

13 June 2012

Dear Sirs,

In addition to the comments made to the Discussion Paper about the ICT sector (see below), Eurociett would like to provide additional remarks on the Oil & Gas Discussion Paper. As for the paper on ICT, the Paper on Oil & Gas focuses all issues related to potential adverse impacts on labour rights to the employment and recruitment agencies. This is a totally biased, unbalanced and incorrect approach. It is even more worrying for Eurociett to notice that several sentences (see below) are a mere “paste and copy” of sentences included in the ICT paper! Eurociett therefore requests this section to be completely redrafted, in order not to focus specifically on recruitment agencies. These issues are anyway already covered in the employment and recruitment agencies sector discussion paper and overlapping should be avoided.

3.6 Impacts on labour rights

The construction phase is the most labour-intensive phase of O&G activity and can require the significant recruitment of private sector employment and/or recruitment agency workers. This is usually undertaken through third party agencies. The ‘triangular’ nature of the relationship between a company, agency and worker may leave workers outside the scope of protection of local labour laws due to lack of clarity over which organisation is the legal employer. Where migrants have been recruited or employed by agencies or hired directly by companies, they may be particularly vulnerable to adverse human rights impacts, including on their freedom of movement (where agencies sometimes retain identity documents or make illegal deductions to wages or illegally impose fees associated with securing their employment). In the worst cases, this might include forms of bonded or even forced labour. Migrant workers can also find it particularly difficult to access effective remedies through the domestic legal system.

Regards,

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