

The Solomon R. Guggenheim Foundation (the Guggenheim) and the Tourism Development & Investment Company (TDIC) are both deeply committed to safeguarding the rights and welfare of employees at the Guggenheim Abu Dhabi Museum site.

The Guggenheim recognizes the important steps that TDIC has taken by developing the Employment Practices Policy (EPP), a document that sets out workers rights and employment practices and standards that will be applied at the Guggenheim Abu Dhabi Museum site and across TDIC projects on Saadiyat Island, including the museums on Saadiyat Island's cultural district. TDIC has also built a high quality, modern construction village to international standards. TDIC is working closely with UAE government agencies and other relevant UAE bodies on labour issues and is committed to ensuring that all contractors and subcontractors involved in the construction of the Guggenheim Abu Dhabi Museum are contractually bound to comply with the EPP and UAE laws.

In addition to the comprehensive information that will be shared with workers during the mandatory worker induction and education process, clear and accessible information will be made available in multiple languages throughout the Guggenheim Abu Dhabi Museum job site to ensure that the workers are apprised of their rights.

The following are some of the core rights and benefits that will be guaranteed to all workers involved in the construction of the Guggenheim Abu Dhabi Museum. These rights are reflected in and enforced through the UAE law and the EPP:

Workers' Living Accommodations:

All contractors working on the Guggenheim Abu Dhabi Museum site are obligated to accommodate their employees at the Saadiyat Island Construction Village, designed and built by TDIC to model international standards. The Village provides spacious, comfortable, clean and climate controlled living accommodations for all construction workers on Saadiyat Island, and TDIC has definitively exceeded the statutory standard for living space by increasing the ratio of space from 2.4m² to 4.0m². Covering over 40 hectares, the Village offers a range of modern facilities for employee use including retail shops, internet cafes, daily laundry services, barbers, landscaped gardens, restaurants and dining and kitchen areas. Sports and leisure facilities include satellite TVs, basketball courts, cricket pitches and multi-purpose courts. Contractors bear the cost of housing their employees in the Village and are barred from passing the cost on to any employee.

Contact Centre:

A dedicated contact centre will provide a confidential service to all employees to obtain information, to escalate work related issues and to report any incident of non-compliance with the EPP. The contact centre will provide its services in the majority of languages spoken by Saadiyat Island employees including Hindi, Urdu, Bengali, Telugu, Malayalam and Tamil. All reports will be investigated and resolved.

Payment of Wages:

The contractor shall pay electronically each employee's wages, benefits and dues at least once per month, and without delay, in accordance with the Wage Protection System Guide (the WPS) stipulated by the Ministry of Labour. An itemised payslip shall be provided to the employee when wages are paid and no deduction for health and safety, food or accommodation may be made from an employee's wage. Any payments made to the contractor in connection with a project shall be applied first to discharge any wages payable to employees or meeting the statutory or other payments for the benefit of employees.

Working Hours:

Under UAE law, the maximum hours of work for employees working in construction-related activities will not exceed eight hours a day, six days a week. No employee shall work for more than five consecutive hours without breaks in every eight hour period. Employees will receive at least one day off in every seven day period.

In addition to wages for regular hours of work, employees shall be paid, in accordance with UAE law, for each overtime hour with a supplement of at least 25% of the worker's basic hourly wage, unless the work occurs between the hours of 9pm and 4am, in which case the employee will receive a supplement of at least 50% of the employee's basic hourly wage.

Agents & Recruitment Fees:

The contractor shall be solely liable for and shall pay all recruitment fees for an employee. No one involved in the construction of TDIC's projects shall utilise the service of any agent or agency charging an employee any recruitment fee. If a contractor or TDIC becomes aware of any agent or agency who has charged an employee a recruitment fee, it shall report such agent or agency to the authorities and may not utilize the service of the agent or agency thereafter. All contractors must provide TDIC with a list of the agents and agencies it is using to ensure compliance with this provision of the EPP.

Contract of Employment

Employees shall receive official confirmation of the terms of their employment, including all wage information, before leaving their country of origin or, if the employee is already in the UAE, before they are assigned to the site. Contracts of employment shall comply with the law and shall be translated and explained to the employee in his native language before signature. Contracts of employment shall be approved and registered with the Ministry of Labour. An employee shall be given a copy of his contract of employment for his records.

Relocation to the UAE:

The contractor shall pay for all recruitment costs associated with an employee's relocation to the UAE including visa, medical and travel costs to assign the employee to the site.

Passports and Personal Documents:

No contractor shall keep or retain the passport or any other personal document of an employee other than in connection with obtaining, renewing or canceling a residency visa. The contractor shall present to TDIC a monthly list of any passports in its possession stating the reason for their possession. Employees shall have the right to retain their personal documents, including passports, drivers' licenses, labour cards and health insurance cards.

Transport:

The contractor shall provide its employees with free transport between the site and the Construction Village at the start and end of each shift. For all employees, TDIC has also introduced a free shuttle bus service from the Village to the closest public transport to the city.

Vacation and Holidays:

The contractor shall ensure that all employees receive a minimum of 30 calendar days' paid annual leave each year, and the contractor shall pay all round-trip travel costs between the UAE and an employee's country of origin, at least every two years. Employees are also entitled to leave with full pay for all UAE public holidays.

Employee Disputes:

TDIC shall ensure that all employees are duly informed of their right to refer disputes to the UAE Ministry of Labour. Employees shall not be victimized for exercising any of their rights per UAE law.

Health and Safety:

The contractor shall at all times provide its employees with safe working conditions, including safe equipment. The contractor will have a health and safety programme in place that meets requirements of UAE Law and the EPP. TDIC requires that safety audits, risk assessments and on-site visits are regularly conducted and shall share with the Guggenheim the results of the audits, assessments and visits with respect to the Guggenheim Abu Dhabi Museum. TDIC also requires that all tools and machinery are in safe working condition and are certified by the relevant statutory bodies, and that protective clothing shall be issued to employees free of charge by the contractor.

EPP Induction:

An induction designed by TDIC will be provided by the contractor before an employee commences work on site. TDIC's agreements with the contractors will (i) require all contractors

to ensure all employees are fully aware of all safety risks, (ii) provide that a contractor may not allow employees to work on the site before a safety induction has taken place, and (iii) require contractors to pay employees their normal wage when attending the induction.

Major topics to be included in the induction are:

- Health and Safety
- Operation of the EPP
- Terms and conditions governing employment
- Principles of employment harmony
- Employment relations site procedures
- Operation of the workplace group
- Use of the dedicated Village contact centre described below

Rules of the Village are given at a separate induction upon an employee's arrival.

Insurance:

The Contractor shall obtain all the relevant insurance, in terms of the Law to ensure that all Employees have access to health insurance from the date of assignment to site and the Contractor shall be liable for the payment of the employees' health insurance.

Occupational Injury Related Medical Treatment

Where an employee has sustained any work-related injuries or occupational diseases, the Contractor shall pay for the cost of his treatment unless it is covered by insurance.

Sick Leave:

Under UAE law, after an employee has successfully completed their probation period in the continuous service of their employer, the employee shall be entitled to up to 90 days of sick leave per year with full pay for the first 15 days of such leave, and half-pay for the subsequent 30 days, the remaining 45 days will be unpaid.

Severance Pay:

In accordance with UAE law, an employee who has completed one or more years of continuous service will be entitled to severance pay. Calculation of severance pay will be in accordance with UAE Labour Law.

Subcontractors:

Contractors shall ensure that its subcontractors, labour suppliers and labour agencies are fully aware of and comply with the relevant provisions of the EPP. Such compliance will also be monitored by TDIC. Where any subcontractor fails to comply with any provision of the EPP, the contractor shall be liable for such non-compliance.

Repatriation to Country of Origin:

All wages and dues payable to an employee at the end of their contract, including severance pay, shall be paid to the employee prior to repatriation as per UAE law. The contractor shall pay the costs, if any, of the employee's repatriation, which shall be as a minimum, the issuing a travel ticket or payment equal to the value of such travel ticket.

Inspections:

Contractors shall at all times allow any inspectors from the UAE Ministry of Labour and other UAE authorities to carry out inspections of its operations and to have access to the site and documents required to be kept by law and to speak with workers regarding compliance with the provisions of UAE law on the site.

TDIC has the right to inspect the contractors' operations, employment records and to conduct interviews with management and employees.

Freedom of Movement:

Employees shall, at all times, have freedom of movement and shall be entitled to leave their area of residence freely and at their own will.

Women's Rights:

By UAE law, a female employee's remuneration shall be equal to that of a male if she performs the same work. Female employees will be entitled to maternity leave with full pay for a period of 45 days, and during the 18 months following the delivery, a female employee nursing her child shall be entitled to two additional breaks each day for this purpose, neither of which shall exceed half an hour.

Labour Standards:

Employees involved in the construction of the Guggenheim Abu Dhabi Museum will be a minimum of 18 years of age. Forced labour is unlawful in the UAE and any practice of such shall be prosecuted under the law. All employees shall be at all times treated fairly and without regard to, among other things, race, gender, ethnic origin or religion. No employee shall be subject to any physical, sexual, psychological, or verbal harassment or abuse, nor will any form of such abuse be tolerated.

Compliance:

To ensure EPP compliance by contractors, TDIC has a dedicated Employment Practice Compliance Audit department ("EPCA") empowered to monitor implementation and conduct audits to ensure the policy is being faithfully observed by all parties bound to it. The EPCA evaluates EPP compliance by contractors against specific categories of performance, including working hours, payment of wages, withholding of passports, health and safety and grievance procedures. The EPCA reports directly to the TDIC Executive Management and is also charged

with maintaining direct contact with the UAE Ministry of Labour which is responsible for the enforcement of UAE labour laws. TDIC will regularly share with the Guggenheim the EPCA's reports on compliance by contractors at the Guggenheim Abu Dhabi Museum site.

The EPCA's work is supported by TDIC's Employee Relations Manager ("ERM") who is responsible for actively engaging and overseeing the application of the EPP directly with contractors. The ERM's mandate is to facilitate communication with contractors, chair regular EPP-focused forums and ensure grievance and disciplinary practices are fairly managed by contractors.

TDIC requires contractors to employ a full-time Employment Relations Practitioner ("ERP") onsite. ERPs are required to attend a workshop and certification programme arranged by TDIC to familiarise themselves with the EPP and to ensure its compliance by the contractor.

The EPP is publicly available on TDIC's website www.tdic.ae, together with TDIC's Best Practices Report 2010.