



GOVERNMENT OF THE REPUBLIC OF LIBERIA
MINISTRY OF AGRICULTURE

RURAL ECONOMIC TRANSFORMATION PROJECT -RETRAP

Project ID No.: P175263

LABOR MANAGEMENT PROCEDURES

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Contents

ABBREVIATIONS AND ACRONYMS 3

LIST OF TABLE..... 2

1. INTRODUCTION.....4

2. OVERVIEW OF LABOUR USE ON THE PROJECT 4

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS 7

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS 14

5. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY 18

6. RESPONSIBLE STAFF 20

7. POLICIES AND PROCEDURES 22

8. AGE OF EMPLOYMENT 25

9. TERMS AND CONDITIONS 26

10. GRIEVANCE MECHANISM 28

11. CONTRACTOR MANAGEMENT 29

12. COMMUNITY WORKERS..... 29

13. PRIMARY SUPPLY WORKERS..... 29

ANNEX 1- SAMPLE CODE OF CONDUCT 30

ANNEX 2: INCIDENT REPORTING FORM34

LIST OF TABLE

Table 1:Project Activities with Potential OHS Risks and Impacts 7

Table 2: Information on project activities and Indicative number of persons that would be engaged 9

ABBREVIATIONS AND ACRONYMS

CRC	Convention on the Rights of Children
COVID-19	Corona Virus-19
ESHS	Environmental, Social, Health and Safety
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environment and Social Standard
GBV	Gender-Based Violence
GRM	Grievance Redress Mechanism
IIU	Infrastructure Implementation Unit
ILO	International Labor Organization
LMP	Labor Management Procedure
MOA	Ministry of Agriculture
MoFDP	Ministry of Finance and Development Planning
MPW	Ministry of Manpower
OHS	Occupational Health and Safety
PMU	Project Management Unit
RETRAP	Rural Economic Transformation Project
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
WB	World Bank
WGRM	Workers Grievance Redress Mechanism
WHO	World Health Organisation

1. INTRODUCTION

This Labor Management Procedure (LMP) is developed to provide the framework for the preparation of labour management plan to manage different categories of project workers, in accordance with the requirements of Liberia Labour laws and the World Bank Environmental and Social Standards (ESS) 2- Labour and Working Conditions. This LMP will guide the preparation of Labour Management Plans during implementation to address the specific procedure for the protection of workers' rights and to manage and implement measures that will avoid or reduce labor related impacts on workers, community health, safety, and security. Based on the Project's Environmental and Social Conditions, risks related to labour and working conditions and occupational health and safety are substantial. These risks are understood and are expected to have a limited impact on the project if managed by the procedures set out in this document. It is expected that the MOA and MPW and all implementing agencies and civil works contractors, will ensure full compliance and application of this tool during the implementation of RETRAP subproject activities. This LMP is a living document and will further be updated into a plan by subproject contractors during implementation.

2. OVERVIEW OF LABOUR USE ON THE PROJECT

The Project workers as it relates to the applicability of ESS2 refers to workers that will be employed or engaged under the project, whether full-time, part-time, temporary, seasonal and migrant workers. The project recognises the need to protect the fundamental rights of workers since the workforce is a valuable asset, and a sound worker-management relationship is a key ingredient in the sustainability of the project. Through a constructive worker-management relationship, and by treating the workers fairly and providing them with safe and healthy working conditions, the project will create tangible benefits, such as enhancement of the efficiency and productivity of their operations.

Classifications of project workers

The term "project worker" refers to:

- a) people employed or engaged directly by the government (including the project implementing agencies) to work specifically in relation to the project (direct workers);
- b) people employed or engaged through third parties to perform work related to core functions of the project, regardless of location (contracted workers);
- c) people employed or engaged by the Borrower's primary suppliers (primary supply workers); and
- d) people employed or engaged in providing community labor (community workers).

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers

The project is expected to engage the following categories of workers as defined by ESS2:

- **Number of Project Workers:** Direct Workers will people directly employed or engaged by the project to be involved in the day-to-day management and supervision of the project activities at

the national and county levels. It is estimated that the direct workers would include PMU staff of MOA, consultants hired by the Infrastructure Implementation Unit (IIU) of the Ministry of Manpower (MPW); county officials and focal points from local government agencies and other implementing agencies specialized in various disciplines required for the successful implementation of the project (such as environment and social risk management, capacity building, property valuation etc.). These consultants will be hired under individual contracts, on a part-time basis, with specific definition of the assigned tasks and responsibilities, remuneration and other terms and conditions of their contract.

- **Characteristics of Project Workers:** The category of workers to be engaged in the project will include skilled labor (e.g. engineers, quantity surveyors, land surveyors, environment and social consultants) as well as semi-skilled labor such as drivers, construction equipment operators, together with unskilled labor such as construction workers (artisans, laborers, site security personnel, etc.). However, the actual or estimated number of contractors, sub-contractors and workers to be engaged is not yet clear at this stage of project preparation. Details of female workers to be hired under the project to undertake skilled and unskilled work are also not known at this stage of project preparation. As and when further details emerge, this document will be updated to reflect the numbers.
- **Timing of Labor Requirements:** The scope of this LMP covers all types of workers: skilled and unskilled workers who will be engaged at different stages of the project implementation. The LMP will be applicable to staff of the Project Management Unit (PMU) including environment and social specialists who will be recruited to work on the project prior to effectiveness of the project. Contractors and subcontractors will be hired to undertake the construction activities during implementation. This LMP will also apply to all workers who will be hired during the construction phase of the project, and deals with all aspects relating to recruitment, labor and working conditions, management of worker relationships and Occupational Health and Safety (OHS). The LMP also includes measures related to the management of workers engaged by third parties or contractors, and the management of workforce-related risks within the supply chain.
- **Contracted workers:** Two broad categories of contracted workers are expected: (i) private companies (contractors, sub-contractors) who will construct roads, construction of post-harvest storage and processing facilities, small and micro efficient irrigation systems, open market sheds, drainage infrastructure, water and sanitation facilities among others; and (ii) those who work under the civil work contractors. However, the actual or estimated number of contractors, sub-contractors and workers to be engaged is not yet clear at this stage of the project. As and when further details emerge this document will be updated to reflect the numbers.
- **Primary Supply Workers:** The construction materials (aggregates, bitumen, rocks, sand) for the construction activities might be outsourced to local suppliers. However, the number of potential primary supplier contractors, sub-contractor, and workers to be engaged is not known at this stage of the project. This will become known as and when implementation begins.

- **Migrant Workers:** The project does not expect to hire foreign migrant workers. However, on a limited scale, the project will hire a few skilled staff from other towns and regions to support project activities in activities where local expertise or skills may be limited. This is likely to occur on the road construction component of the project. However, the number is expected to be minimal as local skilled and unskilled labour will largely be used on the project.
- **Government Civil Servants:** Some national, and county government civil servants will be working in connection with RETRAP. These will include civil servants from the Ministry of Agriculture, Ministry of Finance and Development Planning, and County officials. Government civil servants, who may provide support to the Project will remain subject to the terms and conditions of their existing public sector employment agreement or arrangements. However, the project will institute measures to protect such workers and create safe working environment for them while supporting the project in line with ESSA.
- **Women Workers and Other Marginalized Workforce:** The PMU and contractors will be encouraged to employ as many women and persons with disabilities as possible into the project to ensure inclusive labor management processes. Details of female workers to be hired under the project are not known at this state. As and when further details emerge this document will be updated to reflect the numbers.

The objectives of the labour management procedure are:

- To promote safety and health at work.
- To promote the fair treatment, nondiscrimination non-discrimination hiring, remuneration, and access to training on the grounds of race, national or social origin, birth, religion, disability, gender, sexual orientation, union membership, political opinions and age and to promote equal opportunities;
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with the labour laws of Liberia) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate
- To prevent the use of all forms of forced labor and child labor
- To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.
- To provide project workers with accessible means to raise workplace concerns.
- To establish, maintain structures to allow employees to exercise their right to freedom of association and collective bargaining and improve the worker-management relationship;
- To establish measures to prevent sexual exploitation and abuse and sexual harassment, workplace violence
- To prohibit the use of child or forced labor in direct operations and in the agricultural value chains supported by the project;

While the project at this stage does not anticipate labour influx for the construction activities e.g. the construction agro-logistic centres and road, the Project will support contractors to develop their Labour Management Plans in line with the World Bank ESS 2, where appropriate. It is expected that apart from

the Project level Grievance Redress Mechanism proposed for RETRAP, contractors, consultants and grantees engaged under RETRAP will have an operational internal Workplace Grievance Redress Mechanism (WGRM) to address worker related complaints. Grievances are treated confidentially, assessed impartially, and handled transparently. GRM related to SEA/SH will be treated with confidentiality and reported to the Social Development Specialist of the PIU of MOA within 24 hours after receipt of complaint by the contractor.

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The project will be implemented by the Project Management Unit (PMU) of the Ministry of Agriculture in collaboration with other agencies including the Infrastructure Implementation Unit (IIU) of the Ministry of Public Works.

Key Potential risk identified for component activities are provided in the Table 1 below.

Table 1: Project Activities with Potential OHS Risks and Impacts

Project Components/Subcomponent	Description	Proposed Menu of Investments	Potential Risks and Impacts
Component 2	<p><u>Productive Alliance</u> Providing matching grants to the farmers' organizations and entrepreneurs, and businesses to develop eligible subprojects.</p> <p>There are about 125 subprojects in these components that will be implemented by the farmers and businesses</p>	<p>Civil works</p> <ul style="list-style-type: none"> • lowland rehabilitation; • clearing of bushland; • construction of post-harvest, storage, and processing facilities; and • small-scale, efficient irrigation systems 	accidents and injuries; dust; noise; vibration; COVID-19 spread etc.
		<p>Procurement of goods</p> <ul style="list-style-type: none"> • farm machinery, • processing equipment, storage units, and transport vehicles 	noise; dust/fumes; vibration

		<p>Farming activities</p> <ul style="list-style-type: none"> • support for production of selected value chains (cassava, rubber, vegetables, poultry/piggery) 	<p>Pesticides and agrochemicals poisoning and contamination; slips, trips, falls, animal attacks, manual handling risks, injuries, exposure to zoonotic diseases; COVID-19 spread</p>
Subcomponent 3.1	<p>Roads Rehabilitation of road infrastructure</p>	<ul style="list-style-type: none"> • Rehabilitation of a 40 km road • Rehabilitation of Road Drainage Structure 	<p>slips, falls, trips; noise; dust/fumes; vibration; accidents and injuries; COVID-19 spread</p>
Subcomponent 3.2	<p>Modernization of selected agri-markets</p>	<ul style="list-style-type: none"> • construction of a number of open market sheds and small storage facilities; • construction of selected infrastructure that requires specialized handling for agricultural produce; and • Construction of internal market path-ways, drainage infrastructure, and water and 	<p>Slips, falls, trips; noise; dust/fumes; vibration; accidents and injuries; COVID-19 spread etc.</p>

		sanitation facilities.	
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Project activities: The project activities for which workers will be hired and indicative number of workers to be involved in the project activities are summarized in Table 1

Table 2: Information on project activities and Indicative number of persons that would be engaged

Subcomponent	Description of Activities	Location	Indicative number of workers to be engaged
Subcomponent 2.2	Activities include civil works (e.g. lowland rehabilitation; clearing of bushland; construction of post-harvest, storage, and processing facilities etc.).	All 11 counties ¹	500 workers to be engaged to manage 125 subprojects across 11 counties) (the workers will consist of farmers and their workers, local food processors, construction workers(skilled and unskilled workers/artisans from the project communities).
subcomponent 3.1.	rehabilitation of a 40km section of the 112km long Tappita - Zwedru Road	Tappita and Toe Town, through Nimba (Tappita District) and Grand Gedeh (Gbarzon District).	80-100 workers (skilled labour – engineers, surveyors, OHS Specialist, E&S specialists, heavy equipment operators, traffic operators among others) unskilled /artisans will include masons, carpenters, steel benders, form workers etc. from the project communities)
Sub-component 3.2	Investment include: (i) the construction of a number of open market sheds and small storage facilities; (ii) construction of selected infrastructure that require specialized handling for agricultural produce; and (iii) Construction of market internal pathways, drainage infrastructure, and water and sanitation facilities.	All 11 counties	140 people spread in 7 counties (e.g. skilled and unskilled construction workers/artisans from the project communities).

¹ The counties are i) Bong county which is located in the north-central region, ii) Grand Kru and Maryland counties which are located in the southeastern region, iii) Nimba county which is located northeastern region, iv) Grand Bassa county which is located in the west-central region, v) Margibi county which is located in the south-central region, vi) Montserrado County which is located in the southern region, vii) Sinoe county which is located in the South Eastern region and viii) Bomi and Grand Cape Mount counties which are located in the northwestern region of Liberia.

Subcomponent 4.1	Project management involving PMU, county staff and consultants ²	All 11 counties	MOA PIU -14 staff Facilitators/government extension workers, county focal points -50 workers IIU of MPW Environment and Social Specialists -2 E&S Focal persons and support staff - 6 Project Manager and Engineers- 6
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Key Labor Risks

The project footprint is envisaged to be large and will likely occur in a rural areas given the nature of activities. The project will require large number of skilled workers and unskilled workers especially for the design and rehabilitation of the road component and construction of post-harvest, storage, and processing facilities, open market sheds and small storage facilities; construction of selected infrastructure that require specialized handling for agricultural produce; and construction of market internal pathways, drainage infrastructure, and water and sanitation facilities. The total number of labor required cannot be estimated at this stage. However, it is envisaged that different categories of workers including direct, contracted and primary supply workers which can lead to labor influx and its attendance risks and impacts. The gender of workers that will be employed under the project is difficult to predetermine at this preparation stage. This will be determined during implementation and the project will be guided by the labour laws of Liberia and ESS 2 requirements.

Based on the project activities outlines in Table 1, the labor risks involved in the project are viewed as substantial. Drawing experience and lessons from past and ongoing World Bank interventions in the Agriculture sector in Liberia such as STAR-P, the following labour related risks are envisaged under RETRAP:

- 1) Occupational health and safety (OHS) risks: Likely cause could include;
 - Extended hours of work mainly of the field technicians
 - Staff not working in safe areas or environment and may not wear the necessary safety gears
 - Road or bridge construction sites pose risks to the workers with the sheer volume of constantly moving heavy vehicles and dump trucks maneuvering around on an uneven terrain.
 - The construction activities involving heavy machineries will be quite noisy.

² PMU Staff include Technical Specialists, Tree crops Officers, Agronomists, Engineers etc.

- Loud, repetitive, and excessive noise that could causes long term hearing problems, such as deafness. Noise can also be a dangerous distraction and may distract the worker from the task at hand, which can cause accidents.
- Heavy materials and equipment are expected to be constantly lifted and moved around by workers at site, which poses health and safety risks.
- Collapsing of material borrow excavation with workers inside is also a risk with the type of prevailing materials in the area. Working at height for the bridge construction will also pose the risk of falling.
- With the emergence of COVID-19 non-adherence to safety protocols could expose workers to transmission.

2) **Child labor:** Contractors and suppliers may tend to use children for economic reasons and convenience. No person under the age of eighteen (18) years shall be employed or allowed to work under this project. All project employees will be asked to produce identification documents (ID) that are acceptable in local laws, employment and human resources practices as “proof of age”.

Forced labor: Forced labor risks are less likely as the project areas in project communities have no shortage of labor supply.

Use of security forces: The project does not anticipate to engage security forces, however, when the need arises, the employment of security personnel will be done in accordance with the ESF.

3) Labor influx: With the limited scale of work under RETRAP and the availability of labor supply in the project counties, large scale labor influx is not expected. However, the construction activities may bring some migrant workers from other cities who may have diverse backgrounds, different cultures and dissimilar behaviors to the local communities. They may not integrate well with the local cultures and values, and could risk the local social values and harmony. All these could lead into conflict between locals and migrant workers. Labor influx could also increase the risk of Gender Based Violence (GBV) and spread of sexually transmitted diseases.

4) Labor disputes over terms and conditions of employment: Likely causes for labor disputes include demand for limited employment opportunities; labor wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in work environment. In turn, there is also a risk that employers such as contractors/subcontractors may retaliate against workers for demanding legitimate working conditions, or raising concerns regarding unsafe or unhealthy work situations, or any grievances raised, and such situations could lead to labor unrest.

5) **Discrimination and exclusion of vulnerable/disadvantaged groups:** Due to widespread unemployment and underemployment in Liberia vulnerable/disadvantaged groups of people may be subject to increased risk of exclusion from employment opportunities under RETRAP. Such groups will include women, and persons with disabilities.

6) Sexual Exploitation and Abuse/Sexual Harassment: Sexual harassment and other forms of abusive behavior by workers will also have the potential to compromise the safety and wellbeing of the vulnerable groups of workers and the local communities, while adversely affecting project performance. This will also include potential sexual exploitation or harassment in recruitment or retention of skilled or unskilled female workers supported under the project. The project will adopt a zero-harassment policy for all of its workers and sub-contractors. The zero-harassment policy will be part of the workers Code of Conduct (a sample is attached as annex to this LMP) developed by the project. All workers shall sign the code of conduct. The project will provide an extra layer of supervision for female and other vulnerable workers to ensure they are educated of their rights, the project's policies on harassment, intimidation and exploitation.

There are possibilities for accidents and emergencies that may be related to the project construction activities. However, the project through this labour management procedures will guide contractors to establish measures to ensure that all applicable occupational health and safety provisions by the government of Liberia, through the Ministry of Labour and the International Labour Organizations conventions are observed. Information on the treatment of health and safety matters are expounded upon in Section 7.

International Laws and Conventions

A total of 25 of International Labor Organization (ILO) Conventions have been ratified by Liberia.

- I. Fundamental Conventions: **6 of 8**
- II. Governance Conventions (Priority): **2 of 4**
- III. Technical Conventions: **17 of 178**

Out of **25** Conventions ratified by Liberia, of which **14** are in force, **9** Conventions have been denounced; **2** instruments abrogated; **none** have been ratified since the ratification of the conventions on Labour Administration Convention. 1978 (No. 150) on 02 Jun 2003

Environment and Social Standards (ESS2): Labor and Working Conditions

The World Bank Environment and Social Standard 2: Labor and Working Conditions (ESS2) recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. It requires projects to promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. ESS 2 seeks to ensure a safe, healthy conducive working environment for workers and ensure that the working environment is non-discriminatory, free of forced and child labor as well as other forms of intimidation and harassment. ESS2 also ensures that workers have channels for grievance redress, freedom of association and access to collective bargaining rights as prescribed by national law.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

Constitution of the Republic of Liberia

The 1986 Constitution is the main legal framework which provides for the rights, equal treatment, and protection of all Liberian citizens and those residing within the borders of Liberia. It ensures that no citizen is discriminated against on the basis of sex, age, ethnic background, religious belief, political affiliation, social and economic status.

Article 8 The Republic shall direct its policy towards ensuring for all citizens without discrimination, opportunities for employment and livelihood under just and humane conditions, and towards promoting safety, health and welfare facilities in employment.

Article 18 All Liberian citizens shall have equal opportunity for work and employment regardless of sex, creed, religion, ethnic background, place of origin or political affiliation, and all shall be entitled to equal pay for equal work.

Labor Laws of Liberia

The law provides the conditions within which labor contracts shall be mutually agreed upon by employer and employee, and every contract of employment, whether written or oral, express or implied, shall comply with the requirements of the law.

Decent Work Act, 2015

The Decent Work Act, 2015 of the Republic Liberia, provides the legislative framework and law governing all aspects of labor and working conditions, which covers the contract of employment, terms and condition, remuneration, and occupational health and safety, trade unions and labor authorities. The provisions of law apply to all employers and employees that will be associated with the project. The Labour Code is broadly consistent with the ESS2.

The guiding principles reside on the prohibition of forced labour, discrimination, equal pay for equal works, as well as, remedies for infringements of rights. The Act makes it mandatory for employers to furnish employees with written particulars of employment, stating hours of work, wages, leave entitlements, job description, grievance procedures, and benefits if any among others.

Specifically, Chapter 17 deals with the matter of hours of work and continuity of employment and will apply to the risk of extended hours of work as perceived as a minor risk to the project. Part V speaks to Protection and Regulation of wages, Chapter 18, Section 18.1 - Leave entitlements and other benefits and Chapter 14, Section 14.2 termination of employment in general.

The Employment Act of Liberia strictly prohibits discrimination of employees based on race colour, national extraction, ethnicity, social origin, religion, political opinion, sex, marital status, family responsibilities or disability. An employee also has the right, by law, to remove himself or herself from a

work situation which he or she reasonably believes presents an imminent or serious danger to life or health.

Below is the summary of relevant provisions of the Decent Work Act, 2015.

2.2 Freedom from forced or compulsory labour

- a)** No person in Liberia shall be subjected to forced or compulsory labour, provided however that this does not prohibit work or service:
 - I. exacted in consequence of compulsory military service laws of general application, provided that the work or service in question is of a purely military character;
 - II. which forms part of the normal civic obligations of a citizen;
 - III. exacted as a consequence of a conviction in a court of law, provided that:
 - (a) it is carried out under the supervision and control of a public authority; and
 - (b) no person is hired to or placed at the disposal of private individuals, companies or associations; exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population; or
 - IV. which is in the nature of minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.
- b)** A person shall not directly or indirectly cause, permit or require any person to perform forced labour.

2.3 Freedom from the worst forms of child labour

- a)** Except as elsewhere provided in this Act, no person shall employ or cause a child to be employed.
- b)** Without limiting the scope of the preceding provision, the following forms of work by children are absolutely prohibited:
 - I. all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
 - II. the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
 - III. the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and
 - IV. Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or welfare of children.
- c)** The Minister may make regulations which identify work prohibited under paragraph b) iv), and other forms of work for children that shall be absolutely prohibited.
- d)** A person shall not directly or indirectly cause, permit or require a child to participate in a form of work which is absolutely prohibited by or pursuant to this section.

21.2 Minimum Age for Employment Liberia

No person shall employ, or allow a child under the age of 15 years to be employed in full time employment.

21.3 Light work for children under the age of 15

a) A child who is at least 13 years old may be employed to perform light work, provided that they:

i) may only work for a maximum of two hours in a day and fourteen hours in a week; and
ii) are employed in compliance with any prescribed procedures.

b) For the purposes of this Act, light work means work or any other activity that:

i) is not likely to be harmful to a child's health or safety, moral or material welfare or development; and

ii) is not such as to prejudice the child's attendance at school or their capacity to benefit from instruction.

21.4 Types of hazardous work that are prohibited for children

a) The following types of work are prohibited for children:

i) work which exposes children to physical, psychological or sexual abuse; ii) work underground, under water, at dangerous heights or in confined spaces;

iii) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;

iv) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; or

v) work under particularly difficult conditions such as work for long hours or during the night, or work where the child is unreasonably confined to the premises of the employer.

21.5 Particular working conditions for children over the age of 15

a) A child who has not yet attained the age of 16 years may not be employed for more than 7 hours in any day, or for more than 42 hours in any working week.

b) Daily hours of work for children shall include one or more rest periods totaling at least one hour, with rest periods so arranged that a child does not work for more than four consecutive hours.

c) Children shall be entitled to annual leave in accordance with Part Three of this Chapter, and in addition to a further period of annual leave equivalent to the number of working days in one (1) week.

d) An employer shall keep a register of all employed children, which shall clearly show their names, and also their ages and their dates of birth, duly certified wherever possible.

e) An employer shall keep the records required under this section throughout the employment of any child, and for a period of five years following the termination of their employment

2.4 Equal Protection

a) All women and men are entitled, without distinction, exclusion or preference to enjoy and to exercise the rights and protections provided in this Act.

b) Without limiting the scope of the preceding provision, all persons who work or who seek to work in Liberia are entitled to enjoy and to exercise the rights and protections conferred by this Act irrespective of:

- i) race, tribe, indigenous group, language, colour, descent, national, social or ethnic extraction or origin, economic status, community or occupation;
- ii) immigrant or temporary resident status;
- iii) sex, gender identity or sexual orientation;
- iv) marital status or family responsibilities;
- v) Previous, current or future pregnancy or breastfeeding;
- vi) age; vii) Creed, religion or religious belief;
- viii) Political affiliation or opinion, or ideological conviction; ix) physical or mental disability;
- x) health status including HIV or AIDS status, whether actual or perceived; xi) irrelevant criminal record, acquittal of a crime or dismissal of a criminal prosecution against them; or
- xii) personal association with someone possessing or perceived to possess one or more of these attributes.

2.5 Right to Equal Remuneration

a) All women and men are entitled, without distinction, exclusion or preference, to receive equal remuneration for work of equal or comparable value.

b) Equal remuneration refers to rates of remuneration established without discrimination based on sex.

2.6 Rights to Form Organizations and to Bargain Collectively

a) All employers and workers in Liberia, without distinction whatsoever, may establish and join organizations of their own choosing, without prior authorization, and subject only to the rules of the organization concerned.

b) Subject to this Act:

i) an organization of employers or workers may draw up its own constitutions and rules, elect its representatives in full freedom, and formulate its own programme of lawful activities; and

ii) employers and workers and their organizations may: (1) bargain collectively; and (2) engage in strike or lockout action in accordance with Chapter Forty-One.

2.7 Prohibition of Discrimination

a) No person shall discriminate against a person who works or who seeks to work in Liberia in an employment practice.

b) No person shall discriminate against another in an employment practice because the person has exercised or attempted to exercise any of their rights in this Act.

c) Discriminate means to apply any distinction, exclusion or preference which has the effect, whether directly or indirectly, of nullifying or impairing equality of opportunity or treatment, including the provision of remuneration or other benefits:

i) on a ground identified in section § 2.4; or

ii) because a person has exercised or sought to exercise, or is entitled to the enjoyment of any right conferred by this Act.

- d) It is not unlawful by virtue of this section: i) to distinguish, exclude or prefer any individual:
- (1) on the basis of an inherent requirement of a particular job; or
 - (2) in the course of implementing affirmative action measures consistent with the purposes of this Act;
- ii) in the case of an employee who is pregnant, temporarily to reassign her to different duties or functions that are suitable to her pregnant condition, provided that the reassignment does not lead to reduction in remuneration or any other benefits in respect of her employment.
- e) Affirmative action measures means measures to redress the disadvantages in employment experienced by persons, or groups, or categories of persons, in order to ensure their equitable representation in all occupational categories and levels in the workforce.

2.8 Prohibition of sexual harassment

- a) A person shall not directly or indirectly sexually harass a worker:
- i) in any employment practice; or
 - ii) in the course of a person's employment.
- b) Sexual harassment means:
- i) sexual conduct, which is unwelcome, unreasonable, or offensive to the recipient, and which occurs in circumstances where a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job; or
 - ii) sexual conduct that creates an intimidating, hostile or humiliating working environment for the person that is subject to that conduct.
- c) Sexual conduct means: i) conduct of a sexual nature, whether physical, verbal or non-verbal; or ii) conduct based on sex affecting the dignity of women or men.

5. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

Labour Law of Liberia on Workmen's Compensation

Chapter 36. of the Labour Law of Liberia on Workmen's Compensation among others provides (a) that every person in Liberia who works for a living shall be entitled to maintain his independence and self-respect through self-support even when physically handicapped by injury or disease; (b) that an employee who suffers injury or disease as a consequence of his employment shall be entitled to compensation during his disability and to the extent of this disability as a right arising out of his employment; and (c) that the rehabilitation of an employee who suffers an occupational injury or disease shall be the joint obligation of his employer, the employee himself; and the government, according to the capacity of each.

Decent Work Act, 2015

The Liberia Decent Work Act, 2015 set out framework for promoting occupation health and safety at work places. Below is the outline of some key provisions on occupational health and safety:

25.1 General duties of employers

a) Every employer shall ensure so far as is reasonably practicable the safety and health at work of all workers they have engaged.

b) Without limiting the scope of the preceding provisions, an employer contravenes their obligation under this section by failing:

i) to provide and maintain plant and systems of work that are safe and 70 without risks to health;
ii) to make arrangements for ensuring safety and absence of risks to health in connection with the use or operation, handling, storage or transport of plant and substances;

iii) to provide, in appropriate languages, such information, instruction, training and supervision as may be necessary to ensure the safety and health of workers they have engaged and to take such steps as are necessary to make available in connection with the use at work of any plant or substance adequate information in appropriate languages:

(1) about the use for which the plant is designed and about any conditions necessary to ensure that, when put to that use, the plant will be safe and without risks to health; or

(2) about any research, or the results of any relevant tests which have been carried out, on or in connection with the substance and about any conditions necessary to ensure that the substance will be safe and without risks to health when properly used;

iv) as regards any workplace under the employer's control to maintain it in a condition that is safe and without risks to health; or

v) as regards any workplace under the employer's control to provide and maintain means of access to and egress from it that are safe and without any such risks; and

vi) to provide and maintain a working environment for workers they have engaged that is safe and without risks to health, and adequate as regards facilities for their welfare at work. c) For the purposes of this section, any plant or substance is not to be regarded as properly used by a person where it is used without regard to any relevant information or advice relating to its use, which has been made available by the person's employer.

25.2 Duty of employer to formulate safety and health policy

a) It shall be the duty of every employer or self-employed person to develop, as appropriate in consultation with workers of the employer, and with such other persons as the employer considers necessary, a policy relating to occupational safety and health.

b) The policy shall enable effective cooperation between the employer and the workers in promoting and developing measures to ensure the workers' safety and health and the organization and arrangements for the time being in force for carrying out that policy.

The table provide other key aspects of national policies and labor legislation with regards to occupational health and safety

The Public Health Law – Title 33 of the Liberian Code of Law Revised of 1976

This Act provides comprehensive legislation on matters relating to public health, including control of diseases, environmental sanitation and regulation of health issues.

National Health Policy and Plan 2011: This policy builds on the 2007 version of the National Health Policy, the 2008 Governance Commission Report, the 2009 National Decentralization Policy, the 2009 National Social Welfare Policy as well as the 2011 Country Situational Analysis Report.

6. RESPONSIBLE STAFF

The Project Implementation Unit of the MOA and IIU of MPW, through their project coordinators, will be responsible for the engagement and management of all project workers. The project coordinators will be the direct staff responsible for the engagement of project workers, contractors and subcontractors. The project coordinators will be responsible for the overall management of all project workers and contractors and subcontractors, who will be supported by the Project Management Team.

The Project Coordinators at the PMUs will be responsible for the following tasks relevant to the labour working conditions:

- Ensure the overall compliance with this LMP.
- Engage and manage contractors/subcontractors in accordance with this LMP and the applicable Procurement Documents.
- Ensure that contractors prepare their labor management procedures (Contractor's LMP) that comply with this LMP and Contractor's ESMP (including OHS provisions) for approval before the contractor is allowed to mobilize to the field.
- Monitor that contractors/subcontractors are meeting obligations towards contracted workers as included in the Contractor's LMP and ESMP and the applicable Procurement Documents.
- Monitor the potential risks of child labor, forced labor and serious safety issues in relation to primary supply workers.
- Monitor training of relevant project workers.
- Ensure that the grievance mechanism for project workers is established and implemented and that workers are informed of it.
- The PMU shall establish resources and procedures for managing and monitoring the performance of the contractor in relation to the LMP. The PMU will ensure that the contract with the engineering and supervision consultants (and the third-party monitor, where applicable) explicitly set out their monitoring responsibility for the contractor's performance on labor and working conditions on a daily basis. The monitoring may include, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by the contractor.
- Monitoring the implementation of the Worker Code of Conduct and any other measures to address risks of sexual exploitation and abuse (SEA)/sexual harassment (SH).
- Report to the World Bank on labor and occupational health and safety performance.

The Engineering and Supervision Consultant: The PMUs will be supported by engineering and supervision consultants whenever needed. These consultants will be responsible for monitoring the contractors of the civil works as well as monitoring adherence to the safeguard instruments. They will oversee the performance on labor and working conditions on a daily basis on behalf of the PMU, which will be explicitly set out in their contract. The Engineering and Supervision Consultant will employ qualified expert(s) for such oversight and report on performance to the PMU.

Contractor: The Contractor will be responsible for the following:

- Employ or appoint qualified environmental, social, occupational health and safety expert(s) to manage ESHS issues.
- Prepare and implement their labor management procedure (Contractor's LMP) and Contractor's ESMP (including OHS provisions)¹⁴ which will apply to the contracted workers who work on the projects. These procedures and plans will be submitted to the PMU for review and approval before the contractor is allowed to mobilize to the field.
- Supervise their subcontractors' adherence to the LMP and ESMP.
- Maintain records of recruitment and employment of contracted workers (including subcontractors) with age verification to avoid child labor.
- Provide induction and regular training to contracted workers on environmental, social and occupational health and safety issues.
- Require the primary supplier to identify and address risks of child labor, forced labor and serious safety issues for primary supply workers.
- Develop and implement the grievance mechanism for contracted workers, including ensuring that grievances received from their contracted workers resolved promptly, and reporting the status of grievances and resolutions.
- Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct prior to the commencement of works, take all other measures to address risks of sexual exploitation and abuse (SEA)/sexual harassment (SH) as specified in the contractor's LMP/ESMP and supervise compliance with such measures.
- Report to PMU on labor and occupational health and safety performance.

Occupational Health and Safety (OHS): Occupational Health and Safety (OHS) will be the responsibility of the Environmental and Social Team. Contractors will assign a member of staff with responsibility for matters related to health and safety. In large undertakings, this member of staff may be a specialist in the area of OHS, for smaller activities and sub-contractors a number of staff with training and experience in OHS can suffice. A Code of Conduct for workers is required and will be developed and implemented.

The safety officer will ensure that any complaint on health and safety are reported to the project's environmental safeguard team.

Training of Workers: The environmental and safeguards team will liaise with the contractors' OSH officer for the necessary capacity building activities of the contractor's management staff and workers. Training of workers in environmental and social standards and OHS will be the responsibility of the project environmental safeguards team. Training on the Code of Conduct will be conducted by the Social Specialist with assistance from the project's environmental Specialist.

Worker Grievances: The contractor will develop workers grievance redress process for addressing workers grievance. Individual or collective labour disputes shall be resolved by the Liberia Labour Commission.

7. POLICIES AND PROCEDURES

The project will adopt and implement human resources policies and procedures appropriate to its size and workforce that set out its approach to managing workers consistent with the requirements of the Environment and Social Standard 2: Labour and Working Conditions.

The project will provide workers with documented information that is clear and understandable, regarding their rights under national labour and employment law and any applicable collective agreements, including their rights related to hours of work, wages, overtime, compensation, and benefits upon beginning the working relationship and when any material changes occur.

The project will not make employment decisions on the basis of personal characteristics unrelated to inherent job requirements. The project will base the employment relationship on the principle of equal opportunity and fair treatment and will not discriminate with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, and disciplinary practices. The project will take measures to prevent and address harassment, intimidation, and/or exploitation, especially in regard to women.

Occupational Health and Safety Policy

Occupational health and safety (OHS: Pursuant to the relevant provisions of the Liberia Decent Work Act (2015), ESS2 WBG General Environmental, Health and Safety Guidelines (EHSGs), the RETRAP ESMF and WB standard procurement documents, the contractor shall manage all construction sites in such a way that the workers and the community are properly protected against possible OHS risks. Key elements of OHS measures should include (a) identification of potential hazards to workers; (b) provision of preventive and protective measures; (c) training of workers and maintenance of training records; (d) documentation and reporting of occupational accidents and incidents; (e) emergency preparedness; and (f) remedies for occupational injuries and fatalities.

The obligations of the project under the OSH policy includes the following:

- Compliance with all national health and safety legislation (for example health associated legislation) and ILO conventions that are applicable to Liberia.
- Compliance with the ESS2 of the World Bank
- Prevention of injury and ill health of all project workers
- Establishment of safety systems, processes and performance;
- Continuous improvement of Safety Systems
- Prevention of use of faulty equipment or sub-standard equipment

The project will provide a safe and healthy work environment, taking into account inherent risks related to agricultural and civil works activities including physical, chemical, biological, and radiological hazards, and specific threats to women and vulnerable people. The project will take steps to prevent accidents, injury, and disease arising from, associated with, or occurring in the course of work by minimizing, as far as reasonably practicable, the causes of hazards. The project through site specific ESMPs and contractor's ESMPs will address areas that include the:

- i. identification of potential hazards to workers, particularly those that may be life-threatening;
- ii. provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances;
- iii. training of workers;
- iv. documentation and reporting of occupational accidents, diseases, and incidents; and
- v. emergency prevention, preparedness, and response arrangements.

In light of the COVID-19 pandemic, the PMU and IIU will develop Guidance Notes on COVID-19 to guide the implementation of the project so as to avoid, minimize and mitigate infections among workers, communities etc. The Guidance Notes will be informed by the WHO/World Bank guidelines on COVID-19 as well as regulations and directives issued by the Government of Liberia to manage the COVID-19 situation. The note will serve as a reference material for stakeholders, contractors, consultants etc. Contractors will be required to as part of their Environmental, Social, Health and Safety (ESHS) Management Plans, incorporate with detail procedures, standards and hierarchy of controls to manage the COVID-19 situation, especially to avoid the exposure of workers to the coronavirus.

The project will commit to safety considerations in the conduct of all of its activities and that of contractors and sub-contractors. The project will provide systems, processes, procedures, the necessary safety equipment and gears, and training for all project employees and beneficiary's so that all activities are conducted in a safe environment.

Employees will be responsible, subject to their roles, for the maintenance of a safe environment including the assessment of risks and actions to mitigate minimize and manage risks to the safety of the work environment.

The project will develop OHS policy guidelines, processes, supporting policies, and services that are in line with national and international conventions including industry standards and best practices in relation to safety.

Employees at all levels have the authority to stop any activity they consider to be a danger to themselves or other workers, the public or the environment. The project is committed to non-retaliation to stop-work actions by project workers.

Discrimination and exclusion of vulnerable/disadvantaged groups: The employment of project workers under RETRAP will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, terms of employment (including wages and benefits), termination and access to training. To address the risk of exclusion of vulnerable groups (such as women and persons with disabilities) from employment opportunities, RETRAP will require the contractor to employ such groups as part of their unskilled workforce. The contractor will be also required to comply with the national Labour law on gender equality in the work place, which will include provision of maternity leave and nursing breaks and sufficient and suitable toilet and washing facilities, separate from men and women workers.

SEA/SH prevention: The contractors will be required to enable safety in the workplace to address potential sexual exploitation or harassment in recruitment or retention of skilled or unskilled female workers supported under the project.

Fatality and serious incidents: In the event of an occupational fatality or serious injury, the PMU shall report to the Bank within 48 hours of learning about the incidents, in accordance with project Environmental and Social Commitment Plan. Corrective actions shall be implemented in response to project-related incidents or accidents. The PMU or, where relevant the contractor, will be required to conduct a root cause analysis for designing and implementing further corrective actions.

Monitoring and reporting: The contractor shall report to PMU and the engineering and supervision consultants on the status of implementation of the above policies and procedures on a monthly basis. The PMU and the engineering and supervision consultants will closely monitor the contractor/ subcontractor on labor and occupational health and safety performance and report to the World Bank in accordance with the Environmental and Social Commitment Plan.

Indicators to be monitored will include

- the total number of workers by employment type, employment contract and by gender and county or international;
- average hours of training on OHS per quarter per employment type and gender; average hours of work per employment type and gender;
- number of code of conduct signed by workers
- average age of workers disaggregated by gender

- number of workers grievances received and resolved

The Environment Specialist and Social Specialist of the project will be responsible for the implementation and monitoring of the safety management systems of the project. The E&S Specialists will develop sub-policies, guidelines, procedures, instructions and training and awareness materials to support this policy.

Dissemination and Awareness

The policies and procedures in this LMP, developed for the project, will be disseminated to all project workers and stakeholders. The information will be dissemination in various formats including an adapted and summarized version.

8. AGE OF EMPLOYMENT

The project will be guided by the Republic of Liberia Decent Work Act of 2015 which states that the minimum age of employment in Liberia is sixteen (16) years old. In addition to the Decent Work Act, Liberia is a signatory to the following international conventions related to the minimum age of employment:

- Convention on the Rights of the Child (CRC): “Signed on the 19th April 1990 and ratified on the 9th October 1990” (UNICEF, 2015)
- Minimum Age Convention, 1973 (No.138) (International Labor Organization , 2017)
- Forced Labour Convention, 1930 (No. 29) (International Labor Organization , 2017)
- Worst Forms of Child Labour Convention, 1999 (No. 182) (International Labor Organization , 2017)
- Medical Examination of Young Persons Convention, 1921 (No. 16) (International Labor Organization , 2017)
- UN CRC Optional Protocol on Armed Conflict (U.S. Department of Labor , 2017)
- UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (U.S. Department of Labor , 2017)
- Palermo Protocol on Trafficking in Persons (U.S. Department of Labor , 2017)

Even though the Decent Work Act of 2015 allows employment at the minimum age of 16, the hazardous nature of project activities require personnel of 18 years and over. The project therefore will peg employment at the minimum age of 18.

The following process will be followed to verify the age of project workers:

All project employees will be asked to produce identification documents (ID) that are acceptable in local laws, employment and human resources practices as “proof of age”. These forms of ID will be birth certificates, national driver’s licenses and national registration cards. In the absence of one of those forms of IDs the project will apply and document an age verification process. The age verification process will consist of alternative methods including copies of academic certificates, testimony/affidavits from officials of the schools attended, a medical examination, statements from family members and locality/village officials/local authorities. In addition, all documents will be cross-referenced and subjected to a

verification process to ensure the validity of the documents. In instances where the documents are thought to be falsified the project will conduct the same process to ensure their authenticity. In all of the processes, care will be taken to ensure that the applicant or employee's data are protected and their right to privacy is guaranteed. All copies of the IDs and documents pertaining to the applicant's age and other supporting materials will be kept in files with the human resources departments of their respective agencies or companies. The project through contractual provisions will require contractors to verify age of employees and carryout audits and controls of the process and report on them.

In the event that underage workers are found working on the project the following actions will be undertaken:

- Termination of the contract and services agreement immediately as per the Labour Act of Liberia, 2015;
- Schedule a meeting with the underaged person and seek to determine the reasons for seeking employment;
- Refer the culprit to other support services including social services and the Ministry of Education;
- Leverage the services of Non-government and Community Based Organizations to assist the culprit;
- Consider employing another adult member of the family if the culprit's family is assessed to be vulnerable or in dire circumstances.

Forced Labour: The project will not employ forced labour, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty. This covers any kind of involuntary or compulsory labour, such as indentured labour, bonded labour, or similar labour-contracting arrangements. The project will not employ trafficked persons.

9. TERMS AND CONDITIONS

The following terms and conditions apply to project workers in accordance with the Liberia Decent Works Act of 2015.

Contractor

The project, grantees, sub-contractors, and assignees of contracts shall pay rates of wages and observe hours and conditions of employment which are not less favorable than those established in the Decent Work Act, 2015.

The contracts will be guided by the principle of collective bargaining as applicable and where there is no minimum wage or rates established in the country, the guiding principle will be of fair wages and reasonable rates commensurate with the government's minimum wage and similar established rates and conditions.

In keeping with the Decent Work Act, the contractor shall keep proper wage records and time sheets for all those employed in relation to the execution of the contract, and the contractor shall produce the wage

records and timesheets for the inspection of any person authorized by the project or the Ministry of Labour.

Contractors are required by law, to post conditions of work in conspicuous places informing workers of their rights and conditions of work.

A subcontractor shall be bound to conform to the conditions of the main contract and the main contractor shall be responsible for the observance of all contract conditions.

Contractors and subcontractors shall recognize the right of their workers to be members of the trade unions.

Provision of written individual contract of employment

A written individual contract of employment shall be provided to workers that specify the following: (a) name of workers; (b) address, occupation, age and sex of workers; (c) employer's name and address; (d) nature and duration of contract; (e) hours and place of work; (f) remuneration payable to the worker; (g) procedure for suspension or termination of contract. Depending on the origin of the employer and the employee, employment terms and conditions will be communicated in a language that is understandable to both parties. In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.

Notice for termination of contract

Either of the contracting parties may terminate a contract of employment by giving written notice as under: (a) not less than ten days in the case of manual workers; or (b) not less than 30 days in the case of non-manual workers. No notice needs to be given in case the duration of contract does not exceed one month.

Minimum Wage

All project workers shall be paid a wage that is above or equal to the minimum wage as established by the Government of Liberia. Wages will be paid on a monthly basis or as negotiated through employees' union or collective bargaining. Each employee will be entitled to a statement accompanying pay that itemize the following: "(a) the employee's gross wages due at the end of that pay period; (b) the amount of every deduction from his or her wages during that pay period and the purpose for which each deduction was made; and (c) the employee's net wages payable at the end of that pay period."

Hours of Work

The maximum number of ordinary hours of work for employees shall be 40 hours per week with the ordinary working days being Mondays to Saturdays.

Project employees are prohibited from working more than 10 hours per day inclusive of two hours for lunch and rest periods. Other provisions related to hours of work will be guided by the Employment Act on this matter.

Medical treatment of injured and sick workers

It shall be the duty of the employer to arrange at his/her own expense for the conveyance to the nearest hospital of any injured or sick worker who can be so conveyed and who cannot be treated on the spot with the means available.

10. GRIEVANCE MECHANISM

The Grievance Mechanism for all Project Workers is as follows:

Contractors and/or project grantees shall appoint representatives to be the point of contact for all grievances. In the case of project management staff, the point of contact will be the Permanent Secretary.

Depending on the workforce, contractors and grantees may form a Workplace Grievance Redress Committee (WGRC) comprising representatives from different departments and the ESS Specialists/Officers. The representatives will first receive grievances and notify the WGRC. Grievances will be recorded in a registry of complaint and all information related to the handling of the grievances will be recorded in the registry. In the case of issues with project management staff, the Project Manager may be required to exclude her or himself if the complaint directly involves him or her. Complaints related to GBV reported to the workers grievance redress system shall be handled by the project Social Development Specialist to provide confidential support to the complainants. The Contractor shall notify the Project within 24 hours after learning of the incident.

The WGCR will attempt to address grievance within established time frame of 3 weeks upon receipt. In cases of timely or urgent matters, a period of a minimum of 24 hours and a maximum of 15 days will be allotted for addressing and resolving the grievance. Grievances can be made in person, telephone call or writing. Grievances can be made anonymously. A dedicated email and telephone number will be provided for reporting all grievances. For grievances made via telephone or in person, a written account will be compiled, and the complainant will be asked to verify its authenticity and sign that it is an accurate account.

In instances where the WGRC successfully resolves grievances, the complainant will be informed of the measures taken to address the grievance.

If the grievance cannot be resolved by the WGRC, the issue will be escalated to the management of contractors or grantees for further action.

The management will attempt to resolve the matter and provide feedback to the complainant.

If issues cannot be resolved at the management level, then it may be referred to the Ministry of Labour for necessary action and pronouncement.

The Ministry of Labour's ruling would be the final tier of the grievance mechanism. If unresolved, either party may seek redress in the courts of the Country. Parties involved will be advised that they can directly contact the Project Office Ministry on issues concerning grievances.

Information about the GRM will be disseminated to workers through signs at the project site, brochures and handbills at the project website and SMS messages sent to the workers phones.

11. CONTRACTOR MANAGEMENT

It is mandated that the contractor execute the management of the contract in a manner that is acceptable to the client and in accordance with the World Bank requirements as related to the ESS2, specifically relating to the selection process for contractors, management of labour issues, including health and safety, procedures for managing and monitoring of performance for contractors, as well as reporting on workers under the project. Contractors Labor Management Plans will include information on contract management including:

Information on Public Records: The Contractor must have in place information on corporate registers and documents relating to the violation of applicable law, including reports from labour inspectorates and other enforcement bodies.

Certification and Approval of Business and Workers: Documentation of approved business licenses, registration, permits and other approvals and workers' certification/permits and training to perform the work.

Health and Safety: Document and have in place labour management systems as it relates to organizational health and safety. Records of incidents and corresponding root cause analysis with a corrective mitigation plan. First aid cases, high potential near misses, and remedial and preventive activities required. Identification and establishment of safety committee and records of meetings. Contractors must also have an incident report form, a sample is attached to this LMP

Workers Payroll Records: Documentation of the number of hours worked and pay received inclusive of all payments made on their behalf, for example payment made to the National Insurance Scheme and other entitlements regardless of the workers being engaged on a short- or long-term, fulltime or part time.

12. COMMUNITY WORKERS

Due to the project activities, the project does not envisages hiring of community workers to work on the project.

13. PRIMARY SUPPLY WORKERS

Based on the nature of the project, Primary Suppliers Workers are envisaged. There are Contracts envisaged that may relate to supply of goods and services, these are agro inputs and other agro equipment that will be used for agriculture activities and also supply of construction materials for the civil works. The PMU must ensure that any contractor or supplier engaged by project comply with the requirements of ESS 2. The requirements of ESS 2 shall be embedded in in the tendering, hiring and contracting documents, and any due diligence measures required in the sourcing of supplies for the project.

ANNEX 1- SAMPLE CODE OF CONDUCT

CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL

We are the Contractor, [enter name of Contractor]. We have signed a contract with [enter name of Employer], for [enter description of the Works]. These Works will be carried out at [enter the Site and other locations where the Works will be carried out]. Our contract requires us to implement measures to address environmental and social risks related to the Works, including the risks of sexual exploitation, sexual abuse and sexual harassment.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, labourers and other employees at the Works Sites or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as "Contractor's Personnel" and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that we require from all Contractor's Personnel.

Our workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

REQUIRED CONDUCT Contractor's Personnel shall:

- 1) Carry out his/her duties competently and diligently;
- 2) Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
- 3) Maintain a safe working environment including by:
 - a) ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b) wearing required personal protective equipment (PPE);
 - c) using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d) Following applicable emergency operating procedures.
- 4) Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
- 5) Treat other people with respect and not discriminate against specific groups such as women, people with disabilities, or migrant workers ;

- 6) Not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
- 7) Not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. In Bank financed operations/projects, sexual exploitation occurs when access to or benefit from Bank financed Goods, Works, Consulting or Non-consulting services is used to extract sexual gain;
- 8) not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal coercive conditions;
- 9) not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
- 10) complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
- 11) report violations of this Code of Conduct;
- 12) Not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism.

RAISING CONCERNS

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

1. Contact [enter name of the Contractor's Social Expert with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters] in writing at this address [] or by telephone [] or in person at []; or
2. Call [] to reach the Contractor's hotline (if any) and leave a message.

The person's identity will be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take 35 appropriate action. We will provide warm referrals to service providers that may help support the persons who experience the alleged incident, as appropriate.

There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT.

Any violation of this Code of Conduct by Contractor’s Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.

FOR CONTRACTOR’S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [enter name of Contractor’s contact person(s) with relevant experience (including for sexual exploitation, abuse and harassment cases) in handling those types of cases] requesting an explanation.

Name of Contractor’s Personnel: [insert name] Signature:

Date (day/month/year/): _____

Countersignature of authorized representative of the Contractor: Signature:

Date (day/month/year/): _____

ANNEX 2. INCIDENT AND ACCIDENT REPORTING – EXAMPLE

INCIDENTS AND ACCIDENTS NOTIFICATION:

In case of occurrence of an incident or accident related or having an impact on the Project which has, or are likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, the [implementing agency] shall:

- (a) as soon as reasonably practicable, but no later than two calendar days after having been informed of the occurrence of such incident or accident, inform the Bank by any electronic means of its nature, or circumstance and any effect or impact resulting or likely to result there from;
- (b) as soon as reasonably practicable, but no later than twenty (20) days after such incident or accident, provide the Bank with a summary report that includes a description of the incident or accident, and the measures, if any, that the Borrower is taking or plans to take to address it and to prevent any future similar event; and
- (c) keep the Bank informed of the on-going implementation of the said measures and plans.

Regular reporting:

- Accidents and grievance log books are placed in all construction sites
- The supervision consultants' monthly progress report will provide details on accidents
- All regular progress report to the Bank will include information on accidents and incidents
- Any severe injury (requiring off-site medical care) or fatality incident shall be reported to the Bank within 24 hours with basic information and a detailed incident report including the following will be submitted within 10 working days:
 - a. root cause analysis and
 - b. corrective action plan on
 - i. immediate mitigation measures in case of continuing danger (e.g. fencing, signboard, guards)
 - ii. compensation to the affected family based on a clear rational
 - iii. risk assessment and correct application of ESHS management procedures, and
 - iv. medium- and long-term mitigation measures including enhancement of safety measures, audits, and additional training.

ANNEX 2: INCIDENT REPORTING FORM

Incident Reporting: Project-Related

(Note: It is important that incidences of child abuse and sexual harassment and severe criminality / social risks that may involve Project staff are documented and brought to attention of MOA for information and determination if further investigation is needed to avoid any possible negative consequences on the Project)

1	From:	
2	Title	
3	To:	
4	Title / Organisation	
5	Date of submission:	
6	Date of re-submission	
7	Details of Incidence	
8	Incident No. (month/No) e.g. first fatal in October	
9	Nature of Incident (e.g. Multiple Fatality)	
10	Severity of incident	
11	Who is the victim?	
12	Name / Occupation of Project staff involved / suspected to be involved? (if known at this stage)	
13	Date Incident Happened	
14	Location of Incident	
15	Date / Time Incident Reported to Contractor / Consultant	
16	Details of Person(s) Who Reported	
17	To Whom was incident Reported?	
18	Mode of Reporting (verbal/written report) – <i>if written attach report.</i>	
19	Details of the Incident (key facts pertaining to the incident and how it happened)	
20	Who else was informed about this incident?	
21	What Action (s) has been taken by Contractor / Consultant to address the problem? And When?	
	Details of Actions By MOA	
	Name / position of MOA staff incident was reported	
	Comments / Recommendations for MWE staff for which Incident was first reported	
	2 nd Name/Position / Department for which incident was reported to in MOA Comments / Follow up Action Recommended.	

Indicative Incident

Environmental	Social	Occupational Health & Safety
Small-volume hydrocarbon or chemical spills	Small-scale crop damage or livestock deaths	Underuse of personal protective equipment (PPE) by Works Contractor
Localized dust, light, or noise pollution	Grievances due to Project use of public roads	Local increase in the occurrence of communicable
Illegal hunting of wildlife (non-endangered)	Project interference with locally significant practices or sites	Minor job site injuries
Small volume sediment, pesticide, or fertilizer run-off into local waterways	Vehicle damage to public or private roads caused by Works Contractors	Poor “housekeeping” at site, e.g., littering and random disposal of solid
Minor off-site disposal of solid waste from Project	Nuisance-level contact between employees and community	Lack of understandable warning or traffic control
Poor quality or delayed site restoration and revegetation	Minor instances of inappropriate behavior of security forces or other Contractor personnel	Almost empty first aid kit at work site
Poorly functioning erosion-control measures	Overloading of local commercial services from use by Project	Poorly organized or sporadic health & safety induction
	Minor impacts on livelihood restoration and/or access to community natural resources	Multiple “slip and trip” hazards throughout the site
	Minor impacts on cultural sites/areas	Lack of Health & Safety plan and/or training for staff
	Minor social conflict related to or affecting the Project	
	Some problems with consultation/outreach about the Project	
	Delays by GRM in handling/addressing grievances	

Serious Incidents

Environmental	Social	Occupational Health & Safety
Large-volume hydrocarbon or chemical spills, or other hazardous substances impacting the environment	Widespread crop damage or livestock deaths	Injury/ies requiring off-site medical attention

Environmental	Social	Occupational Health & Safety
Over-exploitation of local natural resources	Cases of mistreatment of communities potentially, including vulnerable groups, by Project workers or security forces, including incidents such as sexual exploitation and	Instances of serious communicable diseases among workforce
Large-volume or long-term sediment, pesticide, or herbicide runoff into waterways	Significant impacts to protected physical cultural resources	Consistent lack of health & safety plans and training at work site
Medium to large-scale deforestation	Works have commenced without compensation and	Chronic non-use of PPE at Project work site
Lack of implementation of agreed environmental restoration program	Significant and repeated community impacts from Project vehicles and	Repeated non-compliance or failure to remedy non-compliance
	Lack of clarity about consultations with Indigenous Peoples and broad community support for the Project	
	GRM not functioning	
	Inadequate consultation and engagement of stakeholders in the Project leading to significant conflict and/or delays	
	Non-violent community protests against the Project, or mild community unrest	

Severe Incidents

Environmental	Social	Health & Safety
Hydrocarbon or chemical spills, or release of other hazardous substances into the environment, causing	Forced evictions or resettlement of communities without due process or compensation	Any fatality Permanent disability
Poaching or hunting and trafficking of threatened or endangered species	Abuses of community members (including vulnerable groups e.g., women, children, youth, elderly, disabled/sick, LGBT) by site security forces or other Project workers, including but not limited to GBV	Outbreak of life-threatening communicable disease
Sediment, pesticide, or herbicide runoff causing permanent damage to waterways	Significant damage to nationally protected areas or to UNESCO World Heritage sites	Criminal and political attacks at worksite
Destruction of internationally recognized critical habitat	Human trafficking and child labor	Forced labor by Project's Works Contractor
Major river contamination causing decimation of fish population or other aquatic resources	Violent community protests against the Project	Works Contractor is unresponsive regarding ongoing worksite risks of bodily injury
	Significant impacts on Indigenous Peoples' land/natural resources and/or culture and there is no evidence of consultation, broad community support, mitigation of harm and/or culturally appropriate benefit-sharing	Persistent non-compliance and/or inability or unwillingness to remedy non-compliance that could result in bodily injury or harm Murders, kidnappings, manslaughter and assaults, while criminal matters and not safeguards incidents per se, have occurred in Bank Projects and should be treated as severe incidents. These incidents would be referred