

Date: 25 October 2021

by email

Ref: BHRR/ AR/HK/PA/20092021/EFS

To: Business and Human Rights Resource Centre ("Your Organization")
London, England,
United Kingdom

Attention: Ms. Isobel Archer- Gulf Programme Manager
Mr. Mauricio Lazala - Deputy Director & Head of Europe Office

Subject: Alleged Less Payment than Offered by EFS

Dear Isobel,

1. At the outset, we appreciate this opportunity to review and respond to the article of the authors Hom Karki and Pramod Acharya ("Authors") published by Your Organization on September 20, 2021 titled "UAE turns a blind eye to rampant abuse of its visit visa; employer-pays model only on paper" ("Article"), specifically the part alleging that "workers recruited by Kalinchowk Manpower Co. to work for UAE company EFS Facilities Services were paid less than initially agreed. The article reports that while Kalinchowk Manpower Co. obtained permission from the Department of Foreign Employment to recruit workers to EFS based on a minimum wage proposal of AED900, the workers' offer letter stated AED600" ("Allegations").
2. As a leader in the Facilities Management market in the Middles East, North Africa, South Asia and Turkey, we would like to draw Your Organization and the Authors' attention to the essential responsibility that EFS carries alongside its business whether with its employees, civil society, private sector or governments. Such responsibility became an embedded cultural practice reflected in every element of EFS business locally and regionally which marked EFS record with many awards and recognitions for its initiatives in relation to its employee's welfare, CSR initiatives and compliance with all applicable laws and regulations (records are available for review on EFS website).
3. Notwithstanding the foregoing and our recognition to your hard work in the support of human rights, we raise our deep reservations and concerns towards the Article and the Allegations for the illicit exposure of EFS name and reputation as per the following merits:
 - a) Starting from your email, EFS name was irrelevantly brought to the Article by the Authors without any evidence or grounds that substantiate the alleged act of paying the workers less than what was initially offered. the Article addressed a statement by Gokarna Bista, Nepal's former labour, employment, and social security minister, stating that "In a recent example, the Department of Foreign Employment permitted Kalinchowk Manpower Company to recruit workers to EFS Facilities Services based on EFS' proposal to pay a minimum of AED900. But the offer letter handed over to migrant workers (and reviewed by MR) indicates their basic monthly salary is just AED600". Such Allegation, includes an explicit exposure to EFS reputation and intentional neglect to its tribute and contributions as aforementioned. Assuming that the Allegations are true, the professional responsibility and the pursuit behind the truth for defending human rights put upon the Authors a critical role in reserving the rights of others prior to exposing and posting false information. At the same level of responsibility comes Your




Organization responsibility to investigate deeply the accuracy of the information published despite the high objectives sought. Unfortunately, writing and publishing such Allegations without verifying the credibility of the information provided by the author, the validity of the information provided by the source about EFS considering his capacity as former minister (as defined) giving statement about recent alleged acts post his tenure, as well Your Organization permitting transmittal of such information without conducting further minimum audit on the Authors and the source, or carrying further investigation with EFS prior to publishing such Article.

- b) EFS confirms and represents that all the workers hired from Nepal through any recruitment agent was in full compliance with the local laws and the referenced MOU between UAE and Nepal which is supported by documents and the advertisement made by EFS.
- c) The Article addressed many critical points, inter alia, work conditions, charges by recruitment agencies, charges by hiring companies and ending with hiring workers on visit visa. Surprisingly and amongst all these mentioned acts, the Authors published EFS name only, whether intentionally or not, whereby the whole Article does not relate to EFS in any part. Is it media or press best practice to pick a name out of many and post it in a subjective article for a purpose or another?
- d) for the purpose of truth and in real support of human rights, we would like to call the Authors and Your Organization to visit our offices and meet our employees for further understanding about EFS position from ethical hiring and workers welfare.
- e) EFS commitment towards ethical hiring and workers welfare is not a matter of choice only but additional pledge towards the society and its valuable esteemed clients who regularly audit EFS to ensure compliance with international standards i.e. RBA (Responsible Business Alliance) Standards.
4. Given the opportunity to respond, we humbly request Your Organization to assess the value of any information provided for publishing as third-party related data is critical and might cause detrimental damage if not handled with care. Relying on your legacy and records of defending human rights across the world, we are honored to provide the above response as a part of the discussions that is aimed to be an added value to the different endeavors for protecting human rights.

Sincerely yours,

on behalf of EFS,



Bassel Ghoubar

Group Legal Counsel.

