



# PROMOTING FAIR RECRUITMENT AND EMPLOYMENT

GUIDANCE TOOL

## FOR HOTELS IN QATAR

### CHECKLIST 2

### Due Diligence of Recruitment Practices

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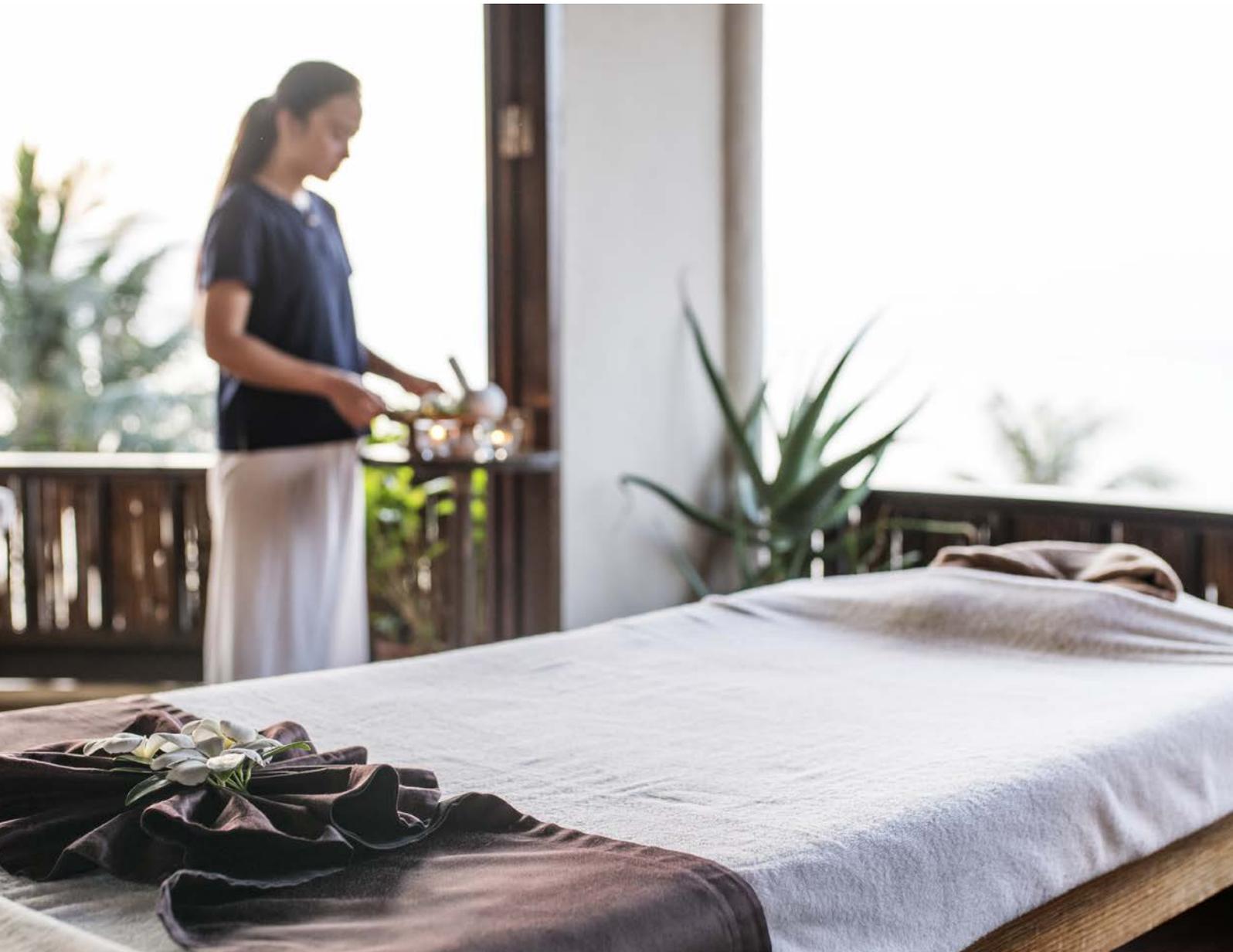
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## DUE DILIGENCE CHECKLIST

The checklist below provides guidance on how hotel companies in Qatar can work with labour recruiters and service providers to promote fair recruitment and mitigate risks of debt bondage and forced labour.

The checklist provides a non-exhaustive set of questions that hotels should consider integrating into their due diligence process, as well as good practice and reference to national laws and international standards.

In addition to the good practice examples provided, awareness of the true costs and timeframes of recruitment in specific migration corridors will have a positive impact on price negotiations with labour providers, and reduce the risk that fees are manipulated (with hidden charges passed on to workers).

# Checklist 2

## DUE DILIGENCE OF RECRUITMENT PRACTICES

### 1. No fees and costs for workers

#### WHAT TO ASSESS



**1.1 Labour recruiters should not charge workers any recruitment fees or related costs.**

#### QUESTIONS TO ASK



Are workers expected to pay any fees and related costs to secure employment or placement?

#### RECOMMENDED ACTION



Develop recruitment policy that guides the selection and engagement of recruiters.

Explicitly prohibit worker-paid recruitment fees and related costs in service agreements with all service providers and recruiters in countries of origin and/or Qatar.

In case of breach of recruitment policy, engage closely with direct recruiters or service providers to rectify the situation and reimburse workers for any unlawful fees and costs paid. In case of repeated violations, consider disengaging the recruiter/service provider.

#### LEGAL REFERENCES



Articles 28-37, [Qatar Labour Law](#)

[Ministerial Decision No. 8 of 2005](#) Regarding the Conditions and Procedures for Obtaining a License to Recruit Foreign Workers for Others

# Checklist 2

## DUE DILIGENCE OF RECRUITMENT PRACTICES

### 2. Fees and costs in agreements

#### WHAT TO ASSESS



2.1 Recruitment fees and related costs should be detailed in any agreements with recruiters. These should include service fees, as well as costs resulting from medical checks; insurance; skills and qualification tests; training and pre-departure orientation; travel; administrative fees in countries of origin; visas; issuing of passports; and work and residence permits.

#### QUESTIONS TO ASK



What information and documentation is required by the hotel and its service providers from recruiters regarding workers' recruitment?

What are the costs of recruitment? How does this compare with costs allowed under national laws in countries of origin (where applicable)?

#### RECOMMENDED ACTION



Require recruiters in countries of origin and/or Qatar to include a breakdown of all recruitment fees and related costs (specifying costs to be paid by the employer) in service agreements.

Include a requirement for full disclosure on recruitment agency or sub-agents used (including their charges and terms of agreement) in service agreements with service providers and recruiters.

#### LEGAL REFERENCES



[ILO General Principles for Fair Recruitment and definition of recruitment fees and related costs](#)

# Checklist 2

## DUE DILIGENCE OF RECRUITMENT PRACTICES

### 3. Regulated labour recruiters

#### WHAT TO ASSESS



**3.1 Labour recruiters used by hotels and service providers should be licensed. Recruitment agencies in Qatar should be licensed by ADLSA, and recruitment agencies in countries of origin should be licensed / registered by the relevant government bodies.**

#### QUESTIONS TO ASK



Do recruitment agencies and their partners have a valid licence to operate (in Qatar and countries of origin)?

Are recruitment agencies and their partners blacklisted by the relevant government bodies in the countries of origin?

#### RECOMMENDED ACTION



Include a requirement for full disclosure on the engagement of informal labour brokers in service agreements with recruiters and service providers in countries of origin and/or Qatar.

#### LEGAL REFERENCES



Articles 28-37, [Qatar Labour Law](#)

[Law No. 21 of 2015](#) Regulating the Entry, Exit, and Residence of Expatriates

[Ministerial Decision No. No. 8 of 2005](#) Regarding the Conditions and Procedures for Obtaining a License to Recruit Foreign Workers for Others

[ILO General Principles for Fair Recruitment and definition of recruitment fees and related costs](#), Principle 15 (3)

# Checklist 2

## DUE DILIGENCE OF RECRUITMENT PRACTICES

### 4. Policies and procedures

#### WHAT TO ASSESS



**4.1 Recruitment agencies and service providers should have written policies and procedures on preventing forced labour and the commitment to fair recruitment.**

#### QUESTIONS TO ASK



Do service providers have a recruitment policy that guides the selection of recruitment agencies? Does it specifically require the use of fair and regulated recruitment agencies? Is the policy in line with the hotel's own policies?

How do agencies based in Qatar select recruitment agencies in the country of origin? Is the selection based only on price, or does it take into account the value added of services?

Do the recruitment agencies used have a written policy on fair recruitment with procedures against forced labour? Are these policies in line with the hotel's own policy?

#### RECOMMENDED ACTION



Regularly monitor recruitment agencies and service providers to ensure that recruitment complies with company policy and fair recruitment principles.

Monitoring mechanisms include audits and regular worker interviews to ensure that no deception, fraud, coercion or charging of fees and related costs takes place throughout the recruitment and placement process. Policies and procedures will be most effective when based on direct worker feedback.

Monitor job advertisements on social media and online sources in countries of origin to detect any discrepancies.

Establish written contracts at every step of the recruitment process: employer/employee, recruitment agency/employee, recruitment agency/service provider, recruitment agency/hotel.

Allow enough time for recruitment planning in order to avoid increasing pressure on labour recruiters, which can lead to the use of informal brokers and lower standards.

#### LEGAL REFERENCES



[ILO General Principles for Fair Recruitment and definition of recruitment fees and related costs](#)

# Checklist 2

## DUE DILIGENCE OF RECRUITMENT PRACTICES

### 5. Orientation programs

#### PRACTICE TO ASSESS



**5.1 Recruitment agencies and employers should provide comprehensive pre-departure and post-arrival orientation to migrant workers on their rights and responsibilities while in Qatar.**

#### QUESTIONS TO ASK



What information and/or training is provided to workers before they start employment, both in their country of origin and in Qatar? Does this include information on recruitment fees and related costs?

In what language is the pre-departure and post-arrival orientation provided?

At what stage of the recruitment process, prior to departure, is detailed information on conditions of service provided to workers? If workers receive the information after signing the contract, do workers still have the right to refuse employment?

#### RECOMMENDED ACTION



Inform jobseekers through job advertisements, social media and interviews (in countries of origin and in Qatar) that no recruitment fees and related costs should be charged to workers.

Check that job advertisements specify the required skills expected for the job, as well as accurate salary, contract duration, job location and working hours (including night shift requirements).

Provide successful applicants with a breakdown of legitimate recruitment charges that are to be covered by the employer prior to signing the employment contract.

Tell successful applicants the average duration of the recruitment process, and steps they should expect to follow.

Provide a confidential, non-retaliation channel through which workers can make complaints both during the recruitment process and when in employment, including on recruitment fees and related costs paid and unlawful wage deductions.

Engage with workers after arrival to check if any fees were paid during recruitment.

Upon arrival, provide the means for workers to communicate with their family and friends at home.

Ensure that pre-departure and post-arrival information is provided in the applicant's native language.

Check that information to workers includes guidance on the return process (e.g. how to make this process safe and what steps are expected; their right to a free return ticket after two years of employment).

#### LEGAL REFERENCES



[ILO General Principles for Fair Recruitment and definition of recruitment fees and related costs](#)

Article 57, [Qatar Labour Law](#)

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## DUE DILIGENCE OF RECRUITMENT PRACTICES

### 6. Employment contracts

#### PRACTICE TO ASSESS



**6.1** If workers are being recruited from countries without Qatar Visa Centres, a signed copy of the employment contract should be provided upon workers' arrival in Qatar. This should match the job offer and be provided in the workers' language.

#### QUESTIONS TO ASK



Is there a QVC in the worker's country of origin? If not, has the worker been given a signed copy of their employment contract upon arrival in Qatar?

Does the contract match the job offer? Is it written in a language the worker understands?

#### RECOMMENDED ACTION



Ensure that all workers, including temporary and placed workers, are given a signed copy of their employment contract, matching the job offer and written in the workers' language.

#### LEGAL REFERENCES



[Qatar Visa Centre Procedures](#)

# Checklist 2

## DUE DILIGENCE OF RECRUITMENT PRACTICES

### 7. No wage deductions

#### PRACTICE TO ASSESS



**7.1 Employers should not deduct any amount from workers' wages in return for recruitment or placement.**

#### QUESTIONS TO ASK



Are any deductions made from workers' wages in return for recruitment?

How are workers' payments and wage deductions recorded?

Are workers reimbursed for any fees or costs already paid for their recruitment?

Are workers paid through the Wage Protection System (via bank transfer)?

#### RECOMMENDED ACTION



Regularly assess workers' wages and payslips to ensure that workers are not paid below the legal minimum wage and that no deductions are made to repay recruitment fees and related costs.

Ensure that payslips provided to workers include details on hours worked, overtime pay, bonuses and deductions.

Ensure that workers are paid directly through personal bank accounts.

Ensure that workers can access their contracts and documents freely at any time.

#### LEGAL REFERENCES



Article 60, [Qatar Labour Law](#)

Article 2, [Law No. 1 of 2015 amending provisions of the Labour Law](#)

# PROMOTING FAIR RECRUITMENT AND EMPLOYMENT

## A GUIDANCE TOOL FOR HOTELS IN QATAR

### Checklist 2: Due Diligence of Recruitment Practices

