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(۴) مَرْمَرٌ، صَخْرَةٌ، حَبْلٌ، سِلْكٌ، بَدَنٌ، نَجْدٌ،



POLICY ON EQUIVALENT RIGHTS FOR OUTSOURCED AND THIRD-PARTY WORKERS

Policy Number: MNU/UC/2026/14

Version: 1.0

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Approved by: University Council

1. Introduction and Purpose

The Maldives National University (MNU) is committed to the principle that all individuals contributing to the University's mission, regardless of their direct employer, deserve to work in an environment defined by fairness, safety, and legal compliance. This policy ensures that outsourcing is conducted responsibly and is not utilized as a mechanism to circumvent statutory labor standards.

The Primary Objectives are:

- a) To ensure full compliance with the Constitution of the Maldives, the Employment Act (2/2008), the Industrial Relations Act (1/2024), the Gender Equality Act (18/2016), applicable minimum wage regulations, occupational health and safety obligations, and relevant immigration and expatriate employment requirements.
- b) To standardise the treatment of third-party staff (security, cleaning, maintenance, etc.) to align with MNU's internal ethical benchmarks.
- c) To mitigate institutional risk by ensuring all contractors adhere to national minimum wage and safety regulations.
- d) To promote responsible procurement, ethical labour practices, non-discrimination, and protection from exploitation, abuse, forced labour, trafficking, or unsafe working conditions.

2. Scope

- a) This policy applies to all third-party service providers, contractors, and sub-contractors engaged by MNU. It specifically covers "Outsourced Workers", defined as individuals employed by an external entity but stationed at or performing regular duties on MNU premises.
- b) This policy also applies to workers engaged through subcontracting arrangements, labour hire arrangements, temporary staffing arrangements, project-based contracts, and outsourced

operational services. Contractors shall remain responsible for ensuring compliance by their subcontractors and labour suppliers.

3. Key Definitions and Guidelines

- a) **Outsourced Worker:** Any person providing services to MNU under a commercial contract between the University and a third-party employer.
- b) **Equivalent Rights:** The principle that outsourced workers must enjoy core labor protections (wages, hours, safety, and association) that are no less favorable than the statutory minimums guaranteed to direct employees. These rights must be guaranteed by the Principal Employer, and MNU must verify this.
- c) **Principal Employer Duty:** While MNU is not the direct employer, it assumes "Co-Responsibility" for ensuring that work performed on its campus adheres to the Laws of the Maldives.
- d) **Labor Displacement:** The prohibited practice of replacing permanent staff with outsourced labor solely to reduce wage costs below statutory requirements or to strip workers of union rights.
- e) **Forced Labour:** Any work or service exacted from a person under threat, coercion, deception, withholding of documents, debt bondage, intimidation, or restriction of movement. Forced labour and human trafficking are strictly prohibited.
- f) **Retaliation:** Any adverse action, intimidation, dismissal, harassment, threat, blacklisting, reduction of wages, or discriminatory treatment against a worker for raising concerns, reporting violations, or participating in grievance or investigation processes

4. Guarantee of Fundamental Labor Rights

a) Contractual Transparency and Documentation.

- 1. **Written Particulars:** Per Section 13 of the Employment Act, every outsourced worker must possess a signed contract in a language they understand.
- 2. **Compliance Filings:** Contractors must provide MNU HR with verified lists of work permits and insurance certificates for all personnel assigned to university sites.
- 3. **Workers must not be charged illegal recruitment fees, work permit fees, visa processing fees, or unlawful deductions related to recruitment or deployment.**
- 4. **Contractors shall ensure that workers retain possession of their own passports, identity documents, and personal records unless otherwise required by law.**

b) Fair Remuneration and Minimum Wage.

- 1. **Statutory Minimums:** Contractors must strictly adhere to the Minimum Wage orders. MNU will not award contracts to bidders whose pricing models suggest an inability to meet these wage floors.

2. Wage Protection: Wages must be paid via bank transfer on the day as specified in the employment contract. MNU reserves the right to request redacted payroll proof to verify timely payment.
3. Gender Pay Equity: In alignment with the Gender Equality Act, contractors must demonstrate that remuneration is based on duty, not gender.
4. Unauthorized deductions, withholding of wages, delayed payments, or coercive financial practices are prohibited.

c) Working Hours, Overtime, and Leave

1. Standard Hours: Work hours must not exceed 48 hours per week.
2. Mandatory Overtime Pay: Any work beyond standard hours must be compensated at 1.25x (standard) or 1.5x (public holidays) the basic hourly rate.
3. Leave Entitlements: Contractors must guarantee annual, sick, and emergency leave without threat of termination or wage deductions.
4. Workers shall be entitled to reasonable rest breaks, weekly rest days, and safe working schedules in accordance with applicable laws and regulations.

5. Industrial Relations and Collective Action

In accordance with the Industrial Relations Act (1/2024):

- a) Right to Organize: MNU recognizes the right of outsourced workers to join trade unions and participate in collective bargaining.
- b) Non-Interference: MNU prohibits contractors from taking disciplinary action against workers for legitimate union participation.
- c) Collective Bargaining: MNU recognizes the right of contractors to enter into Collective Bargaining Agreements (CBAs) in compliance with the Industrial Relations Act.
- d) Workers shall have access to lawful grievance and dispute resolution mechanisms without fear of retaliation.

6. Health, Safety, and Welfare (Expatriate Protections)

- a) PPE Provision: Contractors are solely responsible for providing high-quality Personal Protective Equipment (PPE) at no cost to the worker.
- b) Accommodation Standards: For expatriate workers, MNU reserves the right to inspect contractor-provided housing to ensure it meets the dignity and safety standards of Reg. 2021/R-120.
- c) Contractors shall ensure that workers have access to drinking water, sanitation facilities, emergency medical support, and safe working environments.

- d) Contractors must promptly report serious workplace accidents, injuries, safety incidents, or worker deaths occurring in connection with MNU worksites or operations.
- e) MNU reserves the right to suspend contractor access to worksites where there are serious safety risks, exploitation concerns, or repeated labour rights violations.

7. Contractor Obligations and MNU Oversight

a) Procurement Due Diligence.

The Procurement Office shall include a "Labor Rights Compliance Score" in the evaluation of all tenders. Bidders with a history of Employment Tribunal losses or labor violations will be disqualified. Contractors may be required to submit declarations of labour compliance, worker welfare compliance, and legal compliance as part of procurement and contract renewal processes.

b) The "Right to Audit" Clause

All service agreements shall include a clause granting MNU the right to audit:

- 1. Payroll records and time-sheets.
- 2. Proof of pension contributions (where applicable).
- 3. Work permit and medical insurance validity.
- 4. Health and safety compliance records.
- 5. Records relating to overtime, leave, disciplinary actions, and worker complaints where reasonably necessary for compliance verification.

c) Grievance Access

- 1. Outsourced workers are granted "Guest Access" to MNU's internal reporting channels. They may report harassment, safety violations, or wage theft directly to the MNU HR Department or the Sexual Harassment Prevention Committee.
- 2. MNU will facilitate a safe environment where outsourced workers can voice concerns without fear of retaliation from their primary employer.
- 3. Reports and complaints shall, to the extent reasonably possible, be handled confidentially and with procedural fairness.
- 4. MNU may require contractors to investigate and remedy violations identified through grievance or audit processes within specified timelines.

8. Non-Discrimination and Harassment

Contractors must enforce anti-discrimination policies equivalent to MNU's own, ensuring no worker—regardless of their "outsourced" status—is discriminated against based on religion, gender, age, or nationality while on University grounds.

Sexual harassment, bullying, intimidation, verbal abuse, and discriminatory conduct are strictly prohibited.

9. Policy Governance

- a) Administration: Jointly managed by the Department of Human Resources and the Procurement Office.
- b) Monitoring: MNU reserves the right to monitor contractor compliance through audits, inspections, document reviews, meetings, worker interviews, contractor evaluations, and incident reporting processes.
- c) Enforcement: Non compliance with this policy may result in corrective action requirements, suspension of services, withholding of payments where legally permissible, contract termination, exclusion from future tenders, or referral to relevant authorities.
- d) Review: This policy shall be reviewed annually to ensure that the University's procurement and outsourcing practices remain aligned with the evolving legal landscape of the Maldives, particularly regarding the Industrial Relations Act and Minimum Wage regulations.

10. Related Policies

Compliance for third-party workers is further supported by:

- Procurement Policy & Guidelines: Regarding the "Labor Rights Compliance Score" in tenders.
- Occupational Health and Safety (OHS) Policy: Ensuring site-wide safety standards apply to all.
- Industrial Relations and Union Participation Policy: Governing the rights of all site-workers to organize.
- Anti-Discrimination Policy [ref]