

Clause 6: Staff and Labour

Written by Gabriel Mulero Clas¹

The 2017 Clause 6 is largely the same as its 1999 counterpart. However, it contains some notable additions and differences, the most glaring of which is the addition of a new type of staff/labourer to the Contractor's Personnel called Key Personnel in Sub-Clause 6.12.

It only applies if such personnel are specified in the Employer's Requirements and the important aspect of this provision is not what this type of personnel does but that their appointment and presence is strictly regulated.

They are named in the Tender and substitutions and dismissals need the Engineer's consent. They also need to be based on Site for the whole period of the Works. This is perhaps to avoid too much change of important employees of the Contractor and to ensure that their focus is on the project at hand.

Other changes include:

- The 1999 edition prohibited the Contractor from hiring of the Employer's Personnel in Sub-Clause 6.3 and the 2017 edition has imposed the same obligation on the Employer and the Engineer vis-à-vis the Contractor.
- The Contractor's obligation to follow employment laws including wages and working hours has become clearer.
- If work needs to be carried out outside normal workdays and working hours, the Contractor now needs to give Notice to this effect.

- The role of the health and safety officer (accident prevention officer in FIDIC 1999) has been slightly emphasised.
- The importance of fluency in the language of communications has been reinforced.
- The Engineer now has the added right to request the removal of personnel who have engaged in corruption or fraud or who have been employed from the Employer.
- The Contractor's obligations to maintain records have been enhanced and include Personnel, Equipment, Plant, Materials and Temporary Works and must specify work activity, location and day of work.



Article Author
Gabriel Mulero Clas²

Email: gabriel.muleroclas@corbett.co.uk

¹ Gabriel Mulero Clas is a Lawyer at Corbett & Co. International Construction Lawyers Ltd. He can be contacted at gabriel.muleroclas@corbett.co.uk

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