

# 中国对外承包工程行业 社会责任指引

中国对外承包工程商会

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## 前 言

社会责任是企业与其利益相关方实现共同发展的重要保障和路径选择。企业履行社会责任，将社会责任融入企业战略和日常管理，有利于提升企业长期盈利水平和持续发展的能力，有利于维护员工和其他利益相关方的合法权益，有利于营造良好的外部经营环境，最终实现企业与社会、环境的共同、持续、和谐发展。中国对外承包工程行业的社会责任建设，关系到行业发展方式的转变，关系到中国互利共赢开放战略的实施，关系到全球承包工程市场的健康发展。

中国对外承包工程行业重视企业社会责任建设，近年来从理念和实践方面全面推进社会责任，履行社会责任的意识和能力明显提升。受商务部委托，在广大会员企业积极实践的基础上，中国对外承包工程商会特编制《中国对外承包工程行业社会责任指引》（以下简称“《指引》”），旨在为中国对外承包工程企业树立社会责任建设的标尺，推动企业树立全球责任观念，以更加负责任的方式开展对外承包工程业务。

本《指引》包括适用范围、社会责任定义和基本原则、社会责任管理、社会责任核心议题等内容。其中，核心议题涵盖工程质量与安全、员工权益与职业发展、客户（业主）权益、供应链管理、公平竞争、环境保护、社区参与和发展等内容。《指引》在制定过程中借鉴了联合国全球契约和 ISO 26000 国际社会责任标准等国际共识的核心思想，总结吸收了行业近年来形成的社会责任最佳实践，明确了对外承包工程行业对社会责任的共同理解。

本《指引》编制过程中，参考相关国际准则制定工作流程，注重过程的规范；增强透明度，通过企业实地调研、调查问卷、座谈会、网上公示等方式充分听取利益相关方的意见和建议。行业企业代表、专家学者对本《指引》的编制给予了大力支持；中德贸易可持续发展与企业行为规范项目<sup>1</sup>通过责扬天下（北京）管理顾问有限公司以及国内外专家的咨询服务，为指引编制提供了支持。

本《指引》作为行业社会责任建设的指导性文件，由中国对外承包工程商会组织编制和发布，并根据行业发展状况和企业实施情况适时进行修订。

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<sup>1</sup> 中德贸易可持续发展与企业行为规范项目由德国技术合作公司（GTZ）代表德国联邦经济合作与发展部（BMZ）实施。项目合作方为中华人民共和国商务部世界贸易组织司。



## 1 适用范围

1.1 本《指引》适用于中国企业在境外开展承包工程项目的相关活动以及为支持境外承包工程项目的实施而在国内开展的相关活动。

1.2 本《指引》可用于指导中国对外承包工程企业构建社会责任体系，推进社会责任管理，披露社会责任信息，持续改进社会责任绩效。

1.3 本《指引》没有穷尽社会责任方面所有可能的要求，也不排斥与其他有关社会责任的标准、体系或倡议同时或互补适用。

## 2 社会责任定义和基本原则

2.1 本《指引》所称社会责任是指中国对外承包工程企业在决策和经营活动中以透明和道德的行为方式，对客户（业主）、员工、供应商（分包商）、合作伙伴、当地社区等利益相关方以及为促进经济、社会和环境可持续发展所应承担的责任。

2.2 对外承包工程企业履行社会责任应遵循如下基本原则：

- **遵守法律法规。**维护国家利益和社会公共利益，遵守所在国家或地区的法律法规及中国政府有关规定，遵守国际通行的商业惯例。
- **尊重利益相关方。**重视与利益相关方的沟通，并将利益相关方的合理期望和要求纳入企业活动。
- **透明和道德经营。**公开对当地社会、经济和环境具有重大影响的决策和活动，并根据道德行为要求开展企业活动。
- **坚持共同发展。**促进所在国经济增长、社会进步和环境保护，实现与当地社区的共同持续发展。
- **持续改善绩效。**履行社会责任要与企业自身发展阶段和实际情况紧密结合，根据不同责任层次（包括必尽的法律责任、应尽的道德责任和自愿承担的责任）要求，持续改进社会责任绩效。

## 3 社会责任管理

社会责任管理是企业为推进社会责任融入企业决策和活动而开展的一系列管理行为，包括建立组织机构、制定相关制度、开展能力建设、持续改进绩效、识别利益相关方、披露社会责任信息和社会责任危机管理等内容。

### 3.1 组织机构

**MG1** 结合企业治理结构和经营实际，指定或设置社会责任管理的决策机构和协调机构。决策机构负责制定并监督执行企业社会责任战略、规划和重大行动。协调机构负责开展与社会责任相关的内外部沟通，推进社会责任战略与日常运营相结合，确保战略和政策实施的一致性，并致力于提升企业全员社会责任意识和能力，评估社会责任绩效。

### 3.2 制度建设

**MG2** 分析企业可持续发展所面临的机遇与挑战，将社会责任理念融入企业发展战略，并由企业高级管理层公开社会责任方针和相关承诺。

**MG3** 以社会责任管理组织机构为依托，建立和完善包括计划制定与实施、跟踪检查、评审、信息披露等环节在内的社会责任管理制度体系，保证企业社会责任工作的常态化和规范化。

### 3.3 能力建设

**MG4** 制定和实施企业社会责任培训计划，根据岗位的社会责任影响实施全员社会责任培训，并对管理岗位进行重点培训，同时积极学习、借鉴国内外成熟的企业社会责任实践。



### 3.4 持续改进

**MG5** 建立和完善监督考评机制，将反映企业重要社会责任绩效的指标与岗位职责绩效结合进行考核。定期评估企业运营对社会与环境的各类影响，制定并实施相应的改进工作方案。

### 3.5 利益相关方

**MG6** 利益相关方是指任何可能受到组织决策与活动的影响或可能影响组织决策与活动的各利益个体或群体。对外承包工程企业主要利益相关方包括：股东、投资者、员工、客户（业主）、合作伙伴（供应商、分包商）、政府、行业组织、社区（公众、媒体/非政府组织）等。企业应建立利益相关方参与机制，保障利益相关方的知情权、监督权和参与权。

表 1 利益相关方主要参与方式

沟通目的	主要涉及的利益相关方	主要沟通方式	基本要求
告知信息	员工、股东、投资者、客户（业主）、政府、合作伙伴、社区(媒体/非政府组织)	员工培训、函件往来、公司手册、公司网站、公司展示、新闻发布、工作汇报	选择合适的信息披露方式，及时回答利益相关方关心的问题
了解需求	客户（业主）、合作伙伴、社区(媒体/非政府组织)、员工	问卷调查、专家访谈、专题论坛、专程拜访	充分考虑各方建议、意见
双向交流	员工、股东、投资者、政府、社区(媒体/非政府组织)	多方论坛、高层对话、集体谈判、定期协商	相互信任，平等对话，充分沟通，形成共识，实现共赢
共同合作	客户（业主）、政府、合作伙伴、社区(媒体/非政府组织)、行业组织	参加行业组织、项目合作、联合活动、组织联盟	充分合作，优势互补，共同创造综合价值

### 3.6 社会责任信息披露

**MG7** 建立、健全企业社会责任信息的披露机制，及时向利益相关方披露社会责任信息和绩效。披露方式包括企业网站、内部刊物等日常信息沟通渠道，定期发布的社会责任或可持续发展报告，以及专项沟通活动。

### 3.7 社会责任危机管理

**MG8** 树立危机和风险意识，根据业务及其运作环境分析确定对外承包工程活动中的社会责任风险及其影响，建立和完善防范机制，并通过与利益相关方的有效沟通避免危机的发生。

**MG9** 建立完整、有效的应对预案，控制和处理社会责任危机和有关事件，防止不利影响的扩大。

## 4 社会责任核心议题

### 4.1 工程质量与安全

工程质量与安全是中国对外承包工程行业的立命之本。企业应加强质量管理体系建设，在项目建设全过程中始终进行严格的质量控制，优化和创新施工工艺，持续提升工程质量，保证施工安全。

#### 4.1.1 工程质量

**QS1** 在资质等级许可的范围内承揽工程。

**QS2** 建立工程质量管理体系和制度，开展质量管理体系和资质认证。

**QS3** 设置工程质量管理机构或监理岗位，负责工程质量的日常管理。

**QS4** 建立健全教育培训制度，提升员工的质量意识和质量控制技能。

**QS5** 建立健全原材料和设备等的采购制度以及工程质量检验制度，按照工程设计要求、施工技术标准和合同约定，对建筑材料、设备、施工方法和流程等进行检验和检查。

**QS6** 对不同类型的承包工程项目，根据合同承担相应的质量责任。严格选择和要求分包商，并对分包商的工程质量进行统一监督和管理。

**QS7** 优化、创新施工工艺和流程，提高工程质量和效率。

**QS8** 根据工程设计和施工技术标准开展承包工程，业主或所在国的工程质量标准低于本企业或中国标准时，向业主推荐采用较高标准。

#### **4.1.2 工程安全**

**QS9** 建立工程安全管理制度，设置工程安全管理机构或岗位，负责工程安全日常管理工作。

**QS10** 建立安全教育培训制度，提升员工工程安全意识和技能。

**QS11** 制定工程安全应急预案，妥善处理境外承包工程安全事故，并按规定及时、如实向有关利益相关方通报情况。

### **4.2 员工权益与职业发展**

员工是企业最核心的利益相关方之一，是企业发展最具创造性的资源。企业应尊重人权，保障中外员工合法权益，尊重、关爱员工，实现员工与企业的共同发展。

#### **4.2.1 平等和规范雇佣**

**HR1** 建立平等雇佣制度，公平对待不同民族、性别、种族、国籍、年龄、宗教信仰、残疾、婚姻状况、性取向等的应聘者，保护应聘者个人信息和隐私。

**HR2** 不招聘使用童工，不使用、不接受任何形式的强迫劳动，遵守当地对劳动时间的规定。

**HR3** 不以盈利为目的向外派员工收取工作服务费、管理等，不向外派员工收取履约保证金或要求提供中国法律法规禁止的担保。

**HR4** 依法与员工签订劳动合同或提供其它证明雇佣关系的文件。

#### 4.2.2 薪酬福利

**HR5** 薪酬不低于当地最低工资标准或当地行业一般标准，按时足额发放薪酬，提供法律规定的其它保障，如缴纳社会保险费用等。

**HR6** 建立员工薪酬增长机制。

**HR7** 为外派员工购买境外人身意外伤害保险。

**HR8** 为员工提供符合当地习俗和商业习惯的必要福利。

**HR9** 引导或帮助外派员工合理规划薪酬。

#### 4.2.3 职业健康与安全

**HR10** 建立和完善健康安全管理体系、操作规范和应急预案，建立安全生产责任追究制度。

**HR11** 组织员工接受安全施工培训，提高员工职业风险意识，掌握安全知识和技能。

**HR12** 建立系统的健康安全风险评估和检测体系，分析境外承包工程中的健康安全风险，记录和调查工作场所发生的健康安全事件和问题。

**HR13** 控制和消除威胁员工健康安全的隐患，加强施工设备的经常性维护管理，提供健康安全的作业、生活条件，提供预防职业伤害、疾病和事故以及处理紧急情况所需要的安全设备，最大限度降低工作环境中的健康安全隐患。

**HR14** 针对工程项目所在地卫生状况，开展员工健康知识宣传和培训，完善疾病，尤其是传染性疾病、艾滋病等的防护措施。

#### 4.2.4 员工职业发展

**HR15** 建立员工培训制度，对员工进行岗位职业技能培训。

**HR16** 开展外派员工出境前的语言、文化、法律和心理等培训。

**HR17** 指导员工规划职业生涯，建立健全员工晋升机制。

**HR18** 重视培养当地员工，推进员工本地化，促进不同文化背景员工间的相互尊重、理解和融合。

**HR19** 支持员工参加提升业务能力和综合素质的培训教育，并保障必要的费用对员工进行职业技能培训和教育。

#### **4.2.5 员工沟通和参与**

**HR20** 依据当地法律和惯例，建立劳资双方的协商机制，支持员工参与企业管理。

**HR21** 尊重员工，建立企业与员工的双向沟通渠道和机制，了解并回应员工的期望与诉求。

#### **4.2.6 员工关爱**

**HR22** 帮助员工平衡工作与生活，开展必要活动消除员工的不利心理影响。

**HR23** 关心员工及其家庭，帮助困难员工，鼓励员工互助。

### **4.3 客户（业主）权益**

客户（业主）是企业生存发展的基础，客户需求是企业存在价值的体现。企业应信守合同，为客户提供优质工程服务，保障客户权益，不断提升客户满意度，帮助客户创造最大价值。

#### **4.3.1 信息沟通**

**CL1** 提供真实、公正和完整的承包工程服务信息，使客户在信息透明和对称的情况下做出决策。

**CL2** 与客户建立畅通的沟通渠道，进行定期和专题沟通。

**CL3** 与业主及时沟通工程规划、施工工艺、材料变更等情况。

#### **4.3.2 客户权益和隐私**

**CL4** 依法签订符合业界惯例的、公平合理的承包工程合同，按照合同要求施工和交付工程。

**CL5** 以公正、合法的方式获取客户信息，采取必要措施保障客户隐私和工程信息安全。

**CL6** 开展客户满意度调查，最大程度满足客户的合理要求。

### **4.3.3 负责任的工程和服务**

**CL7** 为客户提供符合项目所在国法律法规关于质量、安全、环保等要求的工程和服务，并确保承包工程项目在生命周期中有利于当地社会和环境。

**CL8** 采取宣传和教育等方式，倡导客户选择可持续、负责任的工程或服务。

**CL9** 以合理方式提供承包工程后续维护等必要服务。

**CL10** 对新型或特殊建筑材料、施工工艺或生产方法开展风险评估和生命周期评价，避免给承包工程项目带来隐患。

## **4.4 供应链管理**

供应链是企业直接提供商品及服务的供应商的集合，包括制造商、经销商、分包商和其他中介商等。对外承包工程企业的供应链包括材料供应商、设备提供商、分包商、劳务公司等供应商。

供应链管理是对外承包工程行业规避运营风险，建立竞争优势，实现健康发展的重要环节。企业应加强对供应商的统一管理，保障供应商权益，提升供应商社会责任意识和能力。

### **4.4.1 权益保护**

**SU1** 制定保障供应商和分包商合法权益的相应措施，公开采购原则、标准和对供应商和分包商的政策及承诺。

**SU2** 预防并治理采购、分包过程中的商业贿赂和其它腐败行为。

**SU3** 签订采购、分包合同，不恶意拖欠合同款项。

#### **4.4.2 责任采购与责任分包**

**SU4** 制定境外工程采购和分包管理制度，选择具有相应资质的供应商和分包商，统一管理分包商的工程质量、安全生产、环境保护和用工状况。

**SU5** 对供应商和分包商明确社会责任要求，将道德、环境等企业社会责任标准纳入采购和分包合同，倡导分包商使用安全、节能环保设备和材料，尽可能降低施工对人和环境的影响。

**SU6** 通过保持或增加订单等措施，鼓励和支持积极履行社会责任的供应商。

**SU7** 通过审核、培训等方式，协助供应商和分包商提升社会责任意识并持续改进社会责任绩效。

**SU8** 鼓励和支持供应商和分包商适用社会责任标准和体系或参加社会责任倡议。

**SU9** 创新分包合作方式，整合各方优势和资源，实现风险共担和利益共享。

#### **4.4.3 本地化采购**

**SU10** 在可能条件下，优先考虑采购项目所在地的产品和服务，提升属地化经营水平。

**SU11** 帮助项目所在地的供应商和分包商提升技术和管理水平，扶持其发展。

### **4.5 公平竞争**

公平竞争是指对外承包工程企业间，包括中国企业与国外同行间进行的公开、公正、平等的竞争。企业应尊重竞争对手，依法公平竞争，维护行业发展秩序。

#### **4.5.1 维护行业发展秩序**

**FC1** 遵守行业自律规则，提高公平竞争意识。

**FC2** 根据法律规定和合同约定，提高企业经营的透明度，营造行业透明经营的氛围。

**FC3** 以公平方式开展竞争，建立反对商业贿赂的制度和长效机制，杜绝商业贿赂及其他不正当竞争行为。

**FC4** 支持行业鼓励公平竞争的公共政策的制定和执行。

**FC5** 帮助对外承包工程行业中的中小企业提升社会责任意识和能力。

#### **4.5.2 尊重知识产权**

**FC6** 遵守保护知识产权和传统文化的政策与惯例，确保使用或支配的资源拥有合法的所有权。

**FC7** 对获得或使用的知识产权支付合理的补偿。

#### **4.5.3 自主创新和技术进步**

**FC8** 建立和完善技术创新机制，增加研究开发投入，提高自主创新能力，强化核心竞争优势。

**FC9** 加大行业关键技术创新力度，促进对外承包工程行业技术进步，增强行业整体国际竞争力。

### **4.6 环境保护**

环境是人类生存和繁荣的先决条件，是企业社会责任的重要方面。企业应积极避免或减少施工对环境的负面影响，坚持绿色运营，建造绿色工程，保护工程所在地生态环境，并采取有效措施控制温室气体的排放。

#### **4.6.1 环境管理**

**EN1** 建立、实施、改进环境管理体系，制定承包工程环境管理制度，聘请专业机构对环境管理体系进行认证/注册。

**EN2** 施工前实施环境影响评价，从基于风险和可持续发展的角度评估承包工程活动给环境带来的风险和影响，并采取预防性措施控制给环境带来的风险和影响。



**EN3** 实施环境风险管理,设置工程环境管理机构或岗位,确定环境保护目标和方案,定期审查环保绩效。

**EN4** 建立承包工程环保培训机制,通过宣传教育和培训等形式,提升从事承包工程活动员工的环境保护意识和能力。

#### **4.6.2 资源节约与综合利用**

**EN5** 建立科学合理的资源、能源利用控制体系,将节约资源、能源的理念融入承包工程项目设计、施工的全过程,负责任地使用能源、原材料、土地、水等资源,提高资源利用率。

**EN6** 积极开发利用可替代资源,如可再生能源和清洁能源。

**EN7** 提高承包工程废弃物的再利用与资源化水平,发展循环经济。

#### **4.6.3 降污减排**

**EN8** 制定承包工程降污减排的相关制度,提供专项资金,确保污染物、化学品与其他危险物质的排放数量、处理与销毁的程序与标准达到或超过适用的法律法规要求。

**EN9** 防治污染的措施应当与承包项目主体工程同时设计、同时施工、同时投产使用。

**EN10** 在承包工程项目执行中,采用环保施工工艺和建筑材料,减少施工中的建筑垃圾。

**EN11** 承包工程发生紧急、重大环境污染事件时,应当启动应急机制,及时报告和处理。

**EN12** 将适应气候变化纳入决策过程,采取措施控制温室气体的排放量,减少承包工程对气候变化的影响。

#### **4.6.4 生态保护**

**EN13** 保护珍稀动植物物种及其自然栖息地，减少承包工程对生物多样性的影响。

**EN14** 在承包工程项目执行过程中，注重生态系统（湿地、野生动物走廊、保护区和农业用地）保护，对造成的损害给予及时修复。

**EN15** 倡导和组织企业员工和项目所在地居民开展保护和恢复生态系统的公益行动。

### **4.7 社区参与和发展**

社区是企业重要的外部利益相关方。企业应尊重当地社区传统和文化，尊重人权，参与和支持社区建设、改善民生，实现与当地社区的共同发展。

#### **4.7.1 社区参与和沟通**

**SC1** 在施工前实地考察工程项目所在社区，评估承包工程活动对社区可能造成的影响，了解社区需求并确认优先发展事项。

**SC2** 主动与社区沟通工程相关信息，了解并回应利益相关方的意见和建议。

**SC3** 制定社区参与计划，参与社区公共服务和管理。

**SC4** 组织和支持员工发挥工程技术专业优势，参与社区志愿活动。

#### **4.7.2 就业和培训**

**SC5** 结合工程项目实际，为社区提供尽可能多的就业岗位。

**SC6** 结合社区实际，组织、参与或开发职业技能培训项目，提升社区居民技能水平。

**SC7** 通过与当地机构或组织合作、定制培训等方式，增加社区弱势群体的就业机会。

### 4.7.3 社区发展

SC8 按照当地法律纳税，保障社区发展。

SC9 发挥工程技术专业优势，支持社区交通、通讯、饮水、卫生等公共基础设施建设。

SC10 帮助提高社区公共服务、管理水平和卫生医疗水平，改善社区居住环境。

SC11 结合社区实际，开发特色资源，帮助社区发展特色产业。

### 4.7.4 文化和教育

SC12 尊重和保护社区文化传统和遗产，并在必要时为社区文化活动和项目提供便利。

SC13 支持社区教育发展，增加社区儿童和弱势群体受教育机会，减少社区文盲。

SC14 帮助社区学校改善教育设施，提高教育质量。

### 4.7.5 捐赠和救灾

SC15 支持社区慈善事业发展，为社区发展和防灾减灾提供捐赠。

SC16 发挥工程技术和设备优势，参与社区防灾减灾活动。

## 附 件

### 1. 定义和术语

#### 1) 利益相关方

任何可能受到组织决策与活动的影响，或可能影响组织决策与活动的各利益个体或群体。

#### 2) 责任层次

企业履行社会责任有层次之分，通常可分为必尽责任、应尽责任和愿尽责任。其中必尽责任指法律法规规定的必须承担的责任；应尽责任指高于法律法规要求、利益相关方有明确期望、有助于增强竞争力的、企业应该承担的责任；愿尽责任指法律法规没有明确规定、利益相关方没有明确期望，但有助于社会可持续发展的、企业自愿承担的责任。

#### 3) 组织治理

组织为实现特定目标而制订和实施决策的系统。

#### 4) 社会责任信息披露

企业就其决策和活动产生的经济、社会和环境的影响所进行的系统性信息披露，包括企业履行社会责任的理念、行动、绩效和未来计划等内容。社会责任报告是企业披露社会责任信息的重要载体和工具。

#### 5) 属地化经营

企业在境外经营活动中，遵守东道国法律法规和商业习惯，制定发展战略和规划，合理配置当地资源，实现与东道国共同发展的行为。属地化经营既是一种管理方式和管理规范思路，也是对外承包工程企业应当履行的重要社会责任。

#### 6) 职业健康与安全

影响或可能影响工作场所中员工、暂时性工作人员、供应商与承包方人员、参观者以及其他人员的健康和安全的条件与因素。

#### 7) 童工和未成年工

童工是指未满 16 周岁，与企业发生劳动关系从事有经济收入的劳动的少年儿

童。如果当地法律规定最低工作年龄低于 16 周岁且符合国际劳工组织相关公约的例外规定，则以较低年龄为准。未成年工是指任何超过上述最低工作年龄但不满十八周岁的人。

#### **8) 强迫劳动**

以惩罚相威胁，强迫任何人从事的非本人自愿的一切劳动或服务

#### **9) 业主**

工程建设项目的投资主体或投资人专门为工程建设项目设立的独立法人。

#### **10) 供应商**

直接提供商品及服务的企业及其分支机构、个体工商户，包括制造商、经销商、分包商和其他中介商等。对外承包工程企业的供应商包括建材供应商、设备提供商、分包商、劳务公司等。

#### **11) 商业贿赂**

企业为销售或者购买产品或服务而采用无对价或对价虚假地给付财物或者其他手段贿赂交易对方或者个人的行为。企业的员工采用商业贿赂手段为其销售或者购买产品和服务的行为属于企业的商业贿赂行为。

#### **12) 环境评价**

对规划和建设项目实施后可能造成的环境影响进行分析、预测和评估，提出预防或者减轻不良环境影响的对策和措施，进行跟踪监测的方法与制度。

#### **13) 生物多样性**

指所有来源的活的生物体间的变异性和多元性，这些来源主要包括陆地、海洋和其他水生生态系统及其所构成的生态综合体。生物多样性包括物种内、物种之间和生态系统的多样性。

## 2. 参考文件

参照的法律法规、国际公约、标准体系及相关文件：

### (1) 中华人民共和国相关法律、法规、政策

- 1-1 《中华人民共和国宪法》
- 1-2 《中华人民共和国公司法》
- 1-3 《中华人民共和国合同法》
- 1-4 《中华人民共和国对外贸易法》
- 1-5 《中华人民共和国反不正当竞争法》
- 1-6 《中华人民共和国反垄断法》
- 1-7 《中华人民共和国产品质量法》
- 1-8 《中华人民共和国企业所得税法》
- 1-9 《中华人民共和国科学技术进步法》
- 1-10 《中华人民共和国商标法》
- 1-11 《中华人民共和国专利法》
- 1-12 《中华人民共和国消费者权益保护法》
- 1-13 《中华人民共和国标准化法》
- 1-14 《中华人民共和国环境保护法》
- 1-15 《中华人民共和国节约能源法》
- 1-16 《中华人民共和国水污染防治法》
- 1-17 《中华人民共和国大气污染防治法》
- 1-18 《中华人民共和国固体废物污染环境防治法》
- 1-19 《中华人民共和国环境噪声污染防治法》
- 1-20 《中华人民共和国循环经济促进法》
- 1-21 《中华人民共和国可再生能源法》
- 1-22 《中华人民共和国清洁生产促进法》
- 1-23 《中华人民共和国环境影响评价法》
- 1-24 《中华人民共和国未成年人保护法》
- 1-25 《中华人民共和国安全生产法》
- 1-26 《中华人民共和国工会法》
- 1-27 《中华人民共和国劳动法》
- 1-28 《中华人民共和国职业病防治法》

- 1-29 《中华人民共和国残疾人保障法》
- 1-30 《中华人民共和国妇女权益保障法》
- 1-31 《中华人民共和国就业促进法》
- 1-32 《中华人民共和国公益事业捐赠法》
- 1-33 《中华人民共和国保守国家秘密法》
- 1-34 《中华人民共和国劳动合同法》
- 1-35 《中华人民共和国劳动争议调解仲裁法》
- 1-36 《中华人民共和国环境影响评价法》
- 1-37 《中华人民共和国专利法》
- 1-38 《对外承包工程管理条例》
- 1-39 《对外承包工程资格管理办法》
- 1-40 《建筑工程质量管理条例》
- 1-41 《最低工资规定》
- 1-42 《工伤保险条例》
- 1-43 《再生资源回收管理办法》
- 1-44 《节能中长期专项规划》
- 1-45 《残疾人就业条例》
- 1-46 《集体合同规定》
- 1-47 《禁止使用童工规定》
- 1-48 《女职工劳动保护规定》
- 1-49 《未成年工特殊保护规定》
- 1-50 《职工带薪年休假条例》
- 1-51 《全国年节及纪念日放假办法》
- 1-52 《关于禁止商业贿赂行为的暂行规定》
- 1-53 国务院国有资产监督管理委员会《关于中央企业履行社会责任的指导意见》
- 1-54 财政部等五部委联合发布《企业内部控制配套指引》

## **(2) 中国各类组织社会责任指南和管理体系**

- 2-1 上海证券交易所《上市公司环境信息披露指引》
- 2-2 上海证券交易所《公司履行社会责任的报告》编制指引
- 2-3 深圳证券交易所《上市公司社会责任指引》
- 2-4 中国工业经济联合会《中国工业企业及工业协会社会责任指南》
- 2-5 《中国企业社会责任报告编写指南（CASS-企业社会责任 1.0）》
- 2-6 《CSC9000T中国纺织服装企业社会责任管理体系总则及细则（2008年版）》

### (3) 国际公约

- 3-1 《世界人权宣言》
- 3-2 《公民和政治权利国际公约》
- 3-3 《经济、社会和文化权利国际公约》
- 3-4 《消除对妇女一切形式歧视公约》
- 3-5 《儿童权利公约》
- 3-6 《残疾人权利公约》
- 3-7 《联合国气候变化框架公约》及其京都议定书
- 3-8 《生物多样性公约》
- 3-9 《保护工业产权巴黎公约》
- 3-10 《世界版权公约》
- 3-11 《联合国反腐败公约》
- 3-12 国际劳工组织相关公约

### (4) 国际组织制定的相关文件

- 4-1 联合国《全球契约》
- 4-2 ISO 26000 国际社会责任标准 (FDIS 稿)
- 4-3 ISO 14001:2004 环境管理体系规范及使用指南
- 4-4 OHSAS 18001:2007 职业健康与安全管理体系规范
- 4-5 ISEAL制定社会环境标准良好实践准则 (5.01)

## 3. 社会责任测评

本评估表为企业提供了自我评估社会责任水平和现状的工具，以便企业持续改进社会责任实践，提升社会责任绩效。企业可结合《指引》，根据实际情况选择相应选项，对自身社会责任实践进行检测和评价。

**表 2 中国对外承包工程企业社会责任实践自评表**

议题	要求	企业社会责任履行现状					
		差(1分)	较差(2分)	一般(3分)	较好(4分)	好(5分)	不适用
社会责任管理	MG1						
	MG2						
	MG3						
	MG4						
	MG5						



议题	要求	企业社会责任履行现状					
		差(1分)	较差(2分)	一般(3分)	较好(4分)	好(5分)	不适用
	MG6						
	MG7						
	MG8						
	MG9						
工程质量与安全	QS1						
	QS2						
	QS3						
	QS4						
	QS5						
	QS6						
	QS7						
	QS8						
	QS9						
	QS10						
	QS11						
员工权益与职业发展	HR1						
	HR2						
	HR3						
	HR4						
	HR5						
	HR6						
	HR7						
	HR8						
	HR9						
	HR10						
	HR11						
	HR12						
	HR13						
	HR14						
	HR15						
	HR16						
	HR17						
	HR18						
	HR19						
	HR20						
	HR21						
	HR22						
	HR23						
客户(业主)权益	CL1						
	CL2						
	CL3						

议题	要求	企业社会责任履行现状					
		差(1分)	较差(2分)	一般(3分)	较好(4分)	好(5分)	不适用
	CL4						
	CL5						
	CL6						
	CL7						
	CL8						
	CL9						
	CL10						
供应链管理	SU1						
	SU2						
	SU3						
	SU4						
	SU5						
	SU6						
	SU7						
	SU8						
	SU9						
	SU10						
	SU11						
公平竞争	FC1						
	FC2						
	FC3						
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环境保护	EN1						
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议题	要求	企业社会责任履行现状					
		差(1分)	较差(2分)	一般(3分)	较好(4分)	好(5分)	不适用
	EN15						
社区参与 和发展	SC1						
	SC2						
	SC3						
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	SC10						
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	SC15						
	SC16						

**评分说明：**

- 1分：**基本没有按此项要求去做，或者在运营管理中尚未考虑到此项要求
- 2分：**意识到此项要求的重要性，计划或已经在实践中进行初步尝试
- 3分：**能够在企业运营管理中较多考虑并实施此项要求
- 4分：**企业运营管理基本符合并长期地执行此项要求，并且效果较好
- 5分：**社会责任实践完全符合此项要求，并建立了完善、系统的监督保障机制
- 不适用：**企业因经营领域不同或处于不同发展阶段，认为部分指标不适用于自身评估。



# Guide on Social Responsibility for Chinese International Contractors

China International Contractors Association  
2012. 9



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## Foreword

Fulfilling social responsibility is an important approach as well as assurance for enterprises to achieve mutually beneficial development with stakeholders. Integrating social responsibility into corporate strategy and daily management is beneficial to the sustainable profitability and long-term development of enterprises, the protection of legal rights and interests of employees and other stakeholders, the creation of a sound operating environment, and ultimately, to the realization of the mutual, sustainable and harmonious development of enterprises with the society and the environment. Building social responsibility of Chinese international project contracting industry is relevant to the transition of the industry' s development model, the implementation of China' s “mutual benefits, win-win and opening up” strategy, and the sound development of the global project contracting market.

Chinese international contractors attach great importance to corporate social responsibility (CSR), and in recent years have comprehensively promoted social responsibility-concerned ideas and practices. This has significantly enhanced the awareness and the capacity to deliver on social responsibility within the industry. Entrusted by China' s Ministry of Commerce (MOFCOM), based on the practices of its member enterprises, China International Contractors Association (CHINCA) has formulated this *Guide on Social Responsibility for the Chinese International Contracting Industry* (hereinafter “the *Guide*”), to establish a benchmark of social responsibility for the industry and to encourage enterprises to uphold their global responsibility and operate overseas contracting projects in a more responsible way.

The *Guide* defines, *inter alia*, the scope of application and the definition and basic principles of social responsibility, and provides specific requirements on social responsibility management as well as on core social responsibility subjects, including project quality and safety, employee rights and career development, customer (proprietor) rights, supply chain management, fair competition, environmental protection, and community involvement and development. The *Guide* reflects international consensus on social responsibility as embedded in the United Nations Global Compact and the ISO 26000 Guidance on Social Responsibility; it also summarizes and incorporates recent industry best practices

and enshrines the common understanding of the Chinese international contracting industry towards social responsibility.

The *Guide* adheres to the working procedures of international norms, emphasizing procedural standardization and transparency as well as the ideas and suggestions of stakeholders acquired through field study in enterprises, survey questionnaires, seminars and online consultation. Representatives from industry enterprises supported the drafting of the *Guide* along with experts and scholars. The Sino-German Corporate Social Responsibility Project<sup>2</sup> supported the drafting of the *Guide* through consultancy services by GoldenBee Management Co. Ltd. as well as domestic and international experts.

As a guidance document for the industry' s construction of social responsibility, the *Guide* is made and promulgated by China International Contractors Association, and is subject to revision and amendment duly in accordance to its implementation by member enterprises and the development of the industry.

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<sup>2</sup> The Sino-German Corporate Social Responsibility (CSR) Project is implemented by Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ). Its cooperation partner is the Department of WTO Affairs of the Ministry of Commerce of the P.R.C. (MOFCOM).

## 1 Scope of Application

1.1 The *Guide* applies to all relevant activities of Chinese enterprises operating overseas contracting projects, as well as all relevant activities conducted in China that support overseas contracting projects.

1.2 The *Guide* is to be used as a guidance document for Chinese international contractors establishing social responsibility systems, advancing social responsibility management, disclosing social responsibility information, and continuously improving social responsibility performance.

1.3 The *Guide* does not exhaust all possible requirements relating to social responsibility, nor does it exclude concurrent or supplementary application with other social responsibility standards, systems, or initiatives.

## 2 Definition and Basic Principles of Social Responsibility

2.1 Social responsibility as outlined in the *Guide* means that Chinese international contractors, in decision-making and activities, shall consider the expectations of such stakeholders as customers (proprietors), employees, suppliers (subcontractors), partners, and local communities, and shall take responsibility for their impacts on the economy, society, and the environment in a transparent and ethical way so as to promote the sustainable development of both enterprises and society.

2.2 In fulfilling their social responsibility, Chinese international contractors shall act in accordance with the following basic principles:

- **Observe laws and regulations:** protect national and public interests, observe laws and regulations of the host country or region and relevant regulations of the Chinese government, and follow internationally recognized business practices.
- **Respect stakeholders:** engage in stakeholder communication and incorporate all reasonable expectations and requirements of stakeholders into corporate activities.
- **Operate transparently and behave ethically:** disclose public decisions and activities that significantly impact local society, the economy, and the environment, and conduct corporate activities according to the requirements of ethical behavior.
- **Sustain mutual development:** promote the economic and social progress and environmental protection of the host country, and realize

mutual development with the local community.

- **Continuously improve performances:** fulfill social responsibility according to the appropriate development stage and practical situation of the enterprise, and continuously improve social responsibility performance in line with different levels of responsibility.

### 3 Social Responsibility Management

Social responsibility management is a series of managerial activities that an enterprise conducts to incorporate social responsibility into its decision-making and operations. These include setting up organizational structures, establishing relevant systems, building capacity, continuously improving overall performance, identifying stakeholders, disclosing social responsibility information, and managing social responsibility crises.

#### 3.1 Organizational Structure

**MG1** Appoint or set up decision-making and coordinating bodies for social responsibility management according to the governance structure and operational status of the enterprise. The decision-making body shall formulate social responsibility strategy and supervise its implementation, while the coordinating body shall conduct internal and external social responsibility communications, promote the integration of social responsibility into daily operations in order to guarantee consistency in strategy, policy and implementation, and raise awareness of social responsibility to improve overall employee capacity. The coordinating body shall also evaluate social responsibility performance.

#### 3.2 System Establishment

**MG2** Analyze opportunities and challenges for the sustainable development of the enterprise and integrate a social responsibility dimension into the development strategy. Senior management shall publish the enterprise's social responsibility policy and make public commitments to social responsibility.

**MG3** On the basis of the social responsibility management structure, establish and improve social responsibility management systems relating to social responsibility planning, implementation, tracking

and checking, and review, and the disclosure of information to ensure the normalization and standardization of social responsibility.

### **3.3 Capacity Building**

**MG4** Develop and implement social responsibility training scheme and conduct staff training according to the social responsibility impacts of different employees. Deliver specific trainings to staff in management positions, while learning and using national and international best practices in social responsibility.

### **3.4 Continuous Improvement**

**MG5** Establish and improve monitoring and evaluation mechanisms, incorporate the key indicators of enterprise' s social responsibility performance with staff performance evaluations. Regularly assess the social and environmental impacts of the enterprise' s operations, and make and implement corresponding improvement plan.

### **3.5 Stakeholders**

**MG6** Stakeholders refer to any interested individuals or groups that may be potentially influenced by, or influence the decisions and activities of, an enterprise. Major stakeholders of international contracting enterprises include shareholders, investors, employees, customers (proprietors), partners (suppliers and subcontractors), governments, industry organizations, and communities (the public and media/NGO). Enterprises shall establish stakeholder engagement mechanisms to guarantee the participation of stakeholders and their access to information and supervision.

**Table 1 Primary Methods of Stakeholder Engagement**

Purpose of communication	Major stakeholders	Methods of engagement	Basic requirements
Information exchange	Employees, shareholders, investors, customers (proprietors), governments, partners, community (media/NGO)	Staff training, correspondence, company pamphlet, company website, company showcase, press release, working report	Select proper information disclosure method and answer stakeholders' questions in a timely manner
Needs assessment	Customers (proprietors), partners, community (media/NGO), employees	Questionnaires and surveys, expert interviews, workshops, on-site visits	Fully consider suggestions and recommendations from all parties
Two-way communication	Employees, shareholders, investors, governments, community (media/NGO)	Multi-stakeholder forum, high level dialogue platforms, collective negotiation, regular consultation	Reach consensus and win-win through mutual trust, fair dialogue, full communication
Collaboration	Customers (proprietors), governments, partners, community (media/NGO), industry organizations	Join industry organizations, cooperation on projects, organizational alliances	Full cooperation, complementary advantages, jointly create comprehensive values

### 3.6 Social Responsibility Information Disclosure

**MG7** Establish and improve social responsibility information disclosure mechanisms and provide information on social responsibility performance to stakeholders in a timely manner. Disclosure methods include daily communication channels such as the enterprise website and internal publications, regularly published social responsibility or sustainability reports, and tailored communication activities.

### 3.7 Social Responsibility Crisis Management

**MG8** Build up crisis awareness and risk awareness mechanisms, analyze and identify social responsibility risks and assess how they impact

international contracting activities and projects, including the operating environment. Establish and improve precautionary mechanisms and prevent crises through effective stakeholder communication.

- MG9** Establish and improve response plans, effectively control and address social responsibility crises and incidents, and prevent the expansion of adverse impact.

## **4 Social Responsibility Core Subjects**

### **4.1 Project Quality and Safety**

Project quality and safety is of fundamental importance to the Chinese overseas project contracting industry. Enterprises shall strengthen their quality and safety management systems, assume strict quality control throughout the development of projects, optimize and innovate processes and techniques, and constantly improve project quality and ensure project safety.

#### **4.1.1 Project quality**

- QS1** Undertake projects within the scope of qualification levels.
- QS2** Establish a project quality management system, carry out quality management certification, and undertake projects within the scope of relevant quality certifications.
- QS3** Establish a project quality management unit or supervising position responsible for the daily management of project quality.
- QS4** Establish and improve education and training systems to improve quality awareness and quality control skills of employees.
- QS5** Establish and improve material and equipment procurement systems and project quality inspection systems, conduct checks and inspections on building materials, equipment, engineering techniques and processes according to engineering design specifications, technical criteria, and contract agreements.
- QS6** Undertake quality assurance for different types of projects in accordance with contracts, select and manage subcontractors in a stringent way, and conduct uniform monitoring and management of subcontractors with respect to project quality.
- QS7** Optimize and innovate techniques and processes to improve project quality and efficiency.

**QS8** Carry out contracted projects according to project design and technical criteria. When the engineering quality standard of the proprietor or of the host country is lower than that of the enterprise or Chinese standard, the higher standard shall be recommended.

#### **4.1.2 Project safety**

**QS9** Establish a project safety management system and a safety management organization or position responsible for daily management of project safety.

**QS10** Establish a safety education and training system to improve safety awareness and the overall skills of employees.

**QS11** Develop a safety emergency response plan, properly handle all accidents in international contract projects, and deliver timely and factual reports to stakeholders concerned.

## **4.2 Employee Rights and Career Development**

Employees are a core stakeholder of an enterprise as well as its most creative resource for development. Enterprises should respect human rights and guarantee the legal rights of Chinese and foreign employees, respect and care for their employees, and achieve mutual development with employees.

### **4.2.1 Equal and regular employment**

**HR1** Establish an equal employment system and treat applicants of different ethnicities, genders, races, nationalities, age, religions, disabilities, marital status and sexual orientation equally. Protect personal information and privacy.

**HR2** Do not recruit or use child labor, do not use or tolerate forced labor in any form, and observe local regulations on working time.

**HR3** Do not charge service or management fees for the purpose of profit or demand a performance bond or any guarantees prohibited by Chinese laws and regulations from employees dispatched abroad.

**HR4** Sign labor contracts with employees according to the law or provide other forms of documents establishing a regular employment relationship.



#### **4.2.2 Remuneration and benefits**

- HR5** Remuneration shall be no lower than the local minimum standard or common industry standard. Salary shall be paid regularly and in full, and benefits such as social insurance payments shall be provided as required by law.
- HR6** Establish an employee salary growth mechanism.
- HR7** Provide overseas accident insurance for overseas employees.
- HR8** Provide employees with benefits according to local customs and business practices.
- HR9** Guide or help overseas employees in remuneration planning.

#### **4.2.3 Occupational health and safety**

- HR10** Establish and improve health and safety management systems, operating rules and contingency plans. Establish an accountability system for workplace safety.
- HR11** Organize safety operator training for employees, raise occupational risk awareness, and enhance employees' safety knowledge and skills.
- HR12** Establish a systematic health and safety risk evaluation and detection system, analyze health and safety risks for all overseas contracted projects, and record and investigate health and safety incidents and problems in the workplace.
- HR13** Control and eliminate hazards that threaten employees' health and safety, strengthen regular maintenance of project equipment, provide healthy and safe work and living conditions and safe facilities to prevent occupational injuries, illness and accidents. Handle emergency situations to minimize hidden hazards to health and safety in the workplace.
- HR14** Disseminate information on matters related to health, conduct project-related health trainings, and improve disease prevention measures, especially for highly contagious illnesses, e.g., HIV/AIDS.

#### **4.2.4 Employee career development**

- HR15** Establish employee-training mechanisms and provide

occupational skills training to employees.

**HR16** Conduct trainings on language, culture, law, and psychological health for employees before overseas dispatch.

**HR17** Guide employees in career development, establish and improve staff promotion schemes.

**HR18** Pay attention to the cultivation of local employees and promote staff localization and the mutual respect, understanding and harmonization between employees with different cultural backgrounds.

**HR19** Support employees to participate in training and education programs that raise work capacity and quality, and provide necessary funds for employees' occupational skills training and education.

#### **4.2.5 Employee communication and participation**

**HR20** Establish employer-employee negotiation mechanisms in accordance with local laws and practices, and support employees' participation in management.

**HR21** Respect employees, establish two-way communication channels and mechanisms between the enterprise and employees,, and learn and respond to employees' expectations and claims.

#### **4.2.6 Employee care**

**HR22** Help employees keep work-life balance, and conduct necessary activities to prevent adverse mental effects.

**HR23** Take care of employees and their families, help those with difficulties, and encourage employees to help each other.

### **4.3 Customer (Proprietor) Rights**

Customers (proprietors) are essential to the survival and development of an enterprise. Enterprises shall honor contracts, provide customers with high quality project service, and ensure customers' rights so as to continuously raise customer satisfaction and help customers realize their own maximum value.

#### **4.3.1 Information and communication**

- CL1** Provide true, fair, and complete information on project services so that customers (proprietors) can make decisions in a transparent and equitable way.
- CL2** Establish smooth communication channels with customers and conduct regular, specific, and open dialogue.
- CL3** Communicate in a timely manner with proprietors on changes to project planning, processes, and materials.

#### **4.3.2 Customers rights and privacy**

- CL4** Sign fair project contracts in accordance with laws and general industrial practices, and develop and deliver projects pursuant to contracts.
- CL5** Acquire customers' information fairly and lawfully, and take necessary measures to protect customers' privacy and information on project safety.
- CL6** Conduct customer satisfaction surveys and work to meet all reasonable requirements of customers.

#### **4.3.3 Responsible project and service**

- CL7** Provide customers with projects and services that conform to the laws and regulations of the host country concerning quality, safety, and environmental protection, and ensure that projects benefit the local society and the environment during the project life cycle.
- CL8** Encourage customers to pursue sustainable projects and/or services through information dissemination and education.
- CL9** Provide necessary post-construction maintenance services for projects through proper means.
- CL10** Conduct risk and life cycle assessments for new materials, processes, and methods in order to avoid hidden hazards for projects.

## 4.4 Supply Chain Management

The supply chain is the aggregation of all product and service suppliers of an enterprise. These suppliers include manufacturers, distributors, subcontractors, and other intermediary parties. The supply chain for overseas project contracting enterprises includes material and equipment suppliers, subcontractors, and service providers. Supply chain management is a pivotal link for the overseas project contracting industry to minimize its operational risks, enhance its competitive advantages, and ensure its robust development. Enterprises should strengthen their unified management of suppliers, ensure rights, and increase social responsibility awareness and capacity.

### 4.4.1 Protection of rights and interests

- SU1 Develop measures that guarantee the legal rights and interests of suppliers and contractors, publish procurement principles and criteria, and publish policy and commitments for suppliers and contractors.
- SU2 Prevent and control commercial bribery and other forms of corruption in the process of procurement and subcontracting.
- SU3 Sign procurement and subcontracting contracts, and do not intentionally get into arrears with contract payments.

### 4.4.2 Responsible procurement and subcontracting

- SU4 Develop a procurement and subcontracting management system for overseas projects, select suppliers and subcontractors with appropriate qualifications, and uniformly manage project quality, workplace safety, environmental protection, and labor practices of subcontractors.
- SU5 Raise clear social responsibility requirements to suppliers and subcontractors and incorporate social responsibility standards on ethics and environmental protection into procurement and subcontracting contracts; encourage subcontractors to use energy-saving and environmentally friendly equipment and materials to reduce as much as possible any negative impact of project construction on humans and the environment.

- SU6** Encourage and support suppliers that fulfill social responsibility by such measures as keeping or increasing orders.
- SU7** Assist suppliers and subcontractors in raising social responsibility awareness and continuously improving their social responsibility performances through such means as auditing, training, and coaching.
- SU8** Encourage and support the application of social responsibility standards or systems, or the participation in social responsibility initiatives by suppliers and subcontractors.
- SU9** Utilize cooperative approaches for subcontracting and integrate advantages and resources of various parties for risk and benefit sharing.

#### **4.4.3 Localized procurement**

- SU10** Whenever possible give priority to the procurement of local products and services to advance localized operations.
- SU11** Facilitate local suppliers and subcontractors to improve their technical proficiency and management levels.

### **4.5 Fair Competition**

Fair competition refers to open, just, and equal competition among overseas project contracting enterprises, including between Chinese enterprises and foreign peers. Enterprises should respect competitors and compete lawfully and fairly to maintain order in the industry.

#### **4.5.1 Safeguarding industrial order for development**

- FC1** Observe industry self-discipline rules, and improve awareness of fair competition.
- FC2** Enhance transparency of enterprise operations according to all legal requirements or contractual agreements, and create a transparent operational environment for the industry.
- FC3** Compete in a fair manner, and establish anti-corruption systems and long-term anti-corruption mechanisms to eradicate business corruption and other unfair competition practices.
- FC4** Support the formulation and implementation of public policies

that promote fair competition in the industry.

- FC5** Help small- and medium-sized enterprises in the overseas project contracting industry to raise their social responsibility awareness and capacity.

#### **4.5.2 Respect for intellectual property rights**

- FC6** Observe policies and practices that protect intellectual property rights and traditional culture, and ensure legal ownership of resources used or administered.

- FC7** Provide reasonable compensation for intellectual property rights acquired or used.

#### **4.5.3 Independent innovation and technological progress**

- FC8** Establish and improve technological innovation mechanisms, increase input in research and development, raise independent innovation capacity, and strengthen core competitive advantages.

- FC9** Strengthen innovation of key industry technologies, promote technological progress of the contracting project industry, and fortify the international competitiveness of the industry as a whole.

### **4.6 Environmental Protection**

The environment is central to the survival and prosperity of human beings as well as a significant aspect of social responsibility. Enterprises should actively avoid or reduce a project's adverse impact on the environment, uphold green operations, build green projects, protect the ecological environment in which a project is located, and take effective measures to control greenhouse gas emissions.

#### **4.6.1 Environmental management**

- EN1** Establish, implement, and improve environmental management systems, develop environmental management schemes for all contracting projects, and invite specialized institutions to conduct environmental management system certification/registration.

- EN2** Conduct environmental impact assessments prior to the construction of projects, evaluate risks and impacts of project activities on the environment with respect to risk management and sustainable development, and take preventive measures to control such risks and impacts on the environment.
- EN3** Carry out environmental risk management, establish a project environmental management organization or position, identify environmental protection goals and schemes, and regularly check environmental performances.
- EN4** Establish environmental protection training mechanisms for contracting projects and raise awareness and capacity of environmental protection among employees through information dissemination, education, and training.

#### **4.6.2 Resource saving and comprehensive utilization**

- EN5** Establish a scientific resource and energy utilization control system, incorporate resource and energy saving into the design and implementation of projects, and use resources such as energy, raw materials, land, and water responsibly to increase their utilization efficiency.
- EN6** Actively develop and use replaceable resources such as renewable energy and clean energy.
- EN7** Improve the recycling and reclamation level of waste from contracting projects, and develop a circular economy.

#### **4.6.3 Waste and emission reduction**

- EN8** Develop a system to reduce waste and emissions, provide special funds to guarantee the procedures and standards for discharge amount, processing and the destruction of pollutants, and ensure all chemicals and other hazardous materials reach or surpass applicable legal requirements.
- EN9** Measures that prevent pollution should be designed, implemented, and utilized by projects.
- EN10** Use environmentally friendly technology and materials to reduce wastes during the implementation of projects.

**EN11** In the case that critical and significant environment pollution occurs, initiate contingency measures and report and handle in a timely manner.

**EN12** Integrate adaptation to climate change into decision-making, and take measures to control greenhouse gas emissions, reduce impacts of projects on climate change.

#### **4.6.4 Ecological protection**

**EN13** Protect rare and precious fauna and flora species and their natural habitat, and reduce a project' s impact on biological diversity.

**EN14** During the implementation of a project, pay attention to the protection of ecological systems (wetland, wild animal passage, protection zones and farmland) and restore in a timely manner damages that have already occurred.

**EN15** Encourage and organize employees of the enterprise and local inhabitants to conduct charity activities aiming at protecting and restoring ecological systems.

### **4.7 Community Involvement and Development**

The community is an important external stakeholder for enterprises. Enterprises should value local traditions and culture, respect human rights, improve people' s livelihoods, and participate in and support the construction of local community projects to achieve mutually beneficial development.

#### **4.7.1 Community involvement and communication**

**SC1** Visit the communities where a project is located and evaluate the potential impacts of project activities on the community, learn the needs of the community, and identify development priorities.

**SC2** Actively communicate project related information and learn and respond to the opinions and suggestions of stakeholders.

**SC3** Develop community engagement plans and participate in community and public service and management activities.

**SC4** Organize and support employees with professional advantages to engage in community volunteer activities.



#### **4.7.2 Employment and training**

- SC5** Offer maximum job opportunities to the community, taking into consideration the practical situation of the project.
- SC6** Organize, participate in, and/or develop occupational skills training programs to improve the capacities of community inhabitants on the basis of the needs of the community.
- SC7** Increase job opportunities for vulnerable groups within the community by collaborating with local institutions or organizations and developing special training programs.

#### **4.7.3 Community development**

- SC8** Pay tax in accordance with the law to guarantee community development.
- SC9** Utilize project skills and support the development of public infrastructure in the community, including transportation, telecommunication, drinking water, and sanitation.
- SC10** Help advance public services, management, and health care systems of the community to improve living conditions.
- SC11** Taking into consideration community practicalities, explore local resources to help the community develop featured industries.

#### **4.7.4 Culture and education**

- SC12** Respect and protect the cultural traditions and heritage of the community, and provide support for community cultural activities and projects when necessary.
- SC13** Support the development of community education, increase education opportunities for children and vulnerable groups, and reduce illiteracy in the community.
- SC14** Help improve education facilities in the community and enhance education quality.

#### **4.7.5 Donation and disaster relief**

- SC15** Support philanthropy initiatives and offer donations for community development and disaster prevention and relief.

- SC16** Take advantage of project technology and facilities to engage in community disaster prevention and relief.

## Annexes

### 1. Definitions and Terms

#### 1) Stakeholders

A stakeholder is an individual or group that can affect or be affected by the decisions and activities of an organization.

#### 2) Responsibility Levels

The fulfillment of social responsibility has different levels, namely, compulsory responsibility, obligatory responsibility, and voluntary responsibility. Compulsory responsibility is the responsibility that shall be fulfilled by enterprises according to laws and regulations; obligatory responsibility refers to responsibility that is above the requirements of laws and regulations, beyond the expectation of the stakeholders, yet beneficial to enhancing the competitiveness of enterprises, and supposed to be undertaken by enterprises; voluntary responsibility is responsibility that enterprises may undertake on a voluntary basis without the requirements of laws and regulations, or explicit expectations of the stakeholders, but that is beneficial to the sustainable development of the society and is voluntarily undertaken by enterprises.

#### 3) Organizational Governance

Governance is a system through which an organization makes and implements decisions to achieve specific objectives.

#### 4) Social Responsibility Information Disclosure

The systematic disclosure of information on the impacts on the economy, society and the environment by the decisions and activities of an enterprise, including the perspectives, actions, performances, and future plans in fulfilling social responsibility. A social responsibility report is an important instrument for enterprises to disclose social responsibility information.

#### 5) Localized Operation

In overseas operations, enterprises observe laws, regulations and business practices of the host country, develop strategies and planning, properly allocate local resources and achieve mutual development with the host country. Localized operation is a business management approach, as well as

an important aspect of social responsibility that overseas project contracting enterprises should fulfill.

#### **6) Occupational Health and Safety**

Conditions and factors that affect, or could affect, the health and safety of employees and/or other workers, including temporary workers and contractor personnel, visitors, or any other person in the workplace.

#### **7) Child Labor and Juvenile Workers**

**Child labor** refers to teenagers and children under the age of 16 who enter into work relations with enterprises and work for economic income. If, however, the minimum working age prescribed by local law is lower than 16 years, and if that is compatible with exceptions as provided by relevant ILO conventions, the lower age shall apply. **Juvenile workers** refer to people over the minimum working age defined above and under the age of 18 years.

#### **8) Forced Labor**

Any work or service which is exacted from a person under the menace of penalty and for which the said person has not offered himself voluntarily.

#### **9) Proprietor**

The independent legal entity specially set up for a particular project by the investment entity or investors.

#### **10) Supplier**

A supplier refers to enterprises, their branches, and individual businesses that directly provide goods and services, including manufacturers, distributors, subcontractors and other agencies. Suppliers for overseas project contracting enterprises include building material suppliers, equipment suppliers, subcontractors, and labor service companies.

#### **11) Commercial Bribery**

Commercial bribery refers to the enterprise behavior of giving property to another entity or individual without equal compensation or with false compensation or in other means in order to sell or purchase commodities or services. Commercial bribery committed by employees of an enterprise for selling or purchasing commodities or services for the enterprise shall be regarded as the enterprise's act.

#### **12) Environmental Assessment**

Environment assessment is a method and system for analyzing, forecasting, and assessing the potential impact on the environment after the

implementation of plans and construction projects; for putting forward strategies and measures to prevent or alleviate adverse impacts on the environment; and for carrying out follow-up and monitoring.

### **13) Biological Diversity**

Biological diversity is the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems.

## **2. References**

**Laws and regulations, international conventions, standard systems and related documents referenced**

### **(1) Chinese laws, regulations and policies**

- 1-1 Constitution of the People's Republic of China
- 1-2 Company Law of the People's Republic of China
- 1-3 Contract Law of the People's Republic of China
- 1-4 Foreign Trade Law of the People's Republic of China
- 1-5 Law of the People's Republic of China on Anti-Unfair Competition
- 1-6 Anti-monopoly Law of the People's Republic of China
- 1-7 Law of the People's Republic of China on Product Quality
- 1-8 Law of the People's Republic of China on Enterprise Income Tax
- 1-9 Law of the People's Republic of China on Science and Technology Progress
- 1-10 Trademark Law of the People's Republic of China
- 1-11 Patent Law of the People's Republic of China
- 1-12 Law of the People's Republic of China on the Protection of Consumers' Rights and Interests
- 1-13 Standardization Law of the People's Republic of China
- 1-14 Environmental Protection Law of the People's Republic of China
- 1-15 Law of the People's Republic of China on Energy Conservation
- 1-16 Law of the People's Republic of China on Prevention and Control of Water Pollution
- 1-17 Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution

- 1-18 Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Waste
- 1-19 Law of the People's Republic of China on the Prevention and Control of Environmental Noise Pollution
- 1-20 Circular Economy Promotion Law of the People's Republic of China
- 1-21 Law of the People's Republic of China on Regenerable Energies
- 1-22 Cleaner Production Promotion Law of the People's Republic of China
- 1-23 Law of the People's Republic of China on Environmental Impact Assessment
- 1-24 Law of the People's Republic of China on the Protection of Minors
- 1-25 Law of the People's Republic of China on Work Safety
- 1-26 Trade Union Law of the People's Republic of China
- 1-27 Labor Law of the People's Republic of China
- 1-28 Law of the People's Republic of China on Prevention and Control of Occupational Diseases
- 1-29 Law of the People's Republic of China on the Protection of Disabled Persons
- 1-30 Law of the People's Republic of China on the Protection of Rights and Interests of Women
- 1-31 Law of the People's Republic of China on Promotion of Employment
- 1-32 Law of the People's Republic of China on Donation for Public Welfare Undertakings
- 1-33 Law of the People's Republic of China on Guarding State Secrets
- 1-34 Labor Contract Law of the People's Republic of China
- 1-35 Law of the People's Republic of China on Labor Dispute Mediation and Arbitration
- 1-36 Law of the People's Republic of China on Environmental Impact Assessment
- 1-37 Patent Law of the People's Republic of China
- 1-38 Administrative Regulation on Contracting Foreign Projects
- 1-39 Competence for Contracting Foreign Construction Projects
- 1-40 Regulation on the Quality Management of Construction Projects
- 1-41 Regulations on Minimum Wages
- 1-42 Regulation on Work-Related Injury Insurances
- 1-43 Renewable Resource Recovery Management Regulations
- 1-44 Mid- and Long-Term Energy Conservation Plan
- 1-45 Regulation on the Employment of the Disabled
- 1-46 Collective Contract Provisions

- 1-47 Provisions on Prohibition of Child Labor
- 1-48 Regulations on the Labor Protection for Female Workers
- 1-49 Regulations for the Special Protection of Juvenile Employees
- 1-50 Regulation on Paid Annual Leave for Employees
- 1-51 Regulation on Public Holidays for National Annual Festivals and Memorial Days
- 1-52 Interim Regulations on Prohibiting Commercial Bribery
- 1-53 Guidelines to the State-owned Enterprises Directly under the Central Government on Fulfilling Corporate Social Responsibilities, State-owned Assets Supervision and Administration Commission of the State Council (SASAC)
- 1-54 Internal Control Supporting Guidelines, Ministry of Finance and other four Ministries

## **(2) Social responsibility guidelines and management systems developed by Chinese organizations**

- 2-1 Guidelines for Disclosure of Environmental Information of Listed Companies, Shanghai Stock Exchange (SSE)
- 2-2 Guide on Report of Fulfilling Social Responsibility by Companies, Shanghai Stock Exchange (SSE)
- 2-3 Social Responsibility Guidelines for Listed Companies, Shenzhen Stock Exchange (SSE)
- 2-4 Guidance on Social Responsibilities of Industries (GSRI-China, 2nd ed.), China Federation of Industrial Economics (CFIE)
- 2-5 China CSR Reporting Guideline (CASS-CSR1.0)
- 2-6 China Social Compliance for Textile and Apparel Industry (CSC9000T, 2008), China National Textile and Apparel Council (CNTAC)

## **(3) International conventions**

- 3-1 Universal Declaration of Human Rights (UDHR)
- 3-2 International Covenant on Civil and Political Rights (ICCPR)
- 3-3 International Covenant on Economic, Social and Cultural Rights (ICESCR)
- 3-4 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- 3-5 Convention on the Rights of the Child (CRC)

- 3-6 Convention on the Rights of Persons with Disabilities (CRPD)
- 3-7 United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol
- 3-8 Convention on Biological Diversity (CBD)
- 3-9 Paris Convention for the Protection of Industrial Property (PCPIP)
- 3-10 Universal Copyright Convention (UCC)
- 3-11 United Nations Convention against Corruption (UNCAC)
- 3-12 Relevant Conventions of the International Labour Organization (ILO)

#### **(4) Relevant documents by international organizations**

- 4.1 United Nations Global Compact (UNGC)
- 4-1 ISO 26000:2010 Guidance on Social Responsibility (ISO 26000)
- 4-2 Environmental Management Systems – Requirements with Guidance for Use (ISO 14001:2004)
- 4-3 Occupational Health and Safety Management System Standard (OHSAS 18001:2007)
- 4-4 Code of Good Practice for Setting Social and Environment Standards (ISEAL 5.01)

### **3. Social Responsibility Assessment**

The evaluation form below is a self-assessment tool for enterprises to evaluate their performance status in social responsibility, so as to enhance social responsibility practice, and improve social responsibility performance continuously. Enterprises can test and evaluate their social responsibility practices by linking this form to the *Guide*, and then selecting appropriate options according to their actual situations.

**Table 2: Social Responsibility Self-evaluation Form for Chinese International Contractors**

Topics	Require-ment	Corporate Social Responsibility Performance					
		Very Poor (1 point)	Poor (2 points)	Fair (3 points)	Good (4 points)	Very Good (5 points)	Not applicable
Social responsibility management	MG1						
	MG2						
	MG3						
	MG4						
	MG5						
	MG6						
	MG7						
	MG8						
	MG9						
Project quality and safety	QS1						
	QS2						
	QS3						
	QS4						
	QS5						
	QS6						
	QS7						
	QS8						
	QS9						
	QS10						
	QS11						
Employee rights and career development	HR1						
	HR2						
	HR3						
	HR4						
	HR5						
	HR6						
	HR7						
	HR8						
	HR9						
	HR10						
	HR11						
	HR12						



Topics	Require-ment	Corporate Social Responsibility Performance					
		Very Poor (1 point)	Poor (2 points)	Fair (3 points)	Good (4 points)	Very Good (5 points)	Not applicable
	HR13						
	HR14						
	HR15						
	HR16						
	HR17						
	HR18						
	HR19						
	HR20						
	HR21						
	HR22						
	HR23						
	Customer (proprietor) rights	CL1					
CL2							
CL3							
CL4							
CL5							
CL6							
CL7							
CL8							
CL9							
CL10							
Supply chain management	SU1						
	SU2						
	SU3						
	SU4						
	SU5						
	SU6						
	SU7						
	SU8						
	SU9						
	SU10						
	SU11						
Fair competition	FC1						
	FC2						

Topics	Require-ment	Corporate Social Responsibility Performance						
		Very Poor (1 point)	Poor (2 points)	Fair (3 points)	Good (4 points)	Very Good (5 points)	Not applicable	
	FC3							
	FC4							
	FC5							
	FC6							
	FC7							
	FC8							
	FC9							
	Environmental protection	EN1						
		EN2						
EN3								
EN4								
EN5								
EN6								
EN7								
EN8								
EN9								
EN10								
EN11								
EN12								
EN13								
EN14								
EN15								
Community involvement and development	SC1							
	SC2							
	SC3							
	SC4							
	SC5							
	SC6							
	SC7							
	SC8							
	SC9							
	SC10							
	SC11							
	SC12							
	SC13							
	SC14							
	SC15							
	SC16							

Notes:

1 Point: This item is on the whole not followed, or is not considered in operation and management.

2 Points: The significance of this item is understood and a preliminary attempt has been planned or practiced.

3 Points: This item is largely considered and implemented in operation and management.

4 Points: Operations management complies with this item on the whole with good effect.

5 Points: Social responsibility practice fully complies with this item, and complete and systematic supervision and safeguarding mechanisms are established.

Not applicable: The operation fields of some enterprises may be different or in different development phases, therefore some items may not be applicable for self-evaluation.