

To the International Finance Corporation - World Bank Group – Partners of Titan Cement Group in Egypt

A complaint from the workers suspended from work at Titan Beni Suef Cement Company.

Many workers at Titan Beni Suef Cement Company suffer many violations and breaches which are incompatible with workers' rights contained in the performance standards of International Finance Corporation (IFC), particularly aspects related to employment and working conditions. These aspects emphasize that economic growth and increasing income should be based on the protection of the fundamental rights of labor and that the normal good relationship between labor and management is a key sustainability elements of a any company, and that one of the objectives of the performance standards regarding the protection of the fundamental rights of labor is working on:

- Promoting fair treatment and non-discrimination and equal opportunities for workers.
- Promoting the commitment to special employment and labor national laws.
- Promoting safe and healthy working conditions and enhancing workers' health.

Although the goal of the performance standards of IFC is to protect the rights of workers in aspects related to occupational health and safety measures and also respecting the legal contracts concluded with the workers, Titan Beni Suef Cement Company practiced many of contrary policies exceeding the limits of those standards, in particular paragraphs from 8 to 23 on direct employment, as well as paragraphs from 27 to 29 on labor supply chains.

Titan Beni Suef Cement Company is pursuing policies to lay off permanent workers (direct labor), who are working for the company since the beginning of 1992, and replacing them with daily temporary labor through labor supply chains (labor supply companies/ subcontractors). This type of labor is also lacking the basic requirements for social protection, as well as contractual relationships guaranteeing the rights of workers. As of now, the company has 270 workers through subcontractor companies.

In the framework of these special policies to lay off permanent workers and replace them with temporary workers, Titan Beni Suef Cement Company tends to practice many arbitrary actions. The company's management issued a decision to suspend number of workers without any legal evidence, which is inconsistent with the item No. (9) of the performance standards (2) related to employment and working conditions, which stipulates:

" The client will provide workers with documented information that is clear and understandable, regarding their rights under national labor and employment law and any applicable collective agreements, including their rights related to hours of work, wages, overtime, compensation, and benefits upon beginning the working relationship and when any material changes occur"

Workers who were suspended:

1. Khaled Ragab Muhammed Ewis.
2. Mahfouz Abdul Sattar Berik Awad.

This action was effective from December 18, 2016 and until Monday, January 16, 2017 (The work suspension issued by the company is attached with this message). Despite the end of the period of the suspension indicated in the decision, the workers did not return to their work until now, where the company refuses their entry.

Adopting the same practice, the Titan Beni Suf Cement Company issued a decision to suspend a number of workers in the period between December 19, 2016 and until Tuesday, January 17, 2017. The suspended workers are:

1. Nasir Fathy Muhammed Ali
2. Ahmed Muawad Ali Muhammed
3. Mahmoud Abdul Azim Imam Abu Zaid
4. Muhammed Zaki Ahmed Sulaiman
5. Muhammed Farouq Mahmoud Gomaa

So far, the company did not allow the return of workers to their work sites, stopped their salaries since December 2016. This incited the workers to contact/address many actors, including the main company "Titan" in Greece "the mother company", and also the Ministry of Manpower, where they filed a formal complaint in the Ministry of Manpower (a copy of the complaint is attached). Additionally, they filed another complaint at Beni Suf police station (No of the complaint is 1272). Moreover, the minister of Manpower and the governor of Beni Suf were informed, and the labor union newspaper published about the difficulties and problems of the workers in Titan Beni Suf Cement Company on Monday 11/28/2016. The newspaper pointed that the practice which the company is adopting not only suspending workers from their work, but also forcing 125 workers to take a compulsory early retirement during the year of 2017.

In this regard, the suspended workers stated in the complaint to the Ministry of Manpower that the head of the human resources in the company threatened to fire them completely if they refuse to take the compulsory early retirement.

In the same context, the report of the Inspection Office/ East of the Nile Office in Beni Suf, stated some observations which lacks the minimum requirements of work conditions according to the protection policies of the World Bank and also the international standards set out in this regard, including:

- Not placing the collective labor agreement, including its provisions, signatories, and date of its submission to the competent administrative authority in a visible place in the workplace.
- Not giving the workers a copy of the employment contract.
- The use of 50 workers performing technical tasks such as (cooling technician - conditioning technician – welding technician - mechanical technician – furnace operator - technical balance of power - Crusher Operator - Control Room Operator – Production - Technical processing raw material – mill technician – quality

monitoring) without obtaining the practicing license from the specialized administrative authority.

- Not giving the worker a receipt of his/her delivered papers and certificates.
- Not giving the workers their full payment.
- Not fully giving the workers their payment inclusions such as the annual profit share.
- Not submitting what proves that the workers have their annual vacations as legally prescribed.
- There is no record of the all the legal data of foreign workers (Article 13 of resolution 305).
- There is no record for the qualified disabled persons in the facility with their data (Article "15" Law 36 of 1975, updated in law 49).

In another context, we see that there have been numerous complaints directed against the management of Titan Beni Suef Cement Company in issues related to occupational health and safety and industrial safety, which are incompatible with the performance standards, item number (23) related to the labor status which states:

"The client will provide a safe and healthy work environment, taking into account inherent risks in its particular sector and specific classes of hazards in the client's work areas, including physical, chemical, biological, and radiological hazards, and specific threats to women. The client will take steps to prevent accidents, injury, and disease arising from, associated with, or occurring in the course of work by minimizing, as far as reasonably practicable, the causes of hazards. In a manner consistent with good international industry practice, as reflected in various internationally recognized sources including the World Bank Group Environmental, Health and Safety Guidelines"

In this regard, Mr. Ahmed Muhammed Ghidan , a truck driver, died at the sand quarry of the company due to lack of industrial safety and security measures on Tuesday, January 24, 2017. He is one of the workers who was subcontracted on a daily basis, where he was doing a very technical job contrary to what this kind of employment should do (supplementary services, they should not perform any kind of technical work).

In the same context, the Company did not allow the entry of the worker "Ahmed Radi Fattouh Ahmed", works at the maintenance unit at Titan Beni Suef Cement Company, Mechanics Department (mills and crushers) and who was working for the company between 1/6/2006 until 27/7 / 2016. The security at the gate was directed to not allow his entry on 27/7/2016 although he was injured while he was conducting maintenance for one of the bells at the cement plant on 10/10/2015. The medical record showed multiple injuries at the nose, the right side of the face, a fracture in the bones of the left hand, and other injuries and fractures. The last salary which Ahmed received was on July 2016, and since this day and following his injury, he was not allowed to enter, leading him to sue them of unfair dismissal. And since his injury, he was not compensated for the harm he suffered.

In the same context, the Occupational Health and Safety Office of the Directorate of Manpower in Beni Suef pointed to a number of items that the company must abide by as follows:

An inspection of Titan Beni Suef Cement Company on 01/12/2016, showed the need to implement the following: -

- Providing the license and the technical drawings to look at them, according to law 211
- Providing the receipt of the inspection fees for the current year, in accordance with Article 10 of Law 45 of 1954.
- Providing the operation license of the Committee of Occupational Health and Safety, in addition to the training of the head and members of the Committee of Occupational Health and Safety in accordance with Article 134 of the S 12 / for the year 2003.
- Providing the industrial safety records/ injury records (serious accidents - work-related injuries - occupational diseases - regular and chronic diseases).
- Providing health certificates for workers who work on a daily basis (Article 4 of Law 12).
- Providing what proves performing a periodic medical examination on workers (Article 219 of Law 12).
- Taking precautions and requirements necessary for fire protection (Article. 12)
- Providing maintenance contract for fire fighting and air conditioning (Article 214 of Law 12).
- Providing what proves the disposal of solid and normal waste (Article 2 of resolution 211 in 2003).
- Providing what proves the disposal of carcinogenic waste (Article 33 of resolution 211 in 2003).

Workers who signed on this complaint:

1. Khaled Ragab Muhammed Ewis.
2. Mahfouz Abdul Sattar Berik Awad.
3. Nasir Fathy Muhammed Ali
4. Ahmed Muawad Ali Muhammed
5. Mahmoud Abdul Azim Imam Abu Zaid
6. Muhammed Zaki Ahmed Sulaiman
7. Muhammed Farouq Mahmoud Gomaa

Entities supporting the workers:

1. Egyptian Association for Collective Rights
2. The Egyptian Center for Civil and Legislative Reform