

Facts about the project

January 2014

Regulated conditions for all workers on construction sites

Femern A/S wishes to be a socially responsible company. This will be reflected in many of the requirements for contractors and suppliers that work on the project. As a state-owned client company, Femern A/S has a great responsibility to all employees, and the company will therefore ensure that contractors offer proper working conditions.

This means that contractors on the project should not only be technically and financially robust, they must also demonstrate that they can meet the accountability requirements when it comes to the environment, proper working conditions, safety, working environment and the employment of apprentices.

Among the initiatives to be undertaken are:

- Femern A/S is committed to offering traineeships to young people equivalent to approximately 500 student years
- Femern A/S is committed to demanding good accommodation conditions for employees seconded to the workplace, far from their families and who cannot reasonably commute between their usual residence and the workplace.
- Femern A/S is committed to requiring that wages and working conditions are decent so that there is no social dumping
- Femern A/S will ensure that the requirements are not just being demanded of contractors, but will also follow up to ensure that the requirements are met

All work on the construction sites must be in full compliance with the rules and legislation applicable in the territory where the work is performed. The German regulations must be followed in Germany and Danish regulations in Denmark.

At the same time, Femern A/S will ensure that all requirements fully meet the guidelines that arise from EU directives and international conventions.

Pay and working conditions

Femern A/S has, in its construction contracts, incorporated specific minimum requirements on pay and working conditions for construction sites in Denmark and Germany. Danish regulations apply on construction sites in Denmark and German ones apply on construction sites in Germany. Requirements for pay and working conditions are based on ILO Convention No. 94, the EU's rules and the State Treaty on establishing a fixed link across the Fehmarnbelt. In addition, there is a requirement for contractors to establish a certain number of trainee and apprenticeships.

In the company's clause on pay and working conditions in Danish territory there are, with reference to the above Danish and international regulations, the following minimum requirements on pay and working conditions for the employees (these are dependent on the discipline in question):

- Minimum wage level
- Danish legislation on working hours
- Wages in respect of work that coincides with public holidays
- Overtime pay, in accordance with recognised levels
- Holiday pay to a recognised and independent institution
- Pension pay to a recognised and independent institution
- Compensation for travel expenses, accommodation and meals

In Germany, the minimum wage for foreign workers is regulated by law. For some sectors, including building and construction, this is specifically done by determining that the minimum provisions contained in applicable existing collective agreements in the area must be observed and that this also applies to foreign labour.

It is the lead contractor's obligation to ensure that its subcontractors, at any level, meet all Femern A/S requirements that apply to the lead contractor itself. Moreover, these contractors have a binding commitment to inform the company about the specific nature and composition of the workforce on an ongoing basis, as well as confirming that the contractual and regulatory requirements regarding wages and working conditions are met.

In the tender documents, Femern A/S' sets out requirements that lead contractors continuously inform the company about the specific nature and composition of the work force as well as confirmation that the contractual and regulatory requirements regarding wages and working conditions are observed. In instances of problems, Femern A/S could require additional documentation, as well as require fast-track planning in order that all matters are brought into line with the legislation and contractual requirements. At the same time, the company may require the lead contractor to rectify the discrepancies immediately. Details of the requirements will be determined before the final contracts are awarded.

Apprentice placements

In connection with the construction of the fixed link across the Fehmarnbelt, Femern A/S will contribute to ensuring that trainees will be taken on. The company is therefore working on a model for how the actual requirement for providing traineeships can be written into the contract documentation.

An estimate based on Femern A/S' current knowledge is that this would create employment for up to a total of 500 student work years during the construction period as a whole. It should be noted that the trainees will come from all over the EU, and therefore there is no assurance that they will be Danish or German.

The tender documents set out Femern A/S' requirement that all apprentices must be involved in a public or private training programme that meets the requirements of their home country. If there are no such requirements in that country, the training programme must be comparable with the Danish or equivalent regulations.

Contractors must submit a detailed plan to Femern A/S on the recruitment and terms & conditions (T&Cs) for apprentices. This should include a description of how many trainees will be employed in the various disciplines, T&Cs and training plans, contractors' recruitment initiatives and recruitment planning. Femern A/S must approve the plans for the recruitment and T&Cs for apprentices. It should be noted, however, that EU rules mean that apprentices cannot be required to have Danish citizenship.

Employees must have good living conditions

During the coast-coast project's construction phase, approximately 3,000 employees will live close to the production site at Rødbyhavn. Femern A/S will require that contractors supply residential facilities that meet a certain standard.

Housing must be designed and operated with the aim of contributing to employee health, occupational safety, work efficiency and a good social environment. One of the key reasons for the provision of this requirement is that studies have shown that decent facilities reduce the risk of residents eventually developing health and lifestyle problems.

A camp with proper canteen facilities is an example of how the contractor may choose to design housing facilities. In addition the plans should include community facilities, indoor and outdoor recreational facilities, facilities for staff, parking, roads and paths.

In order to protect the residential area from, for example, external noise from the production plant and from the construction site at the portal area, a noise barrier around the camp will be established.