



# **FRAMEWORK AGREEMENT**

**ACCIONA**

**INTERNATIONAL FEDERATION OF BUILDING AND WOOD  
WORKERS (BWI)**

**CCOO DE CONSTRUCCIÓN Y SERVICIOS**

**MCA-UGT**

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

**CCOO de CONSTRUCCIÓN Y SERVICIOS** is the Federation of Construction and Services of Comisiones Obreras de España, a trade union affiliated to BWI.

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

**ACCIONA** is one of Spain's principal business groups and a leader in the fields of infrastructure development and management. The Group's activities are carried out in absolute respect for human rights and Public Liberties, in accordance with internationally accepted laws and practices.

ACCIONA and BWI together with the MCA-UGT and CCOO de CONSTRUCCIÓN Y SERVICIOS federations.

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

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

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

Acciona allocates resources to oversee compliance with the provisions of the International Labour Organisation (ILO), particularly with regard to minors, and it undertakes to carry out its business and professional activities in accordance

with current legislation in each of the places where it operates and to promote and encourage that same compliance and respect among contractors, subcontractors and suppliers.

Legal compliance is always the starting point for ethical conduct in the Group.

At Acciona, management of human resources and relations between employees are always based on respect for people's dignity and the principles of trust and mutual respect.

Acciona expressly prohibits abuses of authority and any other type of harassment, whether physical, psychological or moral, and any other conduct that might lead to an intimidating, offensive or hostile working environment.

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

Acciona shall not in any way reduce or undermine the union rights of any BWI affiliate or group of affiliates or any other union within Acciona, S.A.

In this spirit, Acciona and the BWI shall work together to ensure the effective application by Acciona, exclusively in its construction activities, of the following requirements, which must be applied at all times in accordance with the benchmark national legal framework in force and existing practices and customs, provided that they do not undermine or clash with any national regulation.

### **1. Freedom of association and the right to collective bargaining are respected.**

All workers shall have the right to form and join trade unions of their own choice. These unions shall have the right to be recognised for the purpose of collective bargaining in accordance with the applicable legislation in the countries of reference and with the principles of ILO Conventions 87 and 98. In the same form and conditions, the workers' legal representatives shall not be subjected to any form of discrimination, and they shall have access to the workplaces as required to discharge their representational duties, subject to prior notice and communication

with the company's representative at each workplace, in coordination with the latter and without disrupting productive activity.

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

Acciona shall adopt a positive attitude with respect to union activities and an open attitude towards unions' organisational activities.

## **2. Employment is freely chosen.**

There shall be no use of forced or compulsory labour, including bonded labour. Workers shall not be asked to surrender valuables (ILO Conventions 29 and 105) and their passports, identity papers and travel documents shall not be retained.

## **3. No discrimination in employment**

All workers shall have equality of opportunity and treatment regardless of their ethnic origin, gender, religion, political opinion, nationality, social origin or other distinguishing characteristics (ILO Conventions 100 and 111).

## **4. Protection of migrant workers**

Migrating and posted employees must enjoy the protection and working conditions established by the current domestic legislation. Workers should not be required to pay deposits, visa or other immigration fees, transportation costs, and recruiting or hiring fees.

In the case of agencies dispatching workers to other countries, the agencies should be required to repatriate workers in the event that their employment ends.

Workers will not be required to surrender their passports or other travel or identity documents. Temporary migrant workers should have full rights to legal redress in the country where they work and they should have all of the rights provided in that country, including the right to join trade unions. Migrant workers

should receive details of their living and working conditions in a language they understand before leaving their country of origin.

## **5. Child labour is not used**

Child labour shall not be used. Only workers above the age of 15 years, or over the compulsory school-leaving age, if higher, shall be employed (ILO Convention 138).

Children under the age of 18 shall not perform work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (ILO Convention 182).

## **6. Living wages are paid**

Workers shall be paid wages and benefits that at least conform to the minimum conditions established by national legislation or the collective agreement applicable to the industry or sector in question.

All workers must be provided with clear information about wage conditions.

## **7. Hours of work are not excessive**

Hours of work shall comply with national legislation, national agreements and industry standards. All workers shall be given a minimum of a one-day weekly rest period or its equivalent distributed irregularly as permitted by the current legislation in each country.

## **8. Health and safety of workers**

A safe and healthy working environment shall be provided.

Best occupational health and safety practices to prevent injuries and ill health shall be promoted and shall be in compliance with ILO Convention 155 Occupational Safety and Health Convention (1981) and ILO Convention 167 on Safety and Health in Construction, (1988).

All workers shall also be given Personal Protective Equipment, at no cost to themselves, and training on occupational hazards and their prevention.

Workplace Health and Safety Committees shall be established and workers shall have the right to elect Health and Safety Representatives, by agreement with the unions, among the workers' elected legal representatives and in accordance with each country's legislation.

Acciona also undertakes continuously to improve measures for preventing occupational risks and for encouraging health in the workplace and in the locations where it operates.

Acciona also promotes and encourages the adoption of the most up-to-date health and safety practices by its suppliers, contractors and collaborating companies in general.

## **9. Worker welfare**

At every work site, the company shall provide adequate installations for working, in accordance with the regulations in force in each country and with the applicable practices and customs provided that they do not clash with such regulations.

## **10. Skills training**

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

## **11. Labour relations**

Acciona shall respect the obligations to all workers under labour and social security laws and regulations and the regulations relating to employment contracts.

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

## **IMPLEMENTATION**

Acciona, S.A. will provide verbal or written information regarding this agreement to the entire organisation.

BWI acknowledges that this agreement is a voluntary commitment on the part of Acciona in its activities in the construction sector.

Both organisations will actively support this voluntary commitment and express their willingness to cooperate actively in eradicating violations of the agreement so as to avoid any future infringement.

A review board will be instated, consisting of representatives of Acciona, BWI, CCOO DE CONSTRUCCIÓN Y SERVICIOS and MCA-UGT, which will meet at least once per year to monitor implementation of this agreement, the company providing with the support required for such meeting.

BWI, MCA-UGT and CCOO DE CONSTRUCCIÓN Y SERVICIOS will bear their own costs of participating in meetings of the review board, with the exception of those activities performed at the instances of the company, in which case the latter will bear such costs.

Both parties recognize that effective local monitoring of this agreement must involve the local management, the workers and their representatives, health and safety representatives and local trade unions.

To enable local and national union representatives of BWI affiliated unions to play a role in the supervision process, the company assures that they will be given access to the workers and the rights to information as needed.

The annual review of this agreement shall be incorporated into the annual report of Acciona with the consent of the parties, and the same requirement will apply for the publication or use of this document.

## **CONFLICT RESOLUTION**

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

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

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

#### **DURATION**

This agreement is effective from today's date, and may be terminated by any party with three months' advance notice.

Madrid, 29 October 2014

ACCIONA

BWI

CCOO de CONSTRUCCIÓN Y SERVICIOS

MCA-UGT