



EMPLOYMENT STANDARDS OFFICE

ANNUAL REPORT
2016-2018



Employment Standards Office
Qatar Financial Centre

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Word from the Commissioner of the Employment Standards Office

As Commissioner of the Employment Standards Office (ESO), it is my pleasure to present this Annual Report for the years 2016-2018.

At the Employment Standards Office, we dedicate our best resources to improve workplace relationships, create and maintain sound, balanced and constructive employment relations as a fundamental base for successful and vibrant business.

Our main responsibility is to create a healthy, fair and balanced work environment for higher productivity through adequate and tailored labour-oriented reforms and the implementation of services in line with the Qatar National Vision 2030, in particular the human development pillar.

Since its inception in September 2015, the Employment Standards Office has taken several transformative measures, legislative as well as administrative, to provide high quality working conditions in line with international best practices and implemented a tripartite dialogue between employers, employees and institutions to ensure that the QFC is one of the most suitable trading platform for businesses and individuals.

This report provides an overview of the ESO's initiatives and the collaborative work we have accomplished, as well as the milestones reached in support of the growth of the QFC business environment, the national economic diversification strategy and the Qatar National Vision 2030.

I acknowledge the important contribution of the ESO team, in particular Dr. Francesca Re and Maha Tawfik and their high level of commitment and professional dedication which made our achievements possible. At the same time,



I also acknowledge the contribution of our stakeholders and partners including Ministry of Administrative Development, Labour and Social Affairs (MoADLSA), International Labour Organisation (ILO) and Ministry of Public Health (MoPH) and express our sincere gratitude for their support in making the past three years a success. This strong partnership is and will continue to be a key contributor and driver towards achieving our strategy and the Qatar National Vision 2030.

We will continue to embark on our stakeholders' engagement through strengthening private-public partnerships to provide an enabling environment for business innovation and employment creation.

Sincerely,

Luigia Ingianni

Commissioner
Employment Standards Office



Key milestones include:



The launch of conciliation services under the “Dispute Resolution” functions, upon certification by the International Training Centre of the International Labour Organisation (ITCILO)



The attestation of employment agreements



The establishment of the Think-Lab, the first social dialogue platform where employees, employers and institutions meet to discuss new policies for the labour market and ways to satisfy their different interests



The signing of a Memorandum of Understanding with the Ministry of Administrative Development, Labour and Social Affairs (MoADLSA) and the International Labour Organization (ILO)



The establishment of the Data Protection Directorate, the Data Protection supervisory authority for the QFC in line with the EU General Data Protection Regulations (GDPR) that came into force in May 2018



Speaking and participating at international conferences including the Royal Institute of International Affairs - Chatham House’s event “Data Protection, Privacy and the GDPR: Is the GCC ready?”



The establishment of the Qatar Data Protection Officers Network with local stakeholders such as Qatar Foundation, Qatar Petroleum, Qatar Airways, Sidra, Qatar Rail, Ministry of Commerce and Industry, Katara, Siemens, beIN Sports, Exxon Mobil, Total and Astad, among others



The organisation of the first ILO training session in the GCC entitled “Engagement and management of conflict in the workplace”



The implementation of the Workplace Wellness Programme in cooperation with the Ministry of Public Health (MoPH)



The coordination of the initiative HE03 (development and implementation of the OSH National Policy) of the National Health Strategy for the MoPH in cooperation with MoADLSA and ILO



The establishment of the Labour Market Information System (LMIS) to collect and analyse labour market data



The establishment of the nursing room in QFC Tower 1 for female QFC employees returning to work after maternity leave

Introduction

The Employment Standards Office (ESO) was established in September 2015 by Article 6 of the QFC Regulation No. (10) of 2006, the QFC Employment Regulations (“Employment Regulations”), pursuant to article 6 (11) of the QFC Law No. (7) of 2005 as amended.

This report describes the Employment Standards Office (ESO)’s vision, mission, strategy and highlights the objectives and results achieved from 2016 to 2018.

Looking ahead, we will continue to design innovative policies and deliver services and programmes that support the development of the QFC’s labour market while enhancing safety and flexibility as well as improving work conditions, relationships and productivity.



QFC

EMPLOYMENT STANDARDS OFFICE



Our Vision

To be recognised internationally for excellence in creating and maintaining a stable, fair, flexible and balanced labour market and to be the leading employment dispute prevention and resolution centre in the region.



Our Mission

We improve workplace relationships, prevent and resolve disputes by promoting and supporting fairness and balance for QFC employers and employees to increase productivity.

We focus on making the QFC business environment stronger and more resilient by supporting all workers and promoting a flexible work environment to achieve sustainable work-life balance for all individuals.

We believe that fair, modern, balanced and family-friendly labour policies ensure that businesses are competitive, provide a stimulating work environment where Qatari nationals and expats can express their potential and confirm that the QFC is an attractive place to do business.

We are also committed to promoting and implementing social dialogue, a multilateral mechanism to handle labour matters through a tripartite process which involves consultation among employees, employers and institutions.



Our Principles and Values

The Employment Standards Office plays a crucial role in the QFC labour market by administering the employment legislation, preventing and resolving conflict and disputes. To maintain public trust and confidence, it is fundamental that we perform our role in accordance with our principles

and that we are seen by the public to perform in accordance with those principles.

The following principles provide the legal and ethical framework within which the Employment Standards Officers work.





Independence and impartiality: the Employment Standards Office maintains independence and impartiality in administering its functions. The governance of the Employment Standards Office has been designed to ensure that all Employment Standards Officers undertake their work impartially and independently of improper external influence and maintain neutrality at all times in performing all functions including workplace inspections, conciliation of employment disputes and investigation of complaints, among others.

In practice, independence and impartiality mean:

- Following the principles of ‘natural justice’ or procedural fairness
- Not pre-judging any of the parties to a complaint or dispute (e.g. on the basis of gender, nationality, language skills, past case history or financial circumstances)
- Avoiding personal conflicts of interest (e.g. not investigating a complaint involving family or friends; or if the staff member has a personal financial interest in either party to the complaint)
- Avoiding the deliberate withholding of information provided to the ESO so that one party can obtain a better outcome.



Procedural fairness-natural justice: the Employment Standards Office advises employees and employers of their right to access the administrative system (lodge a complaint with the Employment Standards Office) or the judicial system (lodge the complaint with the civil and commercial court at the Qatar International Court Dispute Resolution Centre - QICDRC). The Employment Standards Office also provides information to the concerned parties about other redress mechanisms if they are dissatisfied with any of its determinations or orders (appeal of the Employment Standards Office’s determination before the Regulatory Tribunal at the QICDRC).

Disputing parties are transparently informed about the arguments of the other party and provided with the

opportunity to confute the arguments of, and information provided by, the other party.

Before a determination is made, all parties are informed about the outcome of the investigation and provided with the opportunity to submit final documents.

If the Employment Standards Office refuses to accept a complaint, it informs the parties of the reasons why a complaint is outside its jurisdiction or is otherwise excluded from investigation.



Integrity: the Employment Standards Officers perform their functions in line with the highest standards of professional integrity. They act consistently with our deepest values and beliefs and hold themselves accountable for their performance.



Confidentiality: all information provided to the Employment Standards Officers is strictly confidential and is not revealed except with the consent of the party who gave the information.



Courtesy and respect: the Employment Standards Officers believe in courtesy and respectful relationships regardless of roles and status.



Accessibility: We ensure that our services are appropriately accessible to employees and employers and promote knowledge of our role and services through:

- Public and informative material, roundtables, workshops, newsletters, website updates and media releases
- Regular community/workplace visits and discussions



Ease of use: we make our services easy for employees and employers to use by encouraging complaint lodgement by email and take a non-adversarial and informal approach to resolving complaints.

Our services are free of charge and do not present any cost barriers for employees and employers.



Highest quality professional standards: The Employment Standards Office applies high standards at all levels and actively seeks ways to improve its processes. We focus on attracting and retaining the best people, provide them with on-going training and continuously seek to build our reputation as leaders in the alternative resolution of employment disputes.



Clarity, transparency and effectiveness: The Employment Standards Office ensures its effectiveness by transparent and comprehensive guidelines, policies and procedures to provide clarity to employers and employees on their rights and obligations as well as on the Employment Standards Office’s functions, powers and modus operandi.

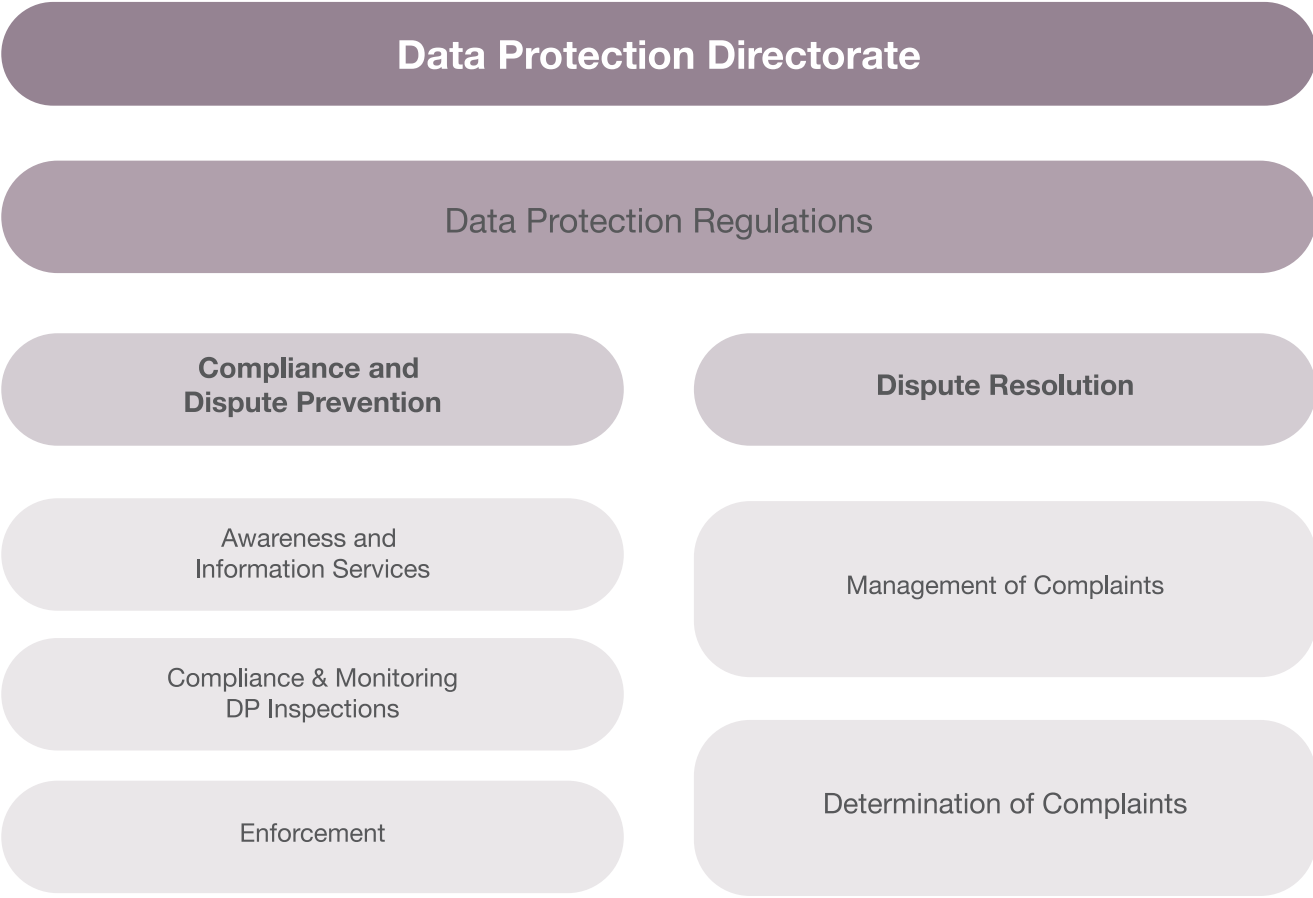
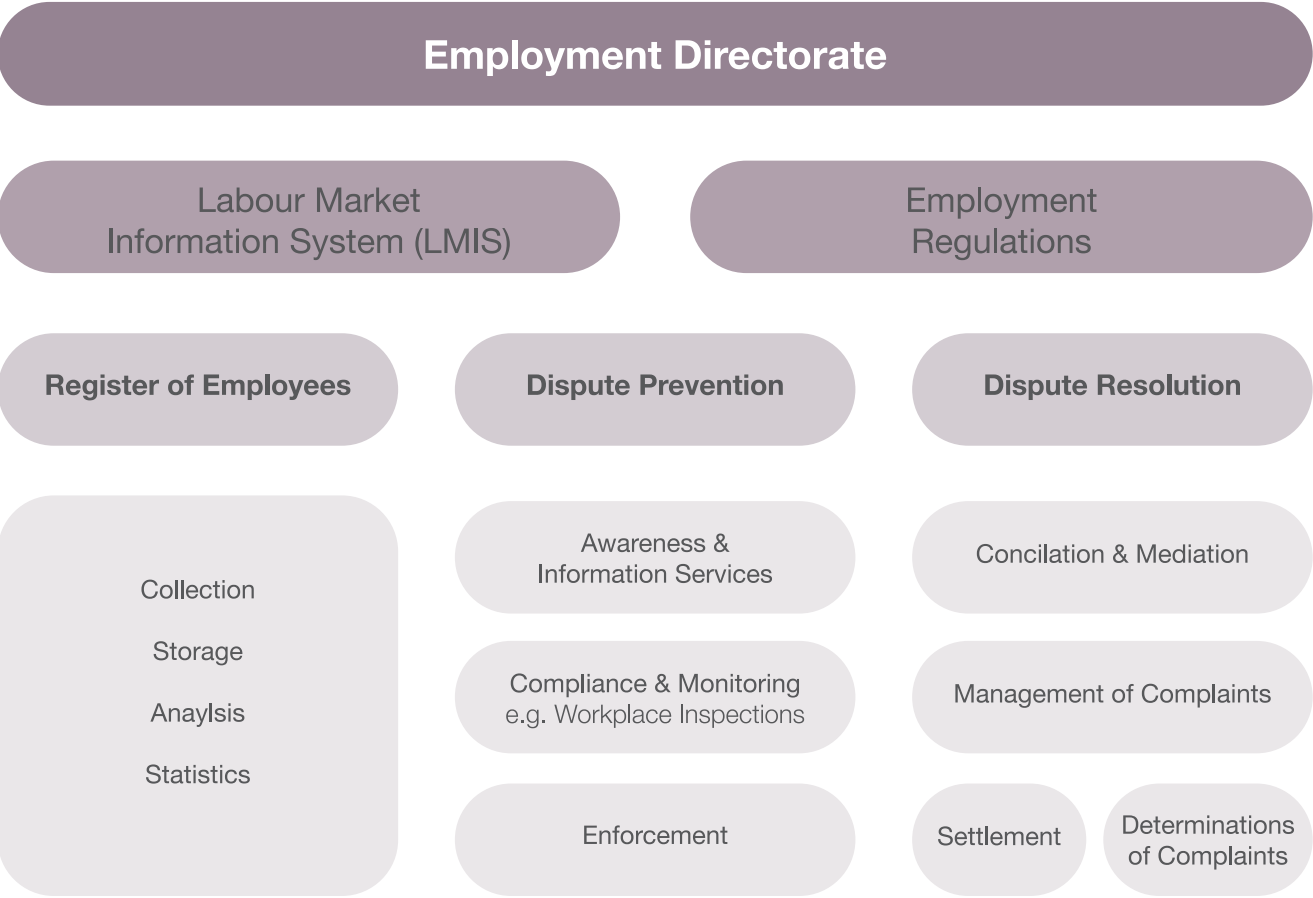


Community awareness building: We undertake a wide range of activities aimed at building community awareness of our services, including periodic newsletters, training and resources.



Our Structure

Employment Standards Office



The Employment Standards Office's 2016/2018 Strategy

The strategy of the Employment Standards Office was inspired by and reviewed in light of the QFC strategy and the Qatar National Vision 2030, in particular the human development pillar.

Through its initiatives, the Employment Standards Office has sought to support the government's strategic goals and established productive cooperation with local and international stakeholders.

We focus on areas like training and development of the workforce – where we cooperate with the MoADLSA, ILO Project Office for the State of Qatar, International Training Centre of the ILO (ITCILO) and Qatar University, among others. We also focus on occupational safety and health, where we work with the MoPH and Primary Health Care Corporation.

In addition to the above strategic objectives, we focus on other fields of employment to increase efficiency, flexibility and productivity in the labour market in line with international standards and ILO conventions. We also aim to maintain a balance among the different cultures and nationalities, so that the QFC remains a safe place for local and international investments and businesses.

Our key strategies aim at implementing a comprehensive system for a balanced protection of labour rights while safeguarding employers' interests and providing excellent services. By doing so we endeavour to make the QFC one of the best destinations in the world for working and doing business, including an employment dispute resolution centre offering a variety of services free-of-charge to resolve workplace conflicts outside the courts in an efficient, timely and cost-effective manner.



The Employment Standards Office's 2016/2018 key strategies





Key strategy 1 Dispute Prevention

“Creating awareness to engage and manage human resources effectively and prevent workplace disputes”

Dispute prevention encompasses one of the most important functional areas and operates in both the Employment Directorate and the Data Protection Directorate.

Purpose and objectives: within the dispute prevention function, we provide a wide range of services aimed at increasing awareness, facilitating compliance and reducing the potential areas of conflict. This area also includes monitoring activities and services to verify the level of compliance, identify potential contraventions and define ways to remedy non-compliance issues.

The services provided to QFC employers and employees within key strategy 1 include:

- Awareness and information services (Interpretations & Guidance, newsletters, advisory services, forms and templates, website publications)
- Monitoring activities
- Enforcement

Details of the services: Since inception, we have regularly held employment roundtables, thematic workshops, brainstorming sessions as well as reviewed and attested employment agreements and HR policies to ensure compliance with QFC standards. Our services have had a significant impact on increasing the level of compliance and contributed to building an effective communication channel between stakeholders and institutions.

Awareness and information services: We provide guidance, assistance and advice to QFC employers and employees on their respective rights and obligations under the QFC Employment Regulations guiding them towards compliance. These services are provided through in-person meetings or in writing, addressing the needs and enquiries of each client

We also increase awareness through trainings, workshops and informative sessions, publish newsletters and “Interpretations & Guidance” to provide clarification on specific topics and to keep the community informed at all times of any change, update and latest activities related to the Employment Standards Office. We have also launched the Employment

Standards Office webpage where our clients can access documents, templates and forms to adhere to our standards and prevent non-compliance issues.

Monitoring Activities

Review of employment agreements: We provide reviews of employment agreements to ensure compliance with our employment standards and requirements.

This service is one of the most effective monitoring tools that allowed us to assess the level of compliance and identify non-compliance issues before they become contraventions.

Attestation of employment agreements: In 2017, following the recognition of the Employment Standards Office signature and stamp by the Ministry of Foreign Affairs (MoFA), we began

attesting employment agreements upon request of employees and employers. This is an invaluable service for the QFC community, particularly for employees who are often required from local authorities to submit a stamped employment agreement for family and immigration purposes.

Review of QFC firms’ HR policies: An additional monitoring tool to control the overall level of compliance is the review of the HR policies of firms on the QFC platform, which helps to identify non-compliance issues and maintain proactive alignment with the QFC Employment Regulations.

Workplace visits/ labour inspections: The Employment Standards Office seeks to promote a culture of compliance with the employment regulations by guiding employers and employees on their respective responsibilities and entitlements and providing a variety of services and compliance tools.

The ESO ensures compliance by working with employers and employees through monitoring activities to verify the level of compliance, identify actual or potential non-compliances issues and define tools to rectify them.

While performing monitoring activities, which include workplace visits carried out during the working hours, we request information and documents in accordance with the power vested to the Employment Standards Office by the employment regulations, an extract of which is attached to this document. Monitoring activities have given us the opportunity to improve dialogue with stakeholders and to contribute effectively to improve their understanding of the employment regulations and of the appropriate ways to comply with them.



Key strategy 1
highlights and achievements





Key strategy 2 Dispute Resolution

Conciliation and Adjudication ***“Facilitating communication to resolve conflicts”***

The Employment Standards Office takes a holistic approach to the resolution of employment complaints based on the idea that, no matter how unavoidable employment disputes may be, they do not need to end in costly and protracted litigation. Moreover, when conflicts are managed constructively outside the typical arena of tribunals and courts, not only is it possible to preserve the relationship between parties, but the process can also stimulate ideas for improvements in the organisation of the workplace.

With this in mind, we established a unique administrative dispute resolution centre in line with the International Labour Organisation (ILO) guidelines, where workplace conflicts are managed and resolved outside the court through proceedings (including conciliation) that are less time consuming, non-adversarial and able to offer opportunities for satisfactory settlements at no cost.

Our consensus-oriented dispute resolution system operates in compliance with a number of ILO conventions and recommendations relevant to the resolution of employment disputes and focuses on the involvement of the parties to a dispute to find voluntary solutions. One of the main objectives of our system is to resolve employment complaints swiftly and provide investors with clear, credible and fair proceedings.

Our experience suggests that this consensus-oriented approach and facilitative style of conciliation adopted by the Employment Standards Office has been highly effective in resolving employment disputes (80% of cases are settled amicably). It has also contributed to building trust among employers, employees and governance institutions of the QFC, improving the climate for investment and economic growth.

Conciliation of employment disputes: One of the most effective tools we use to resolve disputes amicably is conciliation, which is a process whereby an independent third party, the Employment Standards Officer, assists the disputing parties to reach a mutually acceptable agreement to resolve their dispute.

The conciliator is guided by principles of impartiality, objectivity, fairness and justice and conducts the conciliation proceedings taking into account the circumstances of the case.

Confidentiality is key to the conciliation process and the conciliator may disclose information and documents to the other party only if authorised by the disclosing party.

If the parties are willing to conciliate, the procedure ends with the parties signing a binding settlement agreement. If parties cannot conciliate the dispute, or the conciliator, after consultation with the parties, finds that further efforts are no longer justified, the conciliator will declare the conclusion of the conciliation proceedings.

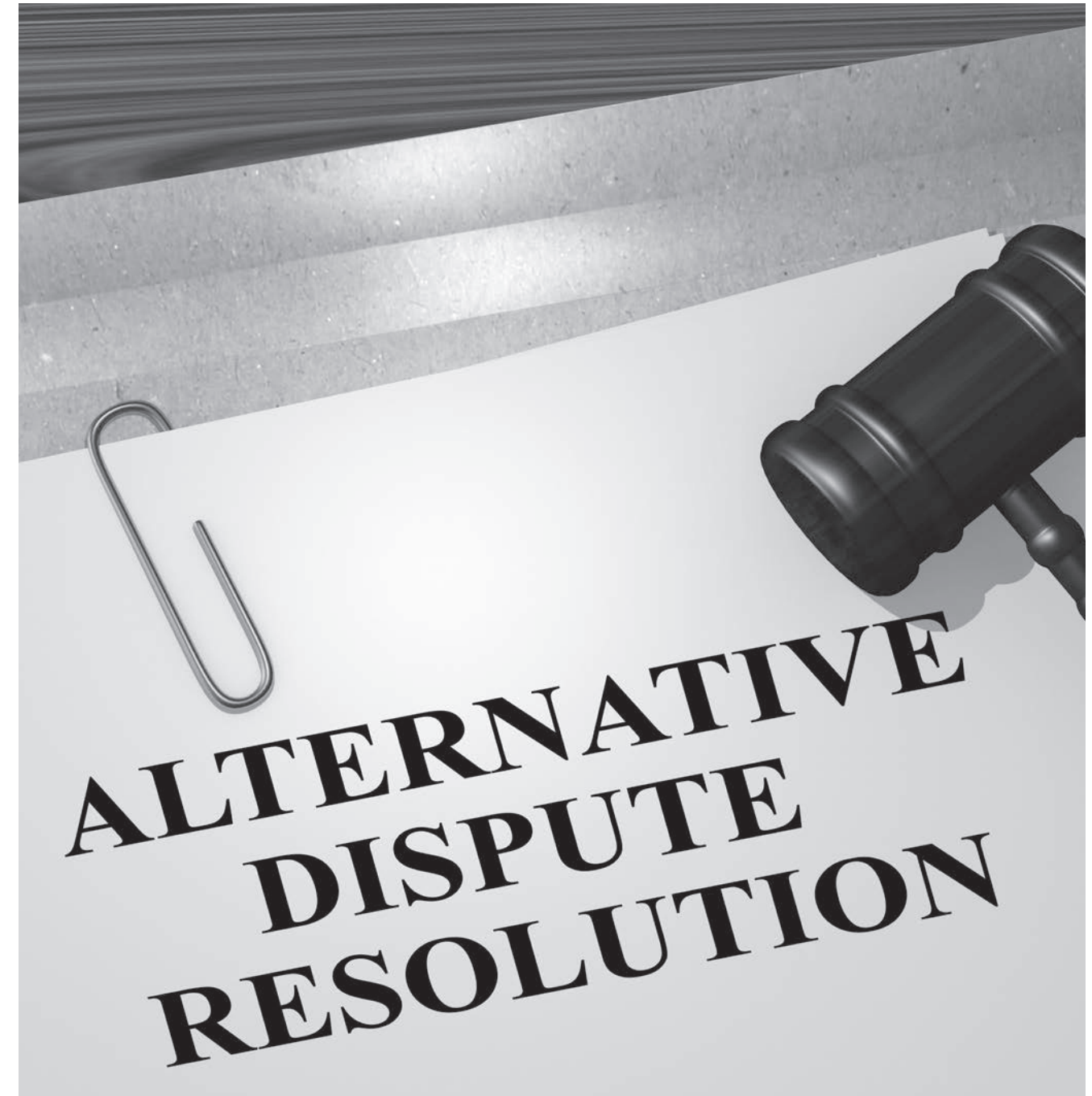
Adjudication of employment disputes: The QFC Employment Regulations dedicate an entire section to the resolution of employment disputes and allows parties to refer their dispute to the Employment Standards Office.

An adjudication process is initiated by submitting a complaint form to the Employment Standards Office containing the names and details of the parties, the nature of the dispute, details of the complaint, the remedies sought by the complainant and a list of supporting documents.

The Employment Standards Office assesses the complaint, begins an investigation and keeps the parties informed of the outcome of that investigation.

Parties are given the opportunity to settle their dispute at any time during the adjudication process and if, for any reason they do not reach an amicable agreement, the Employment Standards Office determines the complaint and notifies the parties accordingly.

More details on our employment dispute proceedings are contained in the article “Alternative Resolution of Employment Disputes” published in “The Qatar Business Law Review 2018 #01 – Lexis Nexis” at the end of this report.



Key strategy 2 highlights and achievements

Year	Total number of formal complaints	Complaints determined	Complaints settled/ dismissed	% of complaint settled	Number of appeals	Number of determinations overturned by Regulatory Tribunal
2015	17	2	15	88%		
2016	20	3	17	85%	1	0
2017	27	5	22	81%	1	0
2018	15	3	12	80%	2	0





Key strategy 3 Labour Market Information System (LMIS)

“Collecting data to understand the labour market and design new policies”

Purpose and objectives: Since its founding, the Employment Standards Office has collected, compiled and analysed labour market data. From this data we acquire vital inputs for the formulation of suitable policies and appropriate ameliorative measures to improve different segments of employment legislation.

This strategy focuses on a constant analysis of the labour trends to evaluate the changing needs of the QFC’s fast-growing labour market and re-design employment policies adequate to fulfill those needs.

To achieve this objective and allow a regular monitoring of the labour market data, in 2017 we started the development of the Labour Market Information System (LMIS), an integrated system comprising procedures to coordinate collection, processing, storage, retrieval and analysis of information related to the QFC workforce. The LMIS enables us to plan policies on short, medium and long term according to the evolution of the labour market and the needs of the stakeholders.



LMIS development process: The development of the LMIS entailed the following phases:

- 1 Planning and design - which entailed the decision on the type of required data, the level of collection, the reporting period and regularity of updates in accordance with the purpose of collection.
- 2 Data audit and validation - to identify information gaps and development areas.
- 3 Capacity building - to develop the IT system to support data collection and analysis and ensure accurate and comprehensive data. This phase also involved an on-going training of our clients on data identification and system usage.
- 4 Data extraction and analysis – to understand the labour trends and identify needs of the evolved labour market. It includes selection, interpretation and validation of information and data.

In 2018, after one year of testing, we have implemented real-time data collection from the QFC firms with the highest number of employees allowing for an immediate view on employee composition. Real-time information is highly indicative of the current employment situation in QFC firms and has become one of the primary sources of data for policy-making.

LMIS key highlights and achievements: The establishment of the LMIS is a fundamental achievement that impacts the Employment Standards Office functions and tasks. This credible and sustainable system is key to guiding every single legislative amendment or policy we intend to introduce in the employment legislation and developing specific services to the entire QFC community.



Key strategy 4 Legislative Update

“Aligning legislation to changing world of work”

This strategy has been designed after appropriate assessment of the economic and social landscape, identification of key stakeholders, evaluation of the actual level of compliance with the QFC Employment Regulations and the evolved needs of the QFC labour market.

The delineation of key strategy 4 takes into account the need for a clear, comprehensive, coherent and well-designed labour legislation as the necessary foundation for ensuring a compliant environment upon which the use of compliance tools will be based.



Employment regulations

Purpose and objectives: The purpose of this strategy is to align the employment legislation and policies to the evolving needs of the QFC labour market and international best practice to create a suitable framework for investors.

By creating a solid and credible employment legislation, we also contribute to the growth of the QFC through a sound industrial relation system and a fair and balanced working environment where conflicts and disputes are prevented and resolved effectively.

Key strategy 4 is intended to further guide the Employment Standards Office’s activities over the next three years, to provide stakeholders with clarity on QFC Employment Regulations, rules and policies, to facilitate their compliance, reduce the areas of disagreement and potential conflict, as well as enhance productive cooperation between employers and employees.

A fundamental aspect of this strategy is the gradual and progressive review and redraft of the QFC Employment Regulations aiming at:

-  Covering all areas of employment relationship not explicitly included in the current employment regulations
-  Providing a clear, comprehensive and coherent legislation, consistent with the evolved business needs while in line with international best practice
-  Eliminating anachronistic pieces of legislation leading to misinterpretations and potential breaches
-  Harmonising employment regulations principles and style with other QFC legislation



The proposed enactments are drafted to ensure that:

-  They are faithful to the fundamental principles and legal context of our environment
-  The text is written in easily understandable language and that any unnecessary ambiguity is identified and eliminated to improve comprehension by those to whom the legislation will apply
-  They are conducive to the uniformity of legislation and enhance its consistency
-  They appropriately balance social protection and economic efficiency
-  They are practicable from both a regulatory point of view – which implies a cost/benefit analysis – as well as from an administrative feasibility perspective
-  They are effective and family-friendly to ensure an adequate work-life balance

Data Protection Regulations

The QFC Data Protection Regulations were designed in line with the EU Directive 95/46 and contain the core principles maintained in the new EU General Data Protection Regulation 679/2016 which came into effect at the

end of May 2018. To provide the QFC community with a comprehensive legislation fully aligned with international standards, in 2018 we undertook a review of our regulations and drafted some amendments which will be shared with the QFC community in 2019, after completion of the on-going impact assessment.



Occupational Safety and Health (OSH)

Since its establishment, the Employment Standards Office has focused on Occupational Safety and Health (OSH).

We believe that safe, fair and healthy workplaces improve the quality of life for all employees and make the QFC a more attractive place to live, work and contribute to efficient productivity. With this in mind, we monitor QFC's workplaces to ensure that employers and employees are informed of their rights, obligations and responsibilities and actively undertake preventive actions to address health and safety concerns.

To promote a safety culture in the QFC work environment and align with ILO guidelines, in 2018 we undertook a reform of part 10 of the employment regulations dealing with the OSH and introduced new principles such as risk assessment, definition of rights and obligations of the parties as well as appropriate ways to comply and reduce risks of accidents at workplace minimising employers' burdens.

Our 2019 objective is to develop an OSH policy in line with the QNV 2030.

The Employment Standards Office's commitment and expertise on OSH has been acknowledged also by the State of Qatar, which involved us in the development of the OSH National Policy. The project, led by MoPH and MoADLSA, aims at providing the State of Qatar with a comprehensive National Policy to cover all sectors. The Employment Standards Office has been nominated as focal point of the national taskforce which includes stakeholders such as Supreme Committee for Delivery and Legacy, Qatar petroleum, ILO, MoPH and MoADLSA.

In addition to the OSH legislative reform and projects with ministries, the Employment Standards Office has actively promoted employees wellbeing through a number of initiatives detailed in key strategy 5 below.

We believe that integrating health promotion into OSH policies and programmes improves the long-term wellbeing of employees and their families, reduces pressure on the national health system, enhances occupational health practice and contributes to building and maintaining a preventive culture.





Key strategy 5 Initiatives and Cooperations

The Employment Standards Office strongly believes that cooperation and partnerships with other stakeholders support the achievement of the Qatar National Vision 2030 and therefore contribute significantly to the growth of the QFC and the State of Qatar.



Social Dialogue – Establishing Think-Lab

The Employment Standards Office is committed to engaging with all QFC stakeholders by creating platforms that bring together employees, employers and institutions for discussions on employment matters, labour market needs that impact day-to-day procedures, policies and legislation.

To ensure a well-rounded review of employment standards from different perspectives, our proposed amendments to the employment regulations have been shared with the entire QFC community for public consultation, giving all stakeholders the opportunity to provide feedback before any amendment is enacted.

In addition to the consultation process which involves stakeholders after the drafting of new policies is completed, in November 2017 we established the Think-Lab, a platform comprising of employees, employers and institutions that come together to discuss new principles as well as ways to make the changes effective or mitigate the impact on businesses before such changes are drafted.

We believe that it is important for employers and employees affected by new legislation to have a voice in the decision-making process. As such, consultation and exchange of ideas not only support the Employment Standards Office in defining the most appropriate way to balance the different interests of the parties, be it productivity and the business needs of employers, fairness for employees and the need for high labour standards for employment institutions, but also facilitate compliance given that the final piece of legislation is the result of a common discussion, negotiation and agreement.

As a result of this social dialogue exercise, a series of changes to the employment regulations have been discussed and amendments to the regulations will be formally proposed in 2019. Many of these changes are intended to ensure that QFC employees have fair and family-friendly workplace laws and policies that support a strong economy and help businesses stay competitive.



Cooperation within the QFC

The following initiatives are part of our commitment to promote wellbeing in QFC workplaces and motivate employees to adopt a healthy lifestyle. The on-going implementation of the initiatives below also plays an important role in the development of our OSH policy and in defining our OSH strategy.

Health screening in the workplace conducted by the MoPH

As part of the Workplace Wellbeing Program (WWP), we conducted health screenings in the QFC Authority to assess the levels of physical activity, cholesterol, diabetes, as well as the incidence of smoking in employees and organised seminars on chronic diseases like diabetes, mental health, nutrition and impact on heart diseases with the aim to improve awareness.

The outcome provided by MoPH, which analysed the data and provided a detailed report with recommendations, highlighted a high rate of sedentariness which led to the “Step Into Health Programme” described below.

Step Into Health

The purpose of the “Step Into Health Programme” conducted in 2018 in cooperation with Aspetar, was to promote physical activity and team building as a means of supporting physical and emotional wellbeing

Although the programme was not meant to be competitive, to make it more exciting and to commit our colleagues we have organised two different “Step Into Health Team Challenges” both internally - among QFCA departments - and externally, managed by Aspire, among various organisations in Qatar such as the Supreme Committee for Delivery and Legacy, MoPH Ras Laffan, and Aspire Zone Foundation.

The level of participation and commitment to this initiative exceeded our expectations and confirms that these initiatives impact awareness and engagement, contributing positively to the health of our employees.



First aid course for QFCA employees

As part of its commitment to OSH and in line with the employment regulations, the Employment Standards Office organised a first aid training pilot project within the QFC Authority that will be extended to the wider QFC community in the coming years.

Nursing Room

In line with our commitment to promote and implement wellbeing practices at work, the Employment Standards Office has set up a nursing room accessible to all QFC female employees.

The room is meant to provide QFC nursing employees returning to work after maternity leave with a suitable, properly equipped space to express their milk during working hours or to breastfeed their babies.

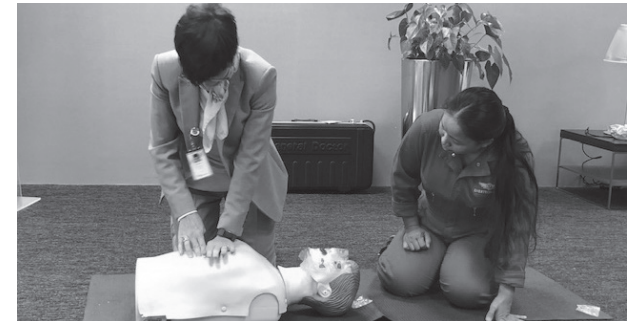
We believe that providing such a space eases a delicate transition period, enhances employee motivation and contributes to increased productivity.

In addition, by providing QFC female employees with the nursing room we aim to increase awareness of the health benefits of breastfeeding and provide support for breastfeeding mothers.

Ladies Lunch

Ladies Lunches have been designed with the purpose of increasing awareness of a healthy and safe lifestyle at work and to encourage collaboration and teamwork in the QFC. During these events, we discuss topics related to health in the workplace such as posture, meditation, cultural diversity, healthy food and nutrition, among others.

In addition, bringing women together, sharing experiences and building solid relationships among colleagues strengthens cohesion, encourages dialogue and improves wellbeing in the workplace as a whole.



National Cooperations

1) HE03 initiative with Ministry of Public Health (MoPH) and Ministry of Administrative Development, Labour and Social Affairs (MoADLSA)

Since 2015, the Employment Standards Office has cooperated with the Ministry of Public Health (MoPH) in the field of Occupational Safety and Health (OSH) and has been a proactive member of the taskforce for the National Health Strategy (NHS) Project no 3.7. Through this project the taskforce worked in order to minimise the rate of occupational diseases, injuries, and deaths at all workplaces by improving legislation and implementing an occupational health function.

In 2018, with the launch of the National Health Strategy

2018-2022 this cooperation has been further improved and we have been appointed as coordinator for the HE03 initiative within the "Healthy and Safe Employee" Project under the direction of the MoPH and MoADLSA, aimed at developing and implementing the OSH National Policy for all sectors in the State of Qatar.

2) Cooperation with MoADLSA

The Employment Standards Office is also working closely with the Ministry of Administrative Development, Labour and Social Affairs (MoADLSA) and in September 2018 we signed a Memorandum of Understanding (MoU) to implement training activities for the Qatari labour market, further detailed under "International Cooperation" below.

3) Establishment of the Data Protection Officers Network

In cooperation with the Ministry of Transport and Communication (MoTC), the ESO established a Data Protection Officers Network in May 2018 whose members meet to discuss privacy and data protection matters.

The network is an informal platform where local stakeholders meet and share their experiences and approaches to data protection, including the European Data Protection Regulation (EU GDPR) that came into force on 25th May 2018 and, due to its extra-territorial applicability, has an impact on data controllers in the State of Qatar, whether in the QFC or externally.

Stakeholders include Qatar Foundation, Qatar Petroleum, Qatar Airways, Sidra, Qatar Rail, Ministry of Commerce and Industry, Katara, Siemens, beIN Sports, Exxon Mobil, Total and Astad, among others.

By synergising with other stakeholders from different sectors, we aim to define a common and consistent implementation plan in line with the highest standards that allows stakeholders to comply with the EU GDPR standards and avoid the heavy sanctions outlined in the EU regulations.



International cooperation

The Employment Standards Office structure and functions have been inspired by and implemented in line with the principles and guidelines of the International Labour

Organization (ILO) on administrative dispute resolution systems. The alignment to ILO standards is also present in the QFC Employment Regulation that reflects many of the ILO conventions and recommendations.



Memorandum of Understanding, ILO MoADLSA and QFC

On 25th October 2015 the Qatar Financial Centre (QFC) signed a landmark MoU with the International Labour Organization (ILO) - Project Office for The State of Qatar and The Ministry of Administrative Development, Labour and Social Affairs (MoADLSA).

The MoU is the first of its kind in Qatar and has already seen the QFC, ILO and MoADLSA collaborating on a series of capacity building workshops on subjects from the world

of work for private sector professionals and government officials – bringing world-class best practices to Qatar in line with the Qatar National Vision 2030.

The signing ceremony was attended by H.E. Dr Issa Al Jafali Al Nuaimi, Minister of Administrative Development, Labour and Social Affairs, Houtan Homayounpour, Head of ILO's Project Office for the State of Qatar, and Yousuf Mohamed Al-Jaida, CEO of the QFC Authority.

The constant support of the ILO Project Office team has been pivotal in achieving this milestone.



Cooperation with the International Training Centre of the ILO (ITCILO)

The Employment Standards Office places great importance on staff training and development as we believe that the improvement of skills and competences is fundamental to providing efficient services.

All Employment Standards Officers have received adequate training by the ITCILO on several aspects of employment including labour inspection, conciliation and mediation of labour disputes and occupational safety and health.

Since 2017 the Employment Standards Office and the ITCILO began to discuss the possibility to extend training opportunities not only to the Employment Standards Officers but also to employees of the QFC firms. In July 2018 the QFC Authority and the ITCILO signed a framework agreement within the “Technical Cooperation Program” signed between the ILO and the MoADLSA.

The purpose of the framework agreement is to collaborate on the development of a “capacity development programme” with a view to upgrading the human resources-related skill capacities of key personnel within the QFC bodies and entities.



The capacity development programme mainly focuses on the following thematic areas:



Negotiation skills



Occupational Safety & Health (“OSH”)



Labour inspection



Social dialogue



Staff development

In October 2018 the first training “Engagement and Management of Conflict in the Workplace” organised by the Employment Standards Office and delivered by the ITCILO took place in Doha with participants from QFC Authority staff, QFC firms, MoADLSA and ILO.

The aim of the course was to support participants in improving communication and relationship-building skills by assisting them in understanding conflict dynamics and providing them with a toolbox of practical skills applicable to any workplace conversation, conflict or negotiation.

Given its interactive and dynamic approach were participants carry out role-playing activities, at the end of the course participants had the opportunity to put in practice the skills learned and assess their personal progress concerning the new skills acquired.



International
Labour
Organization

Mission and impact of the ILO **Promoting jobs, protecting people**

The International Labour Organization (ILO) is the only tripartite UN Agency that since 1919 is devoted to promoting social justice and internationally recognised human and labour rights, pursuing its founding mission that social justice is essential to universal and lasting peace.

The ILO brings together governments, employers and workers representatives of 187 member states (including the State of Qatar), to set labour standards, develop policies and devise programmes promoting decent work for all women and men.

Today, the ILO's decent work agenda helps advance the economic and working conditions that give all workers, employers and governments a stake in lasting peace, prosperity and progress.

The unique tripartite structure of the ILO gives an equal voice to workers, employers and government institutions to ensure that the views of social partners are closely reflected in labour standards and in shaping policies and programmes.

The main aims of the ILO are to promote rights at work, encourage decent employment opportunities, enhance social protection and strengthen dialogue on work-related issues.

Technical cooperation programme between Qatar and the ILO: The programme in Qatar reflects the common commitment of both the government of Qatar and the ILO to cooperate on ensuring compliance with ratified international labour conventions, as well as achieving fundamental principles and rights at work in the State of Qatar in a gradual manner during the period 2018–20.

The programme lies within the government of Qatar's efforts to implement numerous reforms related to laws and regulations on employment, as well as to provide additional guarantees that promote and protect workers' rights. It was developed as a result of consultations conducted between the ILO and Qatar.

This will be done through: improvement in payment of wages, enhanced labour inspection and OSH systems, a contractual system established to replace kafala and to improve labour recruitment procedures, increased prevention, protection and prosecution against forced labour, and promotion of the workers' voice.





Key strategy 6 Training and Professional Development

This strategy has been designed to respond to the changing labour market demands and aims to develop trainings programmes to provide employees with an opportunity to develop their skills.

As part of the on-going commitment to promote professional development within the QFC labour market, the MoU recently signed with the Ministry of Labour and the International Labour Organisation (ILO) entails a commitment to organise training activities to enhance the development of the workforce in QFC.

In addition, in November 2018 the Commissioner of the Employment Standards Office met with representatives from the World Innovation Summit for Education (WISE) with the aim of exploring cooperation to connect the education world with the constantly changing world of work and support the development a skilled labour force that meets current and emerging needs of employers.

The world of work is rapidly changing everywhere and the impact of technology has created needs for different skills that the academic world cannot provide.



Additional Information

The course is organised by the Employment Standards Office (ESO) of the Qatar Financial Centre (QFC) and delivered by the International Training Centre of the International Labour Organization (ITCILO) within the framework of the Technical Cooperation Program (TCP) between ILO and the Ministry of Administrative development, Labour and Social Affairs of the State of Qatar.

Established in 2005, the Qatar Financial Centre (QFC) is recognised as one of the leading onshore business and financial centres in the world.

The QFC embodies the ESO, an independent and impartial institution dealing with all employment matters in the QFC, including

conciliation and adjudication of workplace disputes and complaints in line with ILO guidelines. Among other functions, the ESO focuses on preventing workplace disputes through awareness sessions, seminars, workshops and other activities provided to the QFC community to support the firms and facilitate compliance.

The ITCILO is the training arm of the ILO. With over 50 years of experience, it is the leading global provider of learning and training for the world of work. Its learning, knowledge-sharing and institutional capacity-building activities and programmes for governments, workers and employers' organisations and other development partners are based on the latest thinking, best practices and comparative experiences in the field of labour relations, including negotiation skills for the world of work.

FOR FURTHER INFORMATION PLEASE CONTACT

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Design Luca Fiore ITCILO, Turin – Italy



A5511791

Managing Engagement and Conflict in the Workplace

W Hotel, Great Central Room, Mezzanine Floor (Doha)
1 – 3 October 2018



Aprender تعلم Learn учить Apprendere Apprender 学习 Imparare Learn تعلم
Comprender 理解 Understand понимать Comprendre فهم Understand Capire
获得 Ottenere зарабатывать تحقيق Gain Obtenir 获得 Obtenir зарабатывать
Listen Écouter Escuchar 听取 Ascoltare استماع Escuchar слушать Listen
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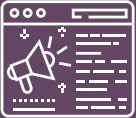


In addition to job-specific skills, the changing world of work continues to require socio-emotional skills like critical thinking, problem solving, communication, empathy, teamwork, resilience, self-confidence/self-trust, negotiation, self-expression, engagement and management of conflicts – lifelong learning skills.

In line with the human development pillar of the QNV 2030, the Employment Standards Office has designed and implemented a series of training initiatives to enable and enhance those socio-emotional skills such as team work, critical thinking, resilience, self-efficacy, trust, adaptability, negotiation, communication.

We strongly believe that skill re-adjustment for the changing nature of work occurs outside traditional learning environments and that the Employment Standards Office will play a strategic role in defining and implementing labour-market oriented reforms to support the up-skill of the QFC workforce.

For this reason, in October 2018 we have organised the training on “Engagement and Management of Conflict in the Workplace” delivered by the International Training Centre of the ILO as well as workshops to build and enhance workplace relationships, that we will continue to implement throughout the coming years.



Media Coverage

يوفر الحماية للموظفين وأصحاب الأعمال والشركات المرخصة

مركز قطر للعمل ينشئ مكتباً للعمل

الدوحة - الشرق



د. يوسف الجيدة

أعلن مركز قطر للعمل عن تأسيس «مكتب العمل» وهو مكتب مستقل يُعنى بمعايير التوظيف، ويُذكر أن مهام مكتب العمل كانت تُدار سابقاً تحت إشراف إدارة الشؤون القانونية بما في ذلك وحسب أهداف المكتب إلى حماية كل من الموظفين وأصحاب الأعمال والشركات المرخصة من قبل المركز ولتقديم الخدمات القانونية وإدارة النزاعات المتعلقة برعاية حقوق الموظفين والإجراءات المتعلقة برعاية حقوق الموظفين وأصحاب العمل، وتسهيل إجراءات حل النزاعات وتطوير القوانين العامة والتشجيع على تنفيذها وتطوير القوانين العامة والتشجيع على تنفيذها وتطوير القوانين العامة والتشجيع على تنفيذها.

ويهدف المكتب إلى حماية كل من الموظفين وأصحاب الأعمال والشركات المرخصة من قبل المركز ولتقديم الخدمات القانونية وإدارة النزاعات المتعلقة برعاية حقوق الموظفين والإجراءات المتعلقة برعاية حقوق الموظفين وأصحاب العمل، وتسهيل إجراءات حل النزاعات وتطوير القوانين العامة والتشجيع على تنفيذها وتطوير القوانين العامة والتشجيع على تنفيذها.

وأضاف الجيدة: نحن نشعر أن مجتمع الأعمال في مركز قطر للعمل يستفيد بشكل كبير من الخدمات التي يقدمها مكتب العمل بالشكل الذي يعزز مساهمته في نمو الاقتصاد القطري، وبما لا شك فيه أن توفير بيئة عمل آمنة وشفافة للموظفين وأصحاب الأعمال والشركات المرخصة من قبل المركز هو الهدف الأساسي لمركز قطر للعمل، ونحن نطمح أن نكون أول مكتب مستقل يُعنى بمعايير التوظيف في المنطقة.

QFC establishes independent ESO to protect work force

THIRUNE NEWS NETWORK, Doha

The Qatar Financial Centre (QFC) has announced the establishment of an independent Employment Standards Office (ESO) to protect both employers and employees through robust regulations, codes and procedures.

The ESO, which previously operated under the Legal department, is the new statutory compliance office for businesses registered under the QFC, a press release said on Saturday.

The ESO gathers information about Qataris who work at the QFC in view of identifying trends in the Qatari labour market.

Its objectives include enforcing compliance with regulations, ensuring fair treatment of employees and employees, encouraging communication between its members, facilitating dispute resolution and developing a productive QFC work force.

QFC CEO Yasir al-Jaidah



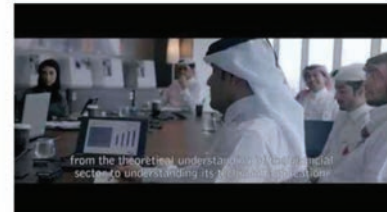
Qatar Financial Centre Chief Executive Officer Yasir al-Jaidah at an event in Doha recently.

QFC CEO Yasir al-Jaidah said: "The ESO is an important part of the QFC's foundation. By establishing it as an independent entity, we are further ensuring that all QFC employees and licensed firms work in a transparent environment where they are treated fairly and are encouraged to resolve disputes amicably."

He added: "I am confident that the QFC business community will greatly benefit from the services offered by the ESO and will continue to positively contribute to the growth of Qatar's economy."

In addition to the role of administering and enforcing Employment Regulations and Employment Code at the QFC, the ESO also works closely with the Ministry of Labour to provide relevant information related to employees working under the QFC. Simultaneously, the ESO gathers information about Qataris who work at the QFC in view of identifying trends in the Qatari labour market.

QFC establishes independent Employment Standards Office



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الجيدة: لتوفير بيئة أعمال تتميز بالشفافية والنزاهة

«قطر للمال» ينشئ «مكتب العمل»

الدوحة - الوطن الاقتصادي

أعلن مركز قطر للمال عن تأسيس «مكتب العمل» وهو مكتب مستقل يُعنى بمعايير التوظيف، ويُذكر أن مهام مكتب العمل كانت تُدار سابقاً تحت إشراف إدارة الشؤون القانونية بما في ذلك وحسب أهداف المكتب إلى حماية كل من الموظفين وأصحاب الأعمال والشركات المرخصة من قبل المركز ولتقديم الخدمات القانونية وإدارة النزاعات المتعلقة برعاية حقوق الموظفين والإجراءات المتعلقة برعاية حقوق الموظفين وأصحاب العمل، وتسهيل إجراءات حل النزاعات وتطوير القوانين العامة والتشجيع على تنفيذها وتطوير القوانين العامة والتشجيع على تنفيذها.

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The ESO, which previously operated under the Legal department, is the new statutory compliance office for businesses registered under the QFC.

The office has been established with the aim to protect both employers and employees through robust regulations, codes and procedures. Its objectives include enforcing compliance with regulations, ensuring fair treatment of employees and employees, encouraging communication between its members, facilitating dispute resolution and developing a productive QFC work force.

Yasir Al-Jaidah, Chief Executive Officer, QFC, said: "The ESO is an important part of the QFC's foundation. By establishing it as an independent entity, we are further ensuring that all QFC employees and licensed firms work in a transparent environment where they are treated fairly and are encouraged to resolve disputes amicably."

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2009/09/20 11:03 pm EDT

Press Release

Qatar Financial Centre | Qatar |



«قطر للمال» ينشئ مكتباً للعمل

مصدر: جريدة العرب للشرق
GMT 21:23 15/09/2015



أعلن مركز قطر للمال أمس عن تأسيس «مكتب العمل» وهو مكتب مستقل يُعنى بمعايير التوظيف، ويُذكر أن مهام مكتب العمل كانت تُدار سابقاً تحت إشراف إدارة الشؤون القانونية بما في ذلك وحسب أهداف المكتب إلى حماية كل من الموظفين وأصحاب الأعمال والشركات المرخصة من قبل المركز، وذلك من خلال تطبيق حزمة من الأنظمة والقوانين.

الأكثر قراءة من قسم: أخبار مختلطة

استعراض مجالات الشراكة المحتملة بين الجانبين
طر للمال يتعاون مع مركز تدريب
منظمة العمل الدولية



د. يوسف الحميدة والويجيا إجمالي

[illegible]

الدوحة - الشرق

«قصر المال» يبحث التعاون مع مركز تدريب في تورينو

في البداية تم نشر تقرير صحفي من أجل استيفاء مطالبات التعاون المصطنع بين الجانبين.

وبمضي زعماء منظمة التحرير بانه المؤسسة الشعبية التي تمثل الشعب الفلسطيني في اوجاعه واهله في كل مكان.

وتعددت على امتداد كل هذه المدة محاولات من قبل منظمة التحرير الفلسطينية للتعاون مع مختلف القوى الفلسطينية والعربية من مختلف الدوائر السياسية والعسكرية والدينية في كل مكان.

ولعلنا نذكر ان منظمة التحرير العربية هي منظمة عربية فلسطينية تأسست في 1964 بهدف تعزيز التعاون بين الفلسطينيين والعرب في كل المجالات.

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[illegible]

وصرح المتحدث لوجيحا إيجاسي مسؤولاً
عن فريق التوظيف بمركز قطر للعمل
قائلاً: «يجب التعاون مع منظمة العمل
الدولية أو باحثي الأعمية بالنسبة لشت
معايير التوظيف وسرعة قطر التزاع
في ظل صعوبة الدروب لضمان التزاع
بمحددين أفضل للمواهب الدولية»
وأشار المتحدث إلى أن منظمة العمل
الدولية ستعطي منظمة قطر التزاع
ومركز التدريب التابع للمنظمة خلال
العامين المقبلين بوزارة قطر.



● يوسف الخديعة والمخدع في الجوانب

«قطر للمال» يبحث التعاون مع مركز تدريب في تورينو

مصدر: جريدة العرب القطرية
GMT 20:33 29/1/2018

التقى ممثلون عن مكتب معايير التوظيف في مركز قطر للمال مع ممثلين من مركز التدريب الدولي التابع لمنظمة العمل الدولية بمدينة تورينو الإيطالية في بداية شهر يناير الحالي، من أجل استكشاف مجالات التعاون المحتملة بين الجانبين. ويتميز مكتب معايير التوظيف بأنه المؤسسة التابعة لمركز قطر للمال المسؤولة عن إدا



related to employment, the EEO is responsible for the data processing, regulations and enforcement under review to align them with the EU GDSF entering into force at the end of May 2011. The EEO intend address labour employment disputes

The right to trade is any country, 100% foreign ownership, 100% repatriation of profits, 10% corporate tax on locally sourced profits, and an extensive double-tax treaty agreement network with more than 100 countries.

بمستند لتنفيذ نظام شامل ومحدث لمعلومات سوق العمل

تعاون بين «قطر للمال»
ومركز عمل إيطالي



Abstract: **Background:** The purpose of this study was to determine the prevalence of *Salmonella* spp. in the feces of dairy cattle in the north of Iran. **Methods:** A total of 1000 fecal samples were collected from dairy cattle in the north of Iran. The samples were cultured on tetracycline and ampicillin agar plates. **Results:** The prevalence of *Salmonella* spp. was 12.5% (125/1000). The most common serotype was *S. Typhimurium* (40%). **Conclusion:** The prevalence of *Salmonella* spp. in the feces of dairy cattle in the north of Iran was 12.5%. The most common serotype was *S. Typhimurium*.

انفسى يمتثلون، من مكاتب معادير التوظيف في مركز دعم العمل مع معاقين
من مركز التدريب الدولي التابع لمؤسسة العمل الدولية بمدينة الرياض
الوطنية في بداية شهر ربيع الثاني لسنة ١٤٢٠م في مقر الجمعية
بمنطقة الرياض.

«قطر للمال» يبحث التعاون مع مركز تدريب في
تورينو

التقى ممثلون عن مكتب معايير التوظيف في مركز قطر للعمل مع ممثلين من مركز التدريب الدولي التابع لمنظمة العمل الدولية بمدينة تورينو الإيطالية في بداية شهر يناير الحالي، من أجل استكشاف مجالات التعاون المحتملة بين الجانبين. يتميز مكتب معايير التوظيف بأنه المؤسسة التابعة لمركز قطر للعمل المسؤولة عن إدا

QFC institution heads to Italy to pursue cooperation with ILO arm



QFC Authority CEO Yusuf Mohamed al Jassir and Luigi Inglesi, Commissioner of the Employment Standards Office at the Qatar Financial Centre (QFC) Authority

[illegible]

QFC firms enjoy significant benefits, such as operating within a legal environment based on English common law, the right to trade in any currency, 100 percent foreign ownership, 100 percent repatriation of profits, no percent corporate tax on locally sourced profits and an extensive double tax treaty network with more than 60 countries.

In addition, the Employment Office at the QFC is the first Administrative, Employment, Dispute Resolution Centre in the MENA region operating under the national Labour Organisation (ILO) standards.

QFC division exploring areas of co-operation with ILO training centre

The Employment Standards Office (ESO) of the Qatar Financial Center (QFC) is exploring potential areas of co-operation with the International Training Centre of the International Labour Organisation (ITC-ILLO).
Turin, Italy

Alternative Resolution of Employment Disputes

When it comes to rights and interests of workers and employers, conflicts in the workplace are inevitable. The number of employment disputes in the United Kingdom has been rising for various reasons in terms of number of employees involved, number of stoppages (strikes and lockouts) and number of working days lost

owing to disputes. As reported by the UK Office for National Statistics, the number of disputes in United Kingdom in 2016 increased to 322 000 against the 170 000 of 2015. In the international context, common factors include cultural diversity, increased awareness of employee rights, and reduced job security.



Luigia Inganiani
Commissioner
Employment Standards Office
Qatar Financial Centre

1 The Qatar Financial Centre's Approach to Resolution of Employment Disputes

The complexity and diversity of employment disputes is reflected in the evolution of processes and mechanisms for preventing and resolving them to avoid the associated consequences and costs, such as waste of management time, disengagement, lack of communication, and loss of focus and motivation, all causing a significant decrease of productivity in the workplace.

A new approach to employment disputes is based on the idea that no matter how unavoidable employment disputes may be, they do not need to end in costly and protracted litigation. Moreover, when conflicts are managed constructively outside the typical arena of tribunals and courts, not only is it possible to preserve the relationship between the parties, the process can also stimulate ideas for improvements in the employer's organisation.

The above considerations have strongly encouraged the Qatar Financial Centre (QFC) to consider other effective dispute resolution methods that are less time consuming, cost saving, less adversarial, and able to offer opportunities for satisfactory settlements.

In addition to the arbitration and mediation of commercial disputes offered by the Qatar International Court and Dispute Resolution Centre (QICDRC), employment disputes in the QFC can be resolved through QFC's Employment Standards Office (ESO), a specialised independent institution dedicated to resolving workplace conflicts.

The ESO is the employment authority governing all employment relationships and labour matters within the QFC. It embodies a unique administrative dispute prevention and resolution centre in line with guidelines and standards of the International Labour Organisation

[ILO], where workplace conflicts are managed and resolved outside the court through proceedings (including the possibility of conciliation) that are free of charge.

Employment disputes usually concern allegations of non-compliance with minimum standards set out in the Regulation No. 10(2016) on the issuance of the QFC Employment Regulations (the "Employment Regulations") relating to matters such as wages, hours of work, holidays, annual leave, maternity leave, and sick leave.

The ESO's dispute prevention and resolution system operates in compliance with a number of ILO conventions and recommendations relevant to the resolution of employment disputes, including the Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92) and the Examination of Grievance Recommendation, 1967 (No. 130). In addition to a free-of-charge and expeditious proceeding, these fundamental instruments add the participation of workers and employers on an equal footing within the dispute resolution process as a keystone to managing the dispute resolution system effectively. The ILO principles also emphasise the importance of an effective dispute prevention and consensus-oriented system, focused on involvement of the parties to a dispute to find voluntary solutions.

The main objective of the implementation of the ILO system in the QFC was to resolve employment complaints more swiftly and provide foreign investors with clear, credible and fair proceedings.

Our experience suggests that the consensus-oriented approach and facilitative style of conciliation adopted by the ESO has been highly effective in resolving employment disputes. It has also contributed to building trust among employers, employees and governance institutions of the QFC, improving the climate for investment and economic growth.

2 The Human Side of Employment Disputes

The ESO's approach can be considered a hybrid of different existing models. Aware that 'one size doesn't fit all', the ESO has adopted a transformative and holistic approach to the resolution of disputes in the employment field, where merely 'settling a dispute' may not be sufficient.

In addition to legal and contractual aspects, employment relationships and disputes tend to involve perceptions and emotions

In addition to legal and contractual aspects, employment relationships and disputes tend to involve perceptions and emotions, if the settlement process does not take into account this human side of the dispute, a dissatisfied employee who signs a settlement will find other reasons to file another complaint or grievance, because the relationship issues forming the core of the complaint still exist.

A transformative approach to conflict resolution is based on the awareness that involving the emotional side of the parties and helping them acknowledge this fundamental aspect of the conflict can help transform the parties' capacity to handle a conflict, generate opportunities, and forge positive relationships.

Unlike the traditional approach to dispute resolution where the conciliator encourages the parties to identify and articulate their interests and figure out a rational way to satisfy those interests, leaving no space for anger, frustration, or emotions, the ESO's transformative approach focuses on the feelings that each party is experiencing. Allowing each party to freely express perceptions and frustration provides the parties with the opportunity to see the situation from a different perspective. The presence of an impartial and independent conciliator facilitates a so-called "reality check", allowing each party to put things into context and reassess the situation.

At the ESO, we approach a dispute not as a mere breach of the contractual obligation but as a crisis in the employment relationship. Our experience testifies that most of the time, conflicts develop because one of the parties has perceived that it has not been treated fairly by the other party and therefore anger, frustration, communication issues, and distrust prevail. If the disputing party does not overcome these perceptions and emotions, any resolution of the conflict will be temporary and another complaint is likely to be made in the following months.

Focusing on the core of the conflict and helping each party understand the other party's perspective and reasons, even if the parties do not agree with each other, make settlement of a dispute a natural development in the conciliation process.

This transformative approach, which focuses predominantly on human and emotional aspects often at the core of conflicts, has proved to be effective not only in resolving workplace conflicts amicably but also in restoring trust between employers and employees and redefining their relationships.

3 Benefits of Alternative Employment Dispute Resolution in the QFC

Conflicts in the workplace are often related to disagreements between peers or misunderstandings with line managers which, if not dealt with in a timely and effective manner, can escalate into major disputes and be taken to court.

Our special procedures are intended to ensure the application of expertise in complex employment and labour legislation, while also making the system less formal and legalistic, faster, economical, and thus more accessible than ordinary court procedures. These special procedures also contribute to adjusting an unequal power relationship between parties to employment disputes, while at the same time reconciling this objective with the system's efficiency in terms of cost and time.

4

Conciliation Proceedings

One of the several definitions of conciliation contained in the ILO practical guide *Professional Conciliation in Collective Labour Disputes*¹ describes it as "a process whereby an independent third party assists the disputing parties to reach a mutually acceptable agreement to resolve their dispute". Parties can request ESO conciliation services to resolve their dispute without a need to submit a formal complaint. In such a case, an ESO conciliator follows the conciliation procedures in line with the ILO principles and guidelines, and assists the parties in an independent and impartial manner in their attempt to explore ways to resolve their disagreement.

Confidentiality is key to the conciliation process

The conciliator is guided by principles of impartiality, objectivity, fairness and justice and conducts the conciliation proceeding taking into account the circumstances of the case. The conciliator may hold separate meetings with the individuals involved and invite them to a joint meeting if and when appropriate. Confidentiality is key to the conciliation process. The conciliator may disclose information and documents to the other party only if authorized by the disclosing party.

If the parties are willing to conciliate, the procedure ends with the parties signing a binding settlement agreement. If parties cannot conciliate the dispute, or the conciliator, after consultation with the parties, finds that further efforts are no longer justified, the conciliator will declare the conclusion of the conciliation proceedings.

5

Arbitration of Employment Disputes

Arbitration is a process whereby an impartial third-party arbitrator adjudicates a dispute by issuing an arbitration award.

Voluntary arbitration is a procedure whereby the parties voluntarily agree to submit their dispute to arbitration and accept to be bound by the decision of the arbitrator.

Compulsory or mandatory arbitration is a procedure in which the use of arbitration is imposed by the law at the initiative of one of the parties without the other party's consent.

The QFC Employment Regulations dedicate a specific section to resolution of employment disputes and allow parties to refer their dispute to the ESO for determination. An arbitration begins with one party submitting a complaint form through the QFC website, via email, or to the ESO's physical address. The complaint contains names and details of the parties, the nature of the dispute, details of the complaint including a concise statement of the relevant matters or alleged violation. In addition, the remedies sought by the complainant and a list of documents attached to the complaint allow the ESO to process the complaint in a timely manner.

Although the Employment Regulations contain guidelines for arbitration proceedings and the ESO follows best practices, including the principles of the UNCITRAL Model Law on International Arbitration (1988), arbitration proceedings are informal and their course depends on the nature of the dispute and the complexity of the case.

Normally, after receipt of the complaint, the ESO arbitrator conducts a preliminary assessment of the documents, evidence and grounds on which the complaint is based, and requests further information and documents if necessary.

The arbitrator may refuse to accept the complaint for various reasons including, for example, insufficient evidence to prove the complaint, a previous decision relating to the subject matter of the complaint made by the ESO, court or the Regulatory Tribunal, or where the dispute giving rise to the complaint has been resolved. If the arbitrator accepts the complaint, the arbitrator then uses its investigative powers to ascertain if a contravention of the Employment Regulations has been committed. Upon completion of the investigation, the arbitrator invites both parties to provide oral and written submissions before a determination is made.

The arbitrator, on request of one of the parties and after assessment of the application, may order interim or precautionary measures either before the commencement or during the arbitral proceedings. The arbitrator may issue provisional measures or interim awards that are dictated by the nature of the dispute or for the purpose of preventing irreparable harm (including adopting a measure to prevent the occurrence of current or imminent damage or for preservation of evidence that could be important or material to the determination of the dispute).

If the arbitrator determines that there has been a contravention of the Employment Regulations, the arbitrator can make an order to pay salaries or compensation, to take any action to eliminate or reduce the effects of the contravention, and/or order the payment of a fine.

If the investigation concludes that the Employment Regulations have not been contravened, the arbitrator will dismiss the complaint.

A copy of the determination is sent to both parties to their addresses for service. Either party may appeal the arbitrator's decision at the Regulatory Tribunal of the QFC Court within 60 days from receipt of the determination.

The parties may decide to settle the dispute amicably at any stage of the arbitral proceedings, in which case the arbitrator will assist them in finalising a settlement agreement and end the proceedings.

1. K. Foley and M. Crooks, *Professional Conciliation in Collective Labour Disputes A Practical Guide* (ILO, 2016).

2. *Ibid.*, at 9.

6

Prevention Tools to Reduce Conflicts and Disagreement in the Workplace

In addition to conciliation and arbitration services, usually delivered when something has gone wrong and there is a dispute in process, the ESO commits significant time and energy to the development of positive strategies to support conflict prevention.

Services provided in the area of prevention include information, interpretation, and guidance to increase awareness on the applicable legislation and relevant rights and obligations of employers and employees, services aiming at monitoring compliance, and enforcement tools. Some of the functions related to conflict prevention are exercised by the Labour Inspection Department and the Employment Relations Department of the ESO.

A variety of preventative measures, such as administrative guidance, or an order requiring an employer to correct violations detected during a labour inspection, have been effective, and the pre-active and cooperative approach of the employers confirms the level of trust towards our institution, which can be considered itself as a "compliance booster".

Conclusions

The ESO's approach to resolution of employment disputes described above confirms the importance, if not the need, of a labour dispute system designed from a holistic perspective, in order to deliver fair outcomes through the most appropriate means at a proportionate cost, while respecting the rule of law.

The achievement of this objective required a broad examination of the interactions between the various institutions within the system as a whole, as well as the role that employment legislation plays not only in constructing the regulatory framework but also in determining who can access them.

For these reasons and for the purpose of constantly improving the effectiveness of its functions and services, at the ESO, we regularly review employment legislation and procedures relating to resolution of disputes to ensure they are accessible to all employers and employees in the QFC.

To further improve the effectiveness of new legislative principles and in compliance with the ILO principle of social dialogue, the ESO has established the ESO Think-Lab, a platform where new principles of law are discussed with employers and employees before they are introduced into the legal system.

The involvement of stakeholders gives them a voice and an opportunity to express their views and concerns, as well as correct tools to mitigate the impact of new principles while respecting the evolution of legislation. This process also has a positive impact in terms of compliance, having placed the recipient of the new laws in an active role in the decision-making process.

BIOGRAPHY

LUIGIA INGANIANI is an Italian Lawyer and legal advisor with more than 25 years' experience in employment and 20 years in data protection.

She holds a Master degree in Law, a Post-degree Master in Human Resources and is a conciliator of labour disputes certified by the International Training Centre of the International Labour Organisation (ILO). She has worked in several countries assisting international clients and governmental institutions in regard of employment matters including employment lawsuits in courts. As labour negotiator, Luigia managed several mergers and acquisitions and company transfers of ownership. Between 2012 and 2015, she worked as International Department Manager in an international law firm in Qatar, assisting local and foreign companies in employment matters, contractual negotiations, corporate and commercial law, and mergers and acquisitions.

Since September 2015, she is in charge of the Employment Standards Office of the QFC, the first administrative employment dispute resolution centre in the QCC operating under ILO guidelines. Luigia currently holds the position of Employment Standards Office Commissioner, and her role is mainly focused on the administration of the QFC Employment Regulations and Data Protection Regulations. Her functions range from dispute prevention (review and alignment of the legislation to international, advisory services, monitoring of compliance and enforcement) to dispute resolution (management of complaints, amicable settlements, or arbitrations).

She is also responsible for the reform and implementation of the QFC Data Protection Regulations to align them to the EU GDPR.

Luigia Ingianni

Luigia is an Italian Lawyer and legal advisor with more than 25year experience in employment and data protection.

She holds a Master degree in Law, a Post-degree Master in Human Resources and is a conciliator of labour disputes certified by the International Training Centre of the International Labour Organization (ITCILO).

She has worked in several countries assisting international clients and governmental institutions in regard of employment matters including employment disputes in courts. As labour negotiator, Luigia managed several Merger and Acquisitions and Companies' transfer of ownership.

In September 2015 she joined the QFC and designed the current structure of the Employment Standards Office of the QFC, making it the first administrative Employment Dispute Resolution Centre in the GCC operating under the ILO guidelines.

In 2018 she also established the Data Protection Directorate, the first data protection supervisory authority in line with the European General Data Protection Regulations (GDPR). Luigia regularly participates as speaker to national and international conferences and seminars in employment and data protection matters.

She currently holds the position of Commissioner of the Employment Standards Office and her role is to lead the Employment Standards Office's directorates with particular focus on the dispute resolution functions including management of complaints, conciliation and adjudication of employment disputes.



Maha Tawfik

Maha has more than 20 years of international experience in Human Resources, Employment and Administration Management gained from working with multinational companies, reputable organizations and institutions across different industries, such as financial sector, construction, medical and telecommunications across Canada, Qatar, Egypt and KSA.

Maha's international and cross-culture experience has enriched her capabilities and interpersonal skills and contributed to the achievement of full competence and understanding of all employment legislation and a 360degree understanding of the different types and aspects of employment relationships (from recruitment to post-termination). Maha holds a Bachelor of Science and received several trainings in the field of employment and Labour Administration including training on Labour Inspection from the International Labour Organization (ILO).

Maha also successfully completed training on Management of Engagement and Conflict in the workplace provided by the ILO. In addition, Maha holds a Professional Certificate in Organisational and Leadership Coaching from the International Association for Coaching (IAC).

Current role: Maha is expert in Labour Relations and within the Employment Standards Office she is responsible of the dispute prevention functions which include monitoring of compliance, providing guidance and advisory services to QFC employers and employees on their respective rights and obligations under the QFC Employment Regulations and managing employment relationships between QFC employers and employees.

Maha also is responsible of establishing and maintaining the Labour Market Information System (LMIS), an integrated system and procedures to collect and analyse information related to all employees working in the QFC firms and institutions to identify labour market trends and design suitable policies and appropriate ameliorative measures to improve different segments of employment legislation.



Francesca Re

Francesca holds a PhD in Public Law from University of Rome (Italy) and is a Lawyer admitted to the Italian Bar Association in 2010. Francesca has an academic background as researcher and teaching assistant. She also has several scientific publications related to health and criminal law. Before joining QFC Francesca has worked as Legal Consultant in a Qatari law firm for 3 years (2012-2015). In Italy she has been working as international and criminal Lawyer (2007-2012) and also served an internship in Chicago at Aronberg & Goldgehn Law Firm in 2011.

Francesca received training from International Labour Organization (ILO) in labour inspection and Occupational Safety and Health.

She uses her academic and professional background and more than 10 years of experience to contribute to the QFC success.

Current role: Francesca is expert in Legislation and Compliance within the Employment Standards Office where she drafts, reviews and amends the QFC employment legislation with particular focus on the Occupational Safety and Health matters as well as coordinates projects and programmes designed to monitor, assess and improve the legislative process and strategies of the Employment Standards Office. Francesca is also responsible for ensuring compliance with the QFC applicable legislation by advising and guiding employers and employees within the QFC community.





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