting period.

¹⁰ Data for the total number of contractors at the NYUAD Project were obtained by adding all active contractors in the reporting period (December 2015 – March 2017). Data for total number of workers was taken at time of initial audit (for contractors audited) or time of contractor's workers commencing work on NYUAD Project (for contractors not audited).

Subcontractors	38	213	Full audit	4	26
			Follow-up audits	4	50
Total	53	1,353 ¹¹		15	514

The graphs below present the nationalities (Figure 1) and sex (Figure 2) of the workers interviewed by Impactt during the reporting period, including the follow-up audits in August 2017 and March 2018.

Figure 1 - Nationalities of workers at the NYUAD Project and interviewed by Impactt

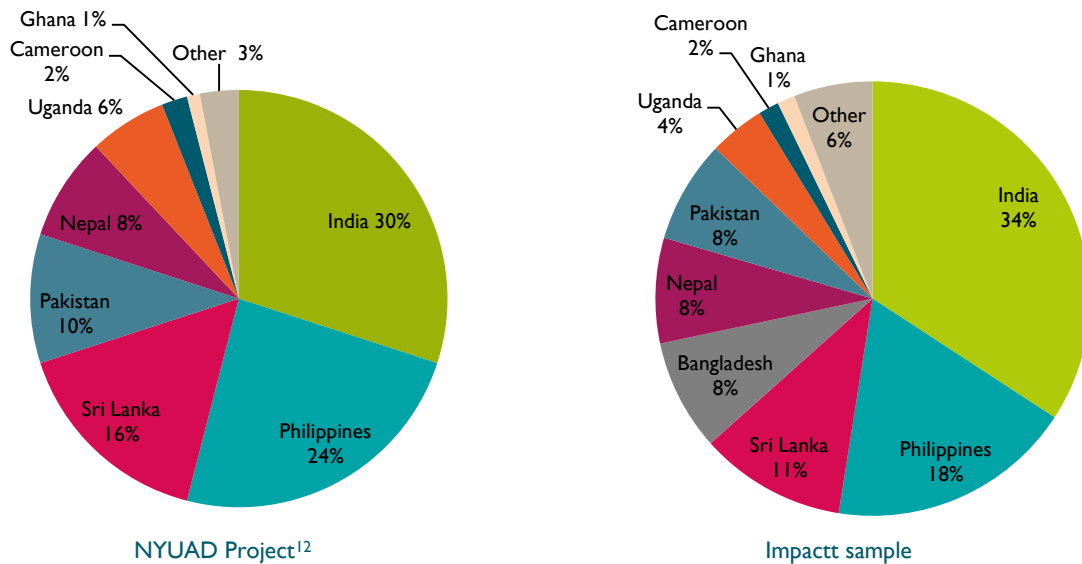
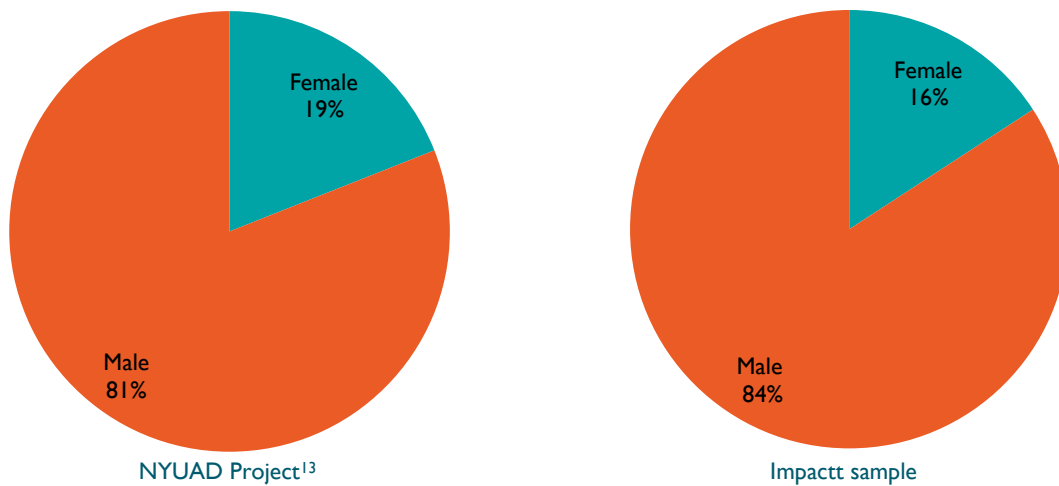


Figure 2 - Sex of workers at the NYUAD Project and interviewed by Impactt



¹¹ This is the total highest number of workers that worked at the NYUAD Project during the reporting period.

¹² Data provided by NYUAD

¹³ Data provided by NYUAD

Findings classification

Impactt classified fieldwork findings into four categories:¹⁴

Table 4 - Findings classifications

Definitions	
Non-conformances (NC)	<p>Where a breach of NYUAD Project labor standards is identified and cross checked with different sources (documents, management, workers), the auditor will raise the issue as a non-conformance. Non-conformances are classified according to their severity: Critical, Major or Minor.</p>
	<p>Critical</p> <p>A severe breach of a code, an issue which presents imminent risk to workers safety/risk to life and limb or constitutes a significant breach of workers' human rights, a major issue that has not been addressed or for which no significant improvement has been made by the time of a follow up, an attempt to pervert the course of the audit through fraud, coercion, deception or interference.</p>
	<p>Major</p> <p>A breach which represents a danger to workers or those on site, a material breach of a code requirement/law, a systematic breaking of a code requirement/law.</p>
	<p>Minor</p> <p>An occasional or isolated problem, an issue which represents low risk to workers/those on site, a policy issue or misunderstanding where there is no evidence of a material breach.</p>
Observation (OB)	<p>An observation may be identified in the following three scenarios:</p> <ul style="list-style-type: none"> • Where the auditor identifies a practice which does not contravene the law or applicable NYUAD Project labor standard at the time of the audit, but if not addressed could lead to a non-conformance in the future. It is an opportunity for improvement. • Where a non-conformance is identified but effectively corrected before the end of the audit. • Where a potential breach of the NYUAD Project labor standards is identified but the auditor is unable to corroborate the finding with evidence from workers' testimonies, records or management.
Good Examples	<p>A good example is identified where the contractor's practice exceeds the NYUAD Project labor standards or local law requirements. We encourage contractors to bring these to the attention of the auditor.</p>
Worker Experience	<p>A type of finding based on information gathered through worker interviews. These findings do not indicate a breach of local law or NYUAD Project labor standards. However, they illustrate and help understand the experience of workers who work at the NYUAD Project. These findings are analyzed in a separate section from this report.</p>

¹⁴ We use the term "finding(s)" to refer collectively to any statement based on facts or evidence collected by the Audit Team. We use the term "issue(s)" to refer collectively to non-conformances, observations and observations requiring further investigation. For clarity, issues are sub-set of findings.

Compliance monitoring findings

This section presents our findings for the reporting period (December 2015 – March 2017) updated with the results from the follow-up audits in August 2017 and March 2018.

Overall conformance levels

Impactt identified 87 non-conformances during audits at 15 contractors. Follow-up audits at 12 contractors showed that contractors closed 77 of 87 non-conformances (89%) and made progress in rectifying 2 of 87 non-conformances (2%). A total of 10 non-conformances remain open (11%), of which 7 could not be closed as the contractors were no longer operational on the NYUAD Project at the time of Impactt’s follow-up audit.¹⁵ Table 5 summarizes the overall conformance levels of contractor progress in addressing non-conformances.

Table 5 - Overall conformance levels

	Initial audits NCs	NCs that could not be closed (contractor not operational) ¹⁶	Status of NCs after follow-up audits			NCs remaining open (where contractor still operational) ¹⁵
			Closed	Progress made ¹⁷	No progress made	
A. Hiring Practices	1	-	1	-	-	-
B. Contractual Arrangements	18	-	18	-	-	-
C. Employment Records	8	1	7	-	-	-
D. Personal Documents	9	2	6	-	1	1
E. Treatment of People with Dignity...	1	-	1	-	-	-
F. Health & Safety	4	-	4	-	-	-
G. Working Hours	13	1	12	-	-	-
H. Wages	16	1	13	2	-	2
I. Grievance and Disciplinary Procedures	8	1	7	-	-	-
J. Living Conditions and Transport	1	-	1	-	-	-
K. Retirement, Resignation, Termination, Severance & Additional Employment Rights	8	1	7	-	-	-
L. Subcontracting	-	-	-	-	-	-
Total	87	7	77	2	1	3

Non-conformances by severity

Tables 6 and 7 show the level of conformance with the NYUAD Project labor standards by contractor and by section after the initial audits and after completion of the August 2017 and March 2018 follow-up audits.

As of March 2018:

- There has been a significant trend towards conformance with both the number and severity of non-conformances decreasing over the reporting period. Eight contractors have no open non-conformances.
- All contractors (currently operating on the NYUAD Project) are in conformance with hiring practices, contractual arrangements, employment records, treatment of people with dignity and respect, health & safety, working hours, grievance and disciplinary procedures, and retirement, resignation, termination, severance and additional employment rights.
- Critical non-conformances remain open in the areas of personal documents and wages (see Table 8 and Detailed Compliance Findings sections).
- In health & safety, subcontracting, and living conditions and transport, Impactt assessed less than 50% of audited contractors (see Limitations section).¹⁸

¹⁵ “Open” means not closed and is equal to the sum of NCs progress made, NCs without progress made, and NCs that could not be closed.

¹⁶ Three contractors had ceased operating on the NYUAD Project by the time of the follow-up audit. As a result, Impactt is unable to review their progress in addressing non-compliances.

¹⁷ Progress made: evidence shows that an issue has not been fully addressed and therefore cannot be closed, however some concrete and intentional steps have been taken towards resolution.

Key for Tables 6 and 7

Conformant
Non-conformant (minor only)
Non-conformant (major)
Non-conformant (critical)
Not applicable to that contractor ¹⁹

Table 6 - Contractor conformance level by section based on initial findings²⁰

	Contractors															
	# workers at NYUAD Project	242	224	219	36	21	18	8	8	6	6	6	3	2	2	2
# workers interviewed during initial audit	29	27	32	6	16	10	8	3	10	5	0 ²¹	3	3	5	4	
A. Hiring practices	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
B. Contractual arrangements	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
C. Employment records	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
D. Personal documents	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
E. Treatment of people with dignity...	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
F. Health & safety	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
G. Working hours	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
H. Wages	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
I. Grievance and disciplinary procedures	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
J. Living conditions and transport	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
K. Retirement, resignation, termination...	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
L. Subcontracting	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green

Table 7 - Contractor conformance level by section as of March 2018²²

	Contractors															
	# workers at NYUAD Project	242	224	219	36	21	18	8	8	6	6	6	3	2	2	2
# workers interviewed in latest follow-up visit	27	24	26	11	0	10	8	5	17	4	N/A	3	3	N/A	N/A	
A. Hiring practices	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
B. Contractual arrangements	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
C. Employment records	Green	*	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
D. Personal documents	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
E. Treatment of people with dignity...	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
F. Health & safety	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
G. Working hours	Green	*	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
H. Wages	Green	*	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
I. Grievance and disciplinary procedures	Green	*	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
J. Living conditions and transport	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
K. Retirement, resignation, termination...	Green	*	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
L. Subcontracting	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green

* Three contractors had ceased operating on the NYUAD Project by the time of the follow-up audit. As a result, Impactt is unable to review their progress in addressing non-compliances.

Critical Findings

Table 8 provides a categorization of critical non-conformances. Impactt found a total of 19 critical non-conformances, of which 12 were resolved by March 2018.²³

¹⁸ NYUAD reported that they visited 9 accommodations between December 2015 and March 2017 where 78% of workers at the NYUAD Project reside.

¹⁹ In the majority of cases non-applicability stems from Impactt not being able to carry out a full audit of a particular compliance area. The reasons for this vary and are detailed in the Limitations section.

²⁰ For further information on what each of these topic areas covers please see relevant sub-section in section 'Detailed compliance findings' below

²¹ Workers at this contractor were not actively working on site during the audit window and could therefore not be interviewed.

²² For further information on what each of these topic areas covers please see relevant sub-section in section 'Detailed compliance findings' below

Table 8 - Categorization of critical non-conformances

		Section A (Recruitment fees)	Section B (Contractual)	Section D (Passport retention)	Section G (Excessive hours)	Section H (Wages)	Section K (Resignation)
Total		1	2	8	1	6	1
Status as of March 2018	Closed	1	2	6	1	4	1
	Prog. made	-	-	-	-	1	-
	No progress	-	-	1	-	-	-
Could not be closed (contractor not operational) ²⁴		-	-	1	-	1	-

Findings by contractor type

This section analyzes the initial audit findings by type of contractor. This analysis offers a comparison of the way in which the number of non-conformances varies according to the directness of the contractual relationship (direct contractor vs subcontractor). Within Impactt’s sample, 97% of workers are employed by direct contractors and 3% are employed by subcontractors.

Our analysis shows that subcontractors have more non-conformances (21 out of 28 workers, or 75%) than direct contractors (66 out of 775 workers, or 8.5%).²⁵ Subcontractors also have a greater proportion of more severe non-conformances (33% are critical) versus direct contractors (18% are critical). These results correlate with Impactt’s experience from supply chains around the world that contractors further down the supply chain tend to have a greater number of and more severe non-conformances.

Contractors’ understanding of the NYUAD Project labor standards

Impactt’s third-party labor compliance verification audits and our stakeholder interviews highlighted some issues with contractors’ understanding of the standards, which may interfere with their ability to comply:

- Two contractors (employing 57% of the on-site workforce) did not have the relevant NYUAD Project labor standard (SSD and SCC 2013 respectively) included as part of their contract with NYUAD and/or the Abu Dhabi partner. The contracts referenced the SSD and SCC 2013 respectively and stipulated that the contractors could review them at the client’s office by prior appointment. One of the contractors reported that this gap in communication made compliance more challenging. NYUAD reported that the contractor was provided with a copy separately during the tendering process as well as upon execution of the contract, and that this legacy issue is addressed by making the SCC 2016 public.
- Five of the audited entities (employing 31% of the on-site workforce) were – at the time of the audits – required to comply with two different standards at the time of the audit – SOLV and SSD. Two of these contractors were not clear which standard to follow and had challenges in demonstrating compliance. This has since been addressed, and all contractors must comply with SCC 2016.
- Stakeholder interviews identified that NYUAD and its Abu Dhabi partner interpreted the no-longer-in-effect SSD clauses related to wages as guidance rather than a requirement. Furthermore, the wage tables within the SSD did not cover all job classifications, which led to some confusion as to whether skilled workers were being paid as they should at two subcontractors (employing 1% of the on-site workforce). Lack of documentation of this principle of interpretation made it difficult for contractors to demonstrate compliance.

²³ For further information on what each of these topic areas covers please see relevant sub-section in section ‘Detailed compliance findings’ below

²⁴ Three contractors had ceased operating on the NYUAD Project by the time of the follow-up audit. As a result, Impactt is unable to review their progress in addressing non-compliances.

²⁵ Number of workers totals 803 which corresponds to the number of workers employed by contractors audited by Impactt.

Detailed compliance findings

The following sections explore a selection of key issues found in each of the twelve compliance sections of Impacttt’s audits. Each section begins with a summary of the NYUAD Project labor standards (SCC 2016), which is provided for illustration purposes.²⁶ This is followed by a list of key findings and evidence of improvement.²⁷ For each finding, we state the number of contractors where the issue was identified and the number of workers affected. The latter is based only on verified cases of workers being affected and is therefore a subset of the sample of workers interviewed.

A. Hiring Practices

SCC (2016) requirements

Section L includes the following provisions:

- Contractors are prohibited from charging, directly or indirectly, any fees associated with recruitment.
- Employment contracts accurately reflect the job offer letter accepted by the worker prior to departing their home country.
- If a contractor is to use a recruitment agency they must have agreements in place that among other stipulations, ensure the agent does not levy any sort of recruitment fee.
- Contractors will only use only bona fide and appropriately licensed Recruitment Agencies.
- Contractors will reimburse workers for any recruitment costs or fees associated with recruitment that were paid within 12 months of starting work at the NYUAD campus and that the worker can evidence. If an employee is unable to provide evidence, the claim will be brought to the attention of NYUAD for consideration.

Impacttt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor did not refund workers for recruitment fees (Critical) Workers affected: 12 Contractors: 1	1/1 closed (recruitment fees were reimbursed)

B. Contractual Arrangements

SCC (2016) requirements

Section A includes the following provisions:

- Workers are provided with a copy of their contract in a language they can understand.
- Contracts contains key information, such as information on wages, contract terms, the nature of the work and location of employment

Impacttt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor did not provide workers with the protection and entitlements of the applicable NYUAD Project labor standards (including provision of NYUAD Project Benefits Letter, maximum of 5 working days per week, and yearly flight home for annual leave) (Critical) Workers affected: 2 Contractors: 2	2/2 closed

²⁶ The SCC 2016 can be downloaded in its entirety [here](#)

²⁷ We have not included non-conformances that are not prevalent or do not affect many workers. This may result in figures differing slightly from summary compliance figures elsewhere in the report.

Contractor did not provide workers with a copy of their employment contracts Workers affected: 13 Contractors: 2	2/2 closed
Contractor's employment contracts were missing key terms and conditions, such as those related to sick leave Workers affected: 13 Contractors: 2	2/2 closed
Contractual requirements were not in line with the SCC (e.g. personnel files missing documents and length of probation period incorrect on employment contracts) Workers affected: 59 Contractors: 7	9/9 closed

C. Employment Records

SCC (2016) requirements

Section T includes the following provisions:

- Contractors must keep accurate employee records in relation to:
 - Human resources
 - Health and safety
 - Accommodation
 - Payroll

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor did not record workers' leave Workers affected: 219 Contractors: 1	1/1 closed
Contractor did not provide personnel files for review during the audit (therefore Impactt could not verify their contents for compliance) Workers affected: 26 Contractors: 1	1/1 closed
Contractor's personnel files were missing key information/documentation (such as copies of employment contracts) or contain contradictory information Workers affected: 36 Contractors: 6	5/6 closed 1/6 no progress made – this issue belongs to a contractor which no longer works at the NYUAD Project

D. Personal Documents

SCC (2016) requirements

Section K includes the following provisions:

- Contractors are prohibited from retaining passports except for the purposes of processing visas

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor retained workers' passports (Critical) Workers affected: 44 Contractors: 9	6/9 closed (passports returned to workers) 3/9 no progress made (no passports returned) <ul style="list-style-type: none"> Two issues pertain to contractors that no longer work at the NYUAD Project One issue pertains to a contractor where workers prefer their passports are held for safe-keeping. During Impactt's most recent follow-up audit, all workers interviewed reported that they preferred their employer keep hold of their passports and that they can get their passport back within a day if needed.

E. Treatment of People with Dignity & Respect

SCC (2016) requirements

Section P and Q include the following provisions:

- Treat employees humanely and with respect and dignity
- Ensure a work environment that is free from harassment in all its forms
- Protect employees from abuse, violence, intimidation and harassment
- Provide equal pay for equal work
- Not discriminate in employment
- Ensure equal opportunities

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Supervisors treated workers harshly (e.g. supervisor did not allow workers to drink water during their shifts) Workers affected: 5 Contractors: 1	1/1 closed

F. Health & Safety

SCC (2016) requirements

Section M includes the following provisions:

- Inform employees of occupational hazards during recruitment process
- Provide any necessary Personal Protective Equipment (PPE)
- Ensure workers receive necessary Health and Safety training
- Prepare a Health and Safety Manual

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor did not have a health and safety manual Workers affected: 3 Contractors: 1	1/1 closed
Contractor did not cover health and safety matters during workers' inductions Workers affected: 3 Contractors: 1	1/1 closed

G. Working Hours

SCC (2016) requirements

Sections C and D include the following provisions:

- Workers must not work more than:
 - eight hours a day
 - six days a week
 - five consecutive hours
- Workers must receive at least one hour of break time a day
- Working hours are reduced by 2 hours a day during Ramadan without a reduction in wages
- Workers must not working during peak heat times during the summer
- Overtime must be worked voluntarily and may not exceed 2 hours a day

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Workers worked excessive overtime hours (one critical non-conformance of >72 hours per week) Workers affected: 10 Contractors: 5	5/5 closed
Contractor did not provide workers with sufficient rest days Workers affected: 7 Contractors: 3	3/3 closed
Contractor did not provide workers with sufficient rest breaks Workers affected: 54 Contractors: 1	1/2 closed 1/2 no progress made – this issue belongs to a contractor which no longer works at the NYUAD Project
Contractor did not provide workers with annual leave during the first year of work Workers affected: 3 Contractors: 1	1/1 closed

H. Wages

SCC (2016) requirements

SCC states contractors are required to:

- Provide workers with pay slips (SCC-B)
- Pay wages every two weeks or monthly (depending on contract length) via bank transfer (SCC-B)
- Provide workers with a round-trip flight ticket every 12 months to go home for their leave (SCC-E)
- Pay overtime at a premium rate as stipulated by national law (SCC-D)
- Provide workers with up to 90 days of sick leave per year, first fifteen of which is with full pay (SCC-G)

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor underpaid (overtime) wages (Major/Critical) Workers affected: 17 Contractors: 5	5/6 closed 1/6 progress made
Contractor based overtime pay on workers' productivity instead of on legal overtime rates (Critical) Workers affected: 6 Contractors: 1	1/1 progress made

Contractor delayed overtime payments (Critical) Workers affected: 15 Contractors: 2	1/2 closed 1/2 no progress made – this issue belongs to a contractor which no longer works at the NYUAD Project
Contractor did not pay sick leave Workers affected: 1 Contractors: 1	1/1 closed
Contractor did not provide or do not reimburse annual flight home Workers affected: 11 Contractors: 2	2/2 closed
Contractor paid allowances in cash rather than through the Wage Protection System Workers affected: 2 Contractors: 1	1/1 closed

I. Grievance and Disciplinary Procedures

SCC (2016) requirements

Section N includes the following provisions:

- Contractors must provide workers with a means to submit oral or written grievances anonymously
- Retaliation against workers that submit a grievance is prohibited

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor did not have a consistent or clear disciplinary policy Workers affected: 38 Contractors: 4	4/4 closed
Contractor did not provide workers with an effective anonymous grievance mechanism Workers affected: 504 Contractors: 4	3/4 closed 1/4 no progress made – this issue belongs to a contractor which no longer works at the NYUAD Project

J. Living Conditions and Transport

SCC (2016) requirements

Sections I and J include the following provisions:

- Provide workers with free accommodation that ensures structural safety and reasonable levels of decency, hygiene and comfort
- Provide workers with free transportation between the workplace and accommodation site

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Contractor did not carry out pest control at worker accommodation Workers affected: 6 Contractors: 1	1/1 closed

K. Retirement, resignation, termination, severance and additional employment rights

SCC (2016) requirements

SCC states:

- Contractors shall not discriminate in relation to termination or retirement (SCC-Q)
- Contractors shall not impose employment bans on employees seeking to change jobs (SCC-S)
- Workers are entitled to an end-of-service payment that is linked to number of years in service (SCC-H)
- End of service payments must be made no later than the termination date of the employment contract (SCC-H)
- Workers may not be terminated during their leave (SCC-E)

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
Barrier to resignation created through financial penalties on workers that resign prior to completing their contract (4 cases found, 1 rated critical as penalties were excessive) Workers affected: 487 Contractors: 3	3/4 closed 1/4 no progress made – one of this issue belongs to a contractor which no longer works at the NYUAD Project.
Non-competition clause prohibiting workers from seeking employment of the same nature at another contractor Workers affected: 2 Contractors: 1	1/1 closed
Contractor did not provide training for workers on their employment rights Workers affected: 6 Contractors: 1	1/1 closed

L. Subcontracting

SCC (2016) requirements

Section W includes the following provisions:

- The SCC applies to any subcontractor that has a relationship with a contractor to NYUAD
- Contractors must ensure subcontractors comply with the SCC
- Contractors will notify NYUAD before signing an agreement with a subcontractor

Impactt audit findings

Initial audit	Status of NCs after follow-up audits
(No non-conformance found)	

Observations

This section presents the observations identified in compliance audits during the reporting period (December 2015 – March 2017) including the follow-up visit in August 2017. The purpose of identifying observations is to flag labor compliance risks; namely:

- Where the auditor identifies a practice which does not contravene the law or applicable NYUAD Project labor standard at the time of the audit, but if not addressed could lead to a non-conformance in the future. It is an opportunity for improvement.
- Where a non-conformance is identified but effectively corrected before the end of the audit.
- Where a potential breach of the NYUAD Project labor standards is identified but the auditor is unable to corroborate the finding with evidence from workers' testimonies, records or management.

Risk areas

We have identified five risk areas on the basis of potential impact on workers and prevalence among the contractors we audited.

Hiring practices (A)

Impactt found six observations, most of which relate to recruitment fees. Project guidelines require that any fees paid by workers within 12 months of beginning work on campus be reimbursed. However, it is possible that there could still be workers who have paid fees prior to that 12-month period, and thus not be eligible for reimbursement. Additionally, two contractors were identified as using recruitment agencies without having notified them that they should not charge fees to workers being employed on the NYUAD Project. Furthermore, one observation shows that a contractor failed to assess cases of five workers who claimed to have paid recruitment fees but did not have receipts. The NYUAD Project has addressed this issue in the new SCC 2016, which requires contractors to inform NYUAD of cases where workers claim to have paid fees but have not been reimbursed due to lack of receipts.

During the follow-up audits, we found that two observations were unchanged.²⁸

Contractual arrangements (B)

Four of the five observations relate to unclear policies or contractual arrangements. For example, at one contractor not all allowances were noted on employment contracts. In this case, there is the risk that workers would not have grounds for complaint if the allowance is revoked or changed. The remaining observation pertains to employment contracts stating that workers would be liable to pay a financial penalty, in excess of legal limits, for resigning within a certain period. Such a penalty creates a barrier to leaving employment, which puts workers at risk of exploitation.

During the follow-up audits we found that three of the five observations remain unchanged.

Treatment of people with dignity and respect (E)

There were six observations in this topic area. One recurring observation was the absence of a written policy or training on anti-harassment and discrimination. This raises the risk of inconsistent and potentially unfair treatment of workers, as well as making it more difficult for workers to hold their supervisors to account.

During the follow-up audits we found that one observation remained unchanged.

Working hours (G)

Impactt made note of seven observations that, similarly to the above, relate to unclear policies or gaps in processes. For example, two contractors record working hours manually, which increases

²⁸ The observation regarding the five workers who claimed to have paid recruitment fees, but did not have receipts, could not be closed as the contractor is no longer working on the NYUAD project.

the risk that records are not accurate and that workers may not be paid what they are due or that they may work excessive hours.

During the follow-up audits we found that there was no change in two of these observations.

Wages (H)

Impactt identified 10 observations in this section, the majority of which relate to unclear policies, gaps in processes, and a lack of communication (of these policies and processes) between management and workers. Overtime payment is a recurring theme; for example, one contractor calculates overtime payments manually, and, at another, workers reported being unclear on the overtime pay calculations. These observations highlight the risks that workers may not receive the correct overtime payment and are unable to identify any possible mistakes.

During the follow-up audits we found no change in eight of these observations.

Worker experience

This section presents Impacttt’s insights into workers’ experience at the NYUAD Project. We begin by describing the beyond-compliance activities led by NYUAD, followed by the methodology and results of Impacttt’s worker satisfaction survey.

NYUAD beyond-compliance activities

In addition to the compliance activities described above, NYUAD’s Office of Social Responsibility (OSR) organizes a series of programs for workers at the NYUAD Project. These initiatives aim to enable workers to develop professionally, in addition to supporting themselves and their families financially through their jobs.

The core of NYUAD’s beyond-compliance labor initiatives consists of an “English in the Workplace” course. Since its inception in 2012, 750 workers have completed the training course, some successfully moving all the way up the proficiency levels. NYUAD also offers workers Arabic language classes, professional development courses (such as creative writing, financial literacy and wellbeing) and access to free online university courses.

NYUAD provides workers access to intramural sports activities, art workshops and photography and dance classes, campus-wide initiatives such as art center performances and the Breast Cancer Awareness High Tea and Emirate-wide volunteer initiatives such as the Walk for Diabetes and The Pink Run. Besides this, NYUAD allows workers access to various campus facilities: recreational facilities, sports facilities, and retail and dining facilities. NYUAD has also created a Community Book Room with books donated by faculty and students which workers are able to borrow. Once a year, NYUAD organizes a Second Chance Store which distributes donated books, clothing and electronics from students, faculty and staff free of charge. One of the challenges in running these initiatives has been the low level of worker participation for some contractors. To address this, OSR created a peer ambassador program which incentivizes workers to invite their colleagues to join these activities.

Impacttt’s worker satisfaction survey

Survey methodology

As part of worker interviews, Impacttt conducted a survey to measure the degree to which workers are satisfied with their jobs.²⁹

We focused on three issues that Impacttt’s previous research indicates are most important to workers: income security, respect, and progression for themselves and their family. Figure 3 provides a graphic representation of these three needs. We sampled 148 workers at 13 contractors during the initial audits (baseline measure) and subsequently sampled 136 workers at 11 contractors during the last round of follow-up audits (end-line measure).

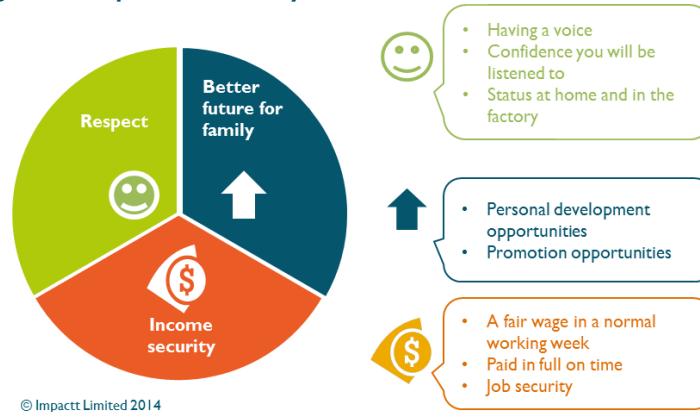
Understanding worker satisfaction has the potential to:

- **Provide insight into compliance audit findings:** Identify areas where workers have concerns, despite contractors complying with NYUAD Project labor standards. This can be the result of gaps in communication between contractors and workers or can highlight concerns that are not part of the labor compliance requirements.
- **Measure workers perceptions’ of NYUAD’s efforts to improve their welfare:** Identify areas where workers recognize and experience the benefits of NYUAD’s compliance and beyond-compliance activities and areas where they feel that they are not experiencing change.
- **Provide a more holistic view of contractor performance:** Deliver an additional measure of contractor performance based on workers’ day-to-day experiences.

²⁹ See Appendix A for a list of survey questions.

While satisfaction surveys provided useful insights, it is important to acknowledge some of their intrinsic limitations. Firstly, contractors can manipulate workers' responses through coercion or incentives. Secondly, workers may not feel confident in responding openly or may assume that treatment of a certain kind is "typical." For example, workers may believe that absence of grievance mechanisms or excessive working hours are normal. Thirdly, worker feedback should not be seen as a replacement of worker dialogue mechanisms. Finally, worker surveys are not suited to assessing compliance with technical requirements such as health and safety. Nevertheless, using worker satisfaction feedback is a departure from the limited audit-centric compliance model towards a more holistic and worker-centric approach.

Figure 3 - Impactt's summary of what matters most to workers



Overall satisfaction levels

The results in Figure 4 show the overall level of worker satisfaction. The average score across all satisfaction results was 4.02 (in the baseline survey) and 4.35 (in the latest follow-up survey) on a scale of 1-5 (with 5 being best). Further, follow-up findings highlight that satisfaction scores increased in all of 13 indicators, compared to results from the baseline study. This shows that overall worker satisfaction increased by 8% over the reporting period.

These positive results correlate with anecdotal worker accounts from audit interviews, where workers reported on numerous occasions positive experiences working on the NYUAD Project, compared to other projects or jobs. Some workers described working at the NYUAD a "privilege" and an "honor" due to comparatively preferential conditions and benefits, including sports activities and facilities and English lessons.

Figure 4 - Worker satisfaction survey results



Job aspects that workers like

In the survey, the largest possible score for any category is 5. The highest average score across both the baseline and follow-up surveys (4.60) was in response to ‘I am happy with my working hours’. Further, workers reported a positive average score for the statement ‘I have enough time to take care of personal matters’ (4.42). These correlated with some worker interview accounts, including at two contractors where workers reported rest days and working hours at the NYUAD were better than at other projects. Further, workers at three contractors reported that they are happy with their working hours. At one contractor, workers reported that this meant that they ‘could enjoy their personal life’.

Workers also reported a high average score (4.45) for the statement ‘I am treated with respect’. In interviews, some employees reported that they had experienced respectful behavior and atmosphere at the NYUAD Project or by their employer. Reports included;

- [The workforce] are a family as they have been working together for very long time.
- The supervisor is very approachable, supportive and understanding.
- NYUAD staff are very friendly and treat [workers] with respect.
- There is no room for racial discrimination at NYUAD.

Lastly, workers also reported a positive score in response to the statement ‘I feel safe at my workplace’ (4.46). This correlates with some worker reports, including at one contractor, that the work at the NYUAD Project was ‘less dangerous’ than at other projects.

Challenges

The lowest average score in the worker satisfaction survey was in response to the statement ‘I get paid fairly for the work that I do’ (3.76). This corresponds with worker reports at five contractors that they have not received a salary increase despite working for their employer for many years, or

that the amount was minimal (Q1 2016 & Q1 2017). Although, some other workers reported that their salary is 'good' (Q4 2015).

Despite a high survey score and worker accounts reflecting a positive indication of workers' perception of respectful treatment, workers reported a lower score for the statement 'I feel appreciated by my workplace' (3.94). Although this does not always mean unfair treatment, some workers interviewed reported perceived unfair or disrespectful behavior from management, including the following:

- Workers at 2 contractors across 2 cycles (Q4 2015 and Q2 2016) reported that management representatives who derive from a majority nationality can show favoritism or unequal treatment to those of the same nationality.
- Workers from four contractors in Q1 2016 made the following reports about the relationship between workers and management:
 - '[The manager] is very vindictive and tries to put people down. [They] try to humiliate us all the time.'
 - The atmosphere is very strict; it is a 'corporate culture.'
 - '[The team leader] does not support us but gives us orders.'
 - 'There is no connection between the [workers] and [the employer].'
- Workers also reported issues with raising concerns with their contractor;
 - Workers at one contractor reported that workers are made to feel as if they are the ones in the wrong every time they approach HR personnel.

Lastly, workers reported a lower average worker satisfaction score in response to the statement 'I feel refreshed/ lively after finishing work' (3.81). This may seem to contradict the positive score reported for the statement 'I am happy with my working hours' and the corresponding worker reports. However, some other worker reports stated that workers in their department are short-staffed causing pressure (Q1 2016), or that there are not sufficient rest breaks between shifts (Q4 2015). Further, considering workers' low levels of satisfaction with pay, it is possible to surmise that in some cases workers are happier with longer working hours because it allows them to earn a high 'take-home wage'; hence this score may not correlate with feeling 'refreshed' after working hours.

Recommendations

Impactt's third-party verification of compliance with the NYUAD Project labor standards identified a good level of compliance among contractors and a high level of satisfaction among workers. Our stakeholder interviews highlighted the level of commitment and effort made by NYUAD and its Abu Dhabi partner to carry out the compliance monitoring activities. This section makes recommendations to NYUAD and its Abu Dhabi partner in order to support contractors' compliance with the NYUAD Project labor standards.

Compliance levels

- Address the critical non-conformances that remain open: passport retention and payment of overtime wages. Regarding overtime payments, we recommend NYUAD and its Abu Dhabi partner work with contractors to ensure they understand the legal overtime premiums and monitor their application to all workers.
- Investigate the risks highlighted by observations in the areas of hiring practices and treatment of people with respect and dignity.
- Investigate the areas where worker satisfaction is comparatively low: wages and getting problems resolved. In particular, support contractors to implement robust grievance mechanisms and provide workers with access to recourse. These mechanisms should enable workers – individually and collectively – to share their concerns with the contractors and enable contractors to feed back to workers on the actions taken and the processes should be documented.
- Provide greater support to subcontractors to implement robust labor compliance systems and demonstrate compliance with the NYUAD Project labor standards.
- Explore avenues to support contractors to apply the labor compliance lessons learned at the NYUAD Project to other projects, particularly with regards to management systems and building the capability of middle-managers.

Compliance process

- Ensure that all contractors receive communication and training on the SCC 2016.
- Continue to train internal stakeholders to raise their awareness of the labor compliance risks.
- Implement a system to document clearly that all contractors working at NYUAD have undergone an assessment on whether they are to be included in the compliance monitoring program.
- Streamline the compliance monitoring activities to ensure consistency in the approach and data captured and reported between NYUAD and its Abu Dhabi partner by:
 - Keeping an up-to-date list of contractors operating on the NYUAD Campus
 - Following the same self-reporting processes for NYUAD and its Abu Dhabi partner contractors

Beyond compliance

- Continue to leverage NYUAD's position as an academic institution, its human resources (faculty, student volunteers and administration) and its facilities to provide workers with opportunities that make a concrete difference in their day-to-day lives.
- Explore avenues to promote existing beyond-compliance activities with other institutions.

Glossary of terms

Compliance section: Impactt's labor compliance audit has 12 sections based on the requirements from the NYUAD Project labor standards:

- A. Hiring practices
- B. Contractual arrangements
- C. Employment records
- D. Personal documents
- E. Treatment of people with dignity and respect
- F. Health & safety
- G. Working hours
- H. Wages
- I. Grievance and disciplinary procedures
- J. Living conditions and transport
- K. Retirement, resignation, termination, severance & additional employment rights
- L. Subcontracting

Contractor: Any party that has a contractual standing in the NYUAD and Abu Dhabi partner supply chain. This includes direct contractors, who have a direct, contractual relationship with NYUAD or the Abu Dhabi partner, as well as the companies that have a contractual relationship with the main contractors.

Finding: A statement of fact based on evidence seen by the Audit Team during an audit. Findings are not necessarily a statement of compliance, for example "the night shift has two supervisors".

Issue: Collective term which refers to non-conformances, observations and observations requiring further investigation identified during an audit. Issues are a type of audit finding; however not all audit findings will be issues.

NC: Non-conformance

NYUAD: New York University Abu Dhabi

NYUAD Project: The construction, maintenance, and services provided to New York University Abu Dhabi and/or its partners in the UAE

NYUAD Project labor standards: A collective set of codes all NYUAD Project contractors must comply with. This includes the Supplier Code of Conduct (SCC), Supplementary Specifications Document (SSD), 14 Points, and Statement of Labor Values (SOLV).

OB: Observation

OSR: Office of Social Responsibility, of NYUAD

SCC: Supplier Code of Conduct

SMETA: Sedex Member Ethical Trade Audit (Methodology)

SOLV: Statement of Labor Values

SSD: Supplementary Specifications Document

Subcontractor: Any third-party consultant, contractor, or any other persons, including persons who are contractually bound by this Supplier Code of Conduct related to a contract of NYUAD or its Partners contract, appointed or employed by the contractor to provide Services related to the underlying Agreement.

UAE: United Arab Emirates

Limitations

This section outlines the limitations of the methodology that Impactt used to carry out the third-party labor compliance mentoring program. These limitations should be considered when interpreting the findings, conclusions and recommendations of this report:

- Audits only provide a snapshot of working conditions at the time of the audit team’s visit, therefore:
 - Complex or sensitive issues are less easily identified due to time restrictions
 - Use of sampling means that quantifying the total number of workers affected by any issue is out of scope
- Methodological restrictions meant that some issue categories were not audited or partially audited for some contractors.
- Table 9 shows the percentage of contractors fully audited across all issue categories in initial audits³⁰ in all cases where the category applied. General restrictions included the following:
 - Time limitations
 - Lack of access to documents
 - Lack of availability of workers and/ or management for interview
 - Lack of permission to visit workers’ accommodation

Table 9 - Percentage of contractors fully audited (in applicable cases) in initial audits across issue categories

Issue Category	Number of contractors fully audited (in applicable cases)	Workers employed by contractors fully audited (out of 1,353 workers employed by contractors at NYUAD)
A. Hiring Practices	12 of 15 contractors	793 workers
B. Contractual Arrangements	14 of 15 contractors	801 workers
C. Employment Records	14 of 15 contractors	802 workers
D. Personal Documents	15 of 15 contractors	803 workers
E. Treatment of People with Dignity and Respect	12 of 15 contractors	793 workers
F. Health & Safety	6 of 15 contractors	88 workers
G. Working Hours	14 of 15 contractors	797 workers
H. Wages	14 of 15 contractors	801 workers
I. Grievance and Disciplinary Procedures	11 of 15 contractors	787 workers
J. Living Conditions and Transport	5 of 11 contractors (not applicable to 4 contractors)	537 workers
K. Retirement, Resignation, Termination, Severance & Additional Employment Rights	11 of 15 contractors	785 workers
L. Subcontracting	4 of 15 contractors	246 workers

- Table 9 shows that the percentage of contractors fully audited was particularly low for Living Conditions and Transport, Health & Safety and Subcontracting categories. Reasons for this included the following:
 - Living Conditions and Transportation – Impactt inspected worker accommodation at only 5 of 12 (42%) contractors where accommodation is supplied by the employer due to access permission restrictions.³¹

³⁰ It should be noted that follow-up audits are inherently limited in scope, as they ‘follow-up’ on issues identified in the full audit.

³¹ One of the landlords did not provide permission for Impactt to visit their accommodation.

- Health & Safety - In some cases, the time of the audit was insufficient to fully review all Health & Safety policy and processes.
- Subcontracting - In some cases, the time of the audit was insufficient to fully review the full process for contractors' management of subcontractors.
- Lastly, limitations of the sample of contractors audited included the following: The list of contractors used to select for sampling was provided by NYUAD and were included in the NYUAD compliance monitoring program. Impactt is unable to verify whether there may be other relevant contractors not included in this list.

Appendix A

Impactt worker satisfaction survey statements are listed below. Workers are asked to indicate the extent they agree with each section on a scale of 1-5. An average is then calculated to provide a score.

Income	I get paid fairly for the work I do
	I am happy with my working hours
	It is easy to take leave when I want it
	I have enough time to take care of personal matters(weekly holiday)
Respect	I have realistic targets at work
	I feel refreshed / lively after finishing work
	I feel safe at my workplace
	I always feel listened too
	It is easy to get a problem resolved
	I am treated with respect
Progression	I feel appreciated by my workplace
	I am supported by my work to give my best
	I have opportunities (promotion) to progress at work