



GOVERNMENT OF THE REPUBLIC OF LIBERIA

Liberia Urban Resilience Project (LURP)

LABOR MANAGEMENT PROCEDURES

March 2022

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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
MCC	Monrovia City Corporation
ILO	International Labor Organization
LMP	Labor Management Procedure
MPW	Ministry of Public Works
MoFDP	Ministry of Finance and Development Planning
MPW	Ministry of Manpower
OHS	Occupational Health and Safety
PMU	Project Management Unit
LURP	Liberia Urban Resilience Project
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
WB	World Bank
WGRM	Workers Grievance Redress Mechanism
WHO	World Health Organisation

1 INTRODUCTION

Under ESS2 on Labor and Working Conditions, Borrowers are required to develop labor management procedures (LMP). The purpose of this LMP is to facilitate planning and implementation of the project. The LMP identify the main labor requirements and risks associated with the project and help the Borrower to determine the resources necessary to address project labor issues, and to manage different categories of project workers, in accordance with the requirements of Liberia Labor laws and the World Bank Environmental and Social Standards (ESS) 2-Labor and Working Conditions. The LMP is a living document, which is initiated early in project preparation, is reviewed and updated throughout development and implementation of the project, and will further be updated into a plan, which is in line with ESS2 requirements, by subproject contractors during implementation.

The project will ensure compliance with national law requirements as well as World Bank guidance regarding the COVID-19 situation, in particular “ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects”, April 7, 2020.

This LMP will guide the preparation of Labor 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 labor and working conditions and occupational health and safety are deemed 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 LMP. The Ministry of Public Work (MPW)/ Liberia Urban Resilient Project (LURP) and all implementing agencies and civil works contractors, will ensure full compliance and application of this LMP during the implementation of LURP subproject activities.

The objectives of the LMP 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 labor 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 that 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 implementation of the project.

2 OVERVIEW OF LABOR REQUIREMENTS FOR THE PROJECT

The term “Project workers” as it relates to ESS2 refers to workers that will be employed or engaged in relation to 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 sound worker-management relationship is a key factor 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 that would enhance the efficiency and productivity of the project operations.

2.1 Classifications Of Project Workers

The term “project worker” refers to:

- a) people employed or engaged directly by the government (including the project implementing agency) or funding partners to work specifically in relation to the project (direct workers);
- b) people employed or engaged through third parties or sub-contracted through an external party (could be borrower’s primary supplier) to perform work related to core functions of the project, regardless of location (contracted workers). Contracted workers will have no direct contracting agreement with the government or funding partners and will bear no direct responsibility for task performed under the project;
- c) people employed or engaged by the Borrower’s primary suppliers (primary supply workers); and
- d) community base persons either employed or volunteering to provide community base support for the implementation of the project. (community workers). These could also be primary supply workers.

ESS2 applies to all 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:

- **Direct Workers:** Direct Workers are persons directly employed or contracted by the project to be involved in the day-to-day management and supervision of the project activities at the national and community levels. It is estimated that the direct workers would include PMU staff of MPW, consultants hired by the LURP, 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.). Consultants engaged by the LURP will be hired under individual contracts, on a full-time basis, with specific definition of the assigned tasks and responsibilities, remuneration and other terms and conditions of their contract. Direct workers will also include other government civil servants that will provide support to the project. These civil servants, though assigned to the project, will remain subject to the terms and conditions of their employment with their existing entities. For all direct workers will provide confidential bio data relevant to themselves in order to mitigate against the use of child labor and minimum age requirements for the project.
- A summary of estimated staff for direct workers is provided in Table 1 below.

- **Contracted workers:** These are persons employed or engaged through third parties to perform work related to core functions of the project, regardless of location. Two broad categories of contracted workers are expected: (i) workers employed by private companies and consultants (contractors, sub-contractors), who will construct roads, drainage systems, open market construction and rehabilitation, water and sanitation facilities, play grounds, public spaces, among others; and (ii) those who work under the civil work contractors. Summary of estimated number of these workers are given below in Table 1.
- **Primary Supply Workers:** These are persons employed or engaged by the Borrower’s primary suppliers as understood under ESS2 paragraph 7. The supply of key construction materials (aggregates, bitumen, rocks, sand) for construction activities might be outsourced to local suppliers.
- **Community Workers.** The project may use community worker where community will express interest to voluntarily contribute to the project. The community workers will be engaged under ESS2 para 34 -38 and specifically screening of child workers will be done while deploying them on the project works. The GM established for the project workers will apply for them as per ESS2.

Table 1: Summary of estimated labor projection for Project Workers

Description	PMU Staffing	Technical Assist (consultancy)	GOL Stakeholders & Funding Partners Support Team	Other Technical Support including Construction	Total Persons Projected
Direct Workers	15 persons	10 persons	40 persons	10 persons	75 persons
Contracted Workers	N/A	50 persons	25 persons	450 persons	525 persons
Primary Supply Workers	N/A	N/A	N/A	75 persons (Conservative projection from key suppliers projected)	75 persons
Community Workers	N/A	20 persons	N/A	150 persons	170 persons
Grand Total					845 persons

Table 1 provides a conservative projection of the labor requirement for the project. This number could be more depending on the scope of the project which is not fully defined at this stage. This table should be updated as the project progresses.

2.2 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.). The project will employ **approximately 845 persons skilled and unskilled workers**. It is difficult to estimate the total number if unskilled workers as primary supply workers and community workers cannot be estimated at this stage of the project given that the full scope of the project has not been defined. However, preliminary conservative projections have been given below in Table 1 for planning purposes and confirmed that all the four categories of workers shall be involved.

Initial estimates places skilled workers to constitute about thirty percent of project workers while the remainder would be unskilled. 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. However, 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. When further details on the above emerges, this document will be updated accordingly.

2.3 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 implementation 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. The direct workers and community workers will be available at all stages of the project implementation, while the contract and primary supply workers will be available when works at specific sites are implemented.

While the project at this stage does not anticipate huge labour influx for the construction activities e.g. the construction of drainage and road, the project will ensure that contractors/subcontractors develop their Labour Management Plans in line with the World Bank ESS 2, where appropriate. A Project Grievance Mechanism (GM) will be established and operated for all project workers to raise workplace concerns, including workplace and project and issues related to sexual harassment and exploitation. All workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. Grievances are treated confidentially, assessed impartially, and handled transparently. GRM related to GBV/SEA/SH will be treated with confidentiality and reported to the focal person of the E&S team of the PMU in line with the project GM documents.

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 2.

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

Component	Description of Activities	Location	Indicative number of workers to be engaged
Component 1 Climate Resilient Infrastructure and Urban Upgrading	This component will support flood risk management and community upgrading infrastructure in prioritized areas of Greater Monrovia. Investments in drainage infrastructure will improve connectivity of drainage networks and are prioritized to reduce climate and flood risk. Associated neighborhood and market upgrading interventions will improve living and working conditions and access to public services.	Red light market, Omega Market, Duala Market, a) Northern Bushrod Island, including Duala market (MCC), b) Central Monrovia – Soniwein drainage system (MCC), c) Omega Market Area (PCC), and d) South Eastern Paynesville, Duport Road area, County Capitals (Buchanan, Gbarnga & Ganta)	At least 845 persons of all four categories workers to be engaged to manage field activities, skilled and unskilled. Skilled labor will include 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 both the Contracted and Community Workers categories.
Component 2 Strengthening Integrated Resilient Urban Development Capacity	This Component will therefore support resilient integrated spatial planning, capacity needs assessment and investment plans in Greater Monrovia, including Paynesville, as well as the next three largest cities in Liberia, Buchanan, Gbarnga and Ganta. It will also provide dedicated capacity building of municipalities and other institutions associated with resilient urban development and solid waste management. Capacity building activities are intended to contribute to better resilient planning and development control, integrating gender-informed urban design, increasing fiscal space, and improved coordination.	Greater Monrovia, Buchanan, Gbarnga and Ganta.	Dedicated consulting firms and individual experts to conduct the various studies and conduct consultations to inform improved urban planning and municipal service delivery.
Component 3 Project Management	Project management involving PMU staff and consultants	Monrovia	MPW/PMU staff Environment and Social Specialists -3

			E&S Focal persons, communications and support staff – 6 Project Manager, Fiduciary and Engineers- 6 Additional technical assistance consultants where needed.
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3 ASSESSMENT OF KEY POTENTIAL LABOR RISKS

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

Potential risks are those related to labor and hazardous working conditions, such as work-related discrimination, gender-based violence (GBV) and sexual exploitation and abuse (SEA) and OHS. The LURP will assess and address these risks by developing recruitment guidelines, procedures and appropriate OHS measures and applying relevant provisions of the Decent Work Act. Table 2 presents a summary of the risks and mitigation measures. In order to mitigate against child labor or forced labor on the project, a screening mechanism as well as regular monitoring of all persons engaged with the project should be structured and enforced. Collection and updating of personnel data and bio should also be carryout and required from all project actors at all stages of the project. Age verification for all contractors will be done on recruitment through presentation of a national identity and other forms of documents.

3.1 Potential Labor Risks of the Project

Table 3: Project Activities with Potential OHS Risks and Impacts

Risk/Impacts	Analysis	Risk Mitigation Measures
ESS 2: Labor and Working Conditions		
1. Terms and Conditions of Employment	<p>The Decent Work Act 2015 is clear on the issue of remuneration for workers, as well as issues pertaining to nondiscrimination, race, sex, etc.</p> <p><i>Violation of workers' rights:</i> There is low risk of workers being forced to work long hours, and not being adequately compensated</p>	<p>- Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law, including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of ESS2. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.</p> <p>-All employment will be voluntary. To mitigate the risk of employees or consultants being forced to work overtime, the workers will be provided with accessible means to raise workplace concerns. This will be done through the project grievance redress mechanism (GRM).</p>
2. Occupation health and safety	<p><i>Unsafe work environment:</i> workers may be subjected to poor working conditions, including lack of appropriate personal protective equipment (PPE) where needed and appropriate toilet facilities separate for males and females.</p>	<p>The OHS measures will be designed and implemented to address:</p> <ul style="list-style-type: none"> (i) training of project workers and maintenance of training records; (ii) documentation and reporting of occupational accidents, diseases and incidents; (iii) LURP will be compelled to safeguard the interests of women, including gender parity at the workspace, provide appropriate sanitation facilities at the workplace and appropriate PPE for women and persons with disability, as needed.
3. Discrimination in relation to recruitment and employment	<p>The risk of discriminating on the basis of gender, disability, ethnicity, sexual orientation/identity, or any other personal characteristic unrelated to inherent job requirements exists at all levels of project implementation</p>	<p>Decisions relating to the employment or treatment of project workers will not be made on the basis of personal characteristics unrelated to inherent job requirements. The employment of project workers 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, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices. The Code of Conduct (see template in Annex 1), to be signed by all workers, is aimed at preventing and addressing harassment, intimidation and/or exploitation</p>

ESS4: Community Health and Safety		
1. GBV/SEA/SH	There is a risk of GBV including sexual exploitation and abuse (SEA) and sexual harassment (SH) among the workers at different levels, components and locations of the project	<ul style="list-style-type: none"> -All workers will be required to sign a CoC -A separate GRM structure (from the broad project GRM) will be set up to address GBV/SEA/SH issues. -Measures will be put in place to manage GBV/SEA/SH issues in a timely manner using a separate structure for reporting such cases.
2. Insecurity	There is potential risk of insecurity for project workers when they travel out of their work stations to different Counties.	<p>Workplace processes will be put in place for project workers to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health. Project workers who remove themselves from such situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removal.</p> <ul style="list-style-type: none"> -The safety of the workers will be assured through restriction of movement of project vehicles (from 6am to 7pm) and residence in secure hotels/motels across the country while they are on project-related assignments. -Although the Project will not hire Security officers to protect project staff, the LURP will work closely with the Ministries of Justice and Interior Affairs when staff visit counties with an incident of insecurity.
3. Spread of diseases in communities, including HIV and COVID-19	The spread of HIV and other communicable diseases including COVID-19 infections	<ul style="list-style-type: none"> -All project staff will be sensitized on preventing communicable diseases. -Communication on risks of infection with HIV and COVID-19 will be conducted throughout the project. -Posters/flyers on HIV/AIDS and Covid-19 will be developed and distributed at the Project offices and work sites. - Implementation of the CoC to be signed by project workers will also address this risk.

4 BRIEF OVERVIEW OF LABOR LEGISLATIONS: TERMS AND CONDITIONS

4.1 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.

4.2 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 Labor Code is broadly consistent with the ESS2.

The guiding principles reside on the prohibition of forced labor, 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.

4.2.1 Fundamental Rights of Workers

Chapter 2 defines fundamental rights of workers. No person should be subjected to forced or compulsory labor. There is freedom from the worst form of child labor. All workers are to enjoy equal rights and protection. All workers are to receive equal remuneration for work of equal or comparable value. No person shall discriminate against a worker. All workers shall not be directly or indirectly sexually harassed. There shall be protection of workers living with HIV. And workers shall have freedom of association.

4.2.2 Work Hours

Chapter 17 defines Work Hours. Ordinary hours of work shall be 8 hours in any one day or 48 hours in any one week. Any worker working beyond the ordinary hours shall be paid at a rate not less than fifty per cent above the normal rate for that work.

4.2.3 Wages

Chapter 16 defines the minimum wage for which a worker should be paid. Every employer is responsible for the payment of wages to laborers employed by him. In case where the wages of a worker employed by a contractor are not paid by the contractor, the wages must be paid by the employer of the establishment. There should be no deduction of a worker's wage, except for lawful purposes. And an employer shall keep workers wage records.

4.2.4 Regular Leaves and Benefits

Chapter 18 notes that every worker is entitled to an uninterrupted period of annual leave. Every employer must inform their employees of the period of their annual leave and must be paid for said leave period. An employee is also entitled to a ten-day paid sick leave annually, as well as 5-days paid leave to care for others.

4.2.5 Maternity Leaves

Female worker will get paid for maternity leave. An expectant mother would be entitled to a minimum of 14-week maternity leave. If a medical practitioner certifies that due to complications arising from the pregnancy or delivery it would be in the best interests of the health of the employed women and/or her child to extend the period of maternity leave, the employer shall grant to the woman a maximum period of 1 month's unpaid extended maternity leaves in addition to her maternity leave.

5 BRIEF OVERVIEW OF LABOR LEGISLATIONS: OCCUPATIONAL HEALTH AND SAFETY

This Chapter outlines the issue of Occupational Health and Safety of workers in Liberia and applies to all categories of project workers identify under the plan. The following principles are covered under occupational health and safety: a) to secure the safety, health and welfare of employees and other persons at work; b) to eliminate at their source, so far as is reasonably practicable, risks to the safety, health and welfare of employees and other persons at work; c) to ensure that the safety and health of members of the public are not exposed to risks arising from work or workplaces; d) to provide for the involvement of workers, employers, and organizations representing those persons, in the formulation and implementation of safety, health and welfare standards; and e) to develop and promote a national preventative safety and health culture.

5.1 Labor Workmen's Compensation

Chapter 36. of the Labor 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.

5.2 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.

5.3 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.

5.4 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.

5.5 International Laws and Conventions

Environmental 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.

Additionally, the WB ESF Interim Note: COVID 19 consideration in construction/civil works projects, and the WB Environmental Health & Safety Guidelines (WB_ESHG) which replaces earlier versions of the WBG

EHS provides adequate guidance for workplace safety for all project stakeholders especially during the present pandemic situation. WHO Interim guidance, Rational Use of personal protective equipment (PPE) for corona virus disease (COVID-19) and other relevant international regulations and guidelines shall also be utilized.

A total of 25 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**

The Fundamental Conventions ratified by Liberia are:

1. **C029** - Forced Labor Convention, 1930 (No. 29)
2. **C087** - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
3. **C098** - Right to Organize and Collective Bargaining Convention, 1949 (No. 98)
4. **C105** - Abolition of Forced Labor Convention, 1957 (No. 105)
5. **C111** - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
6. **C182** - Worst Forms of Child Labor Convention, 1999 (No. 182)

The Governance Conventions ratified by Liberia are:

1. **C081** - Labor Inspection Convention, 1947 (No. 81)
2. **C144** - Tripartite Consultation (International Labor Standards) Convention, 1976 (No. 144)

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 Labor Administration Convention. 1978 (No. 150) on 02 Jun 2003

5.6 Gap Analyses and Measures

It should be noted that common employment practices in Liberia frequently varies from the provisions of the Decent Work Act, which are not widely known or understood outside certain areas of Liberia such as in the rural areas where there is lapse in the enforcement of labor regulations. Other gaps between the common practice of the national labor legislation and the World Bank ESS2 requirements can include:

- i. No clear enforcement mechanism for the existing rules on non-discrimination and equal opportunity. It is not clear that quotas for the employment of people with disabilities are set or enforced in practice;
- ii. Although the law guarantees workers' rights to unionize, labor unions are prominent in the public sector but not common in other sectors;
- iii. Enforcement of safety standards is weak, especially in informal sectors and in the construction industry;
- iv. Despite employers' legal liability for workplace accidents, no construction worker is insured.

Therefore, measures will be taken to make good the gaps between the Decent Work Act and ESS2, but also include measures to enforce compliance with labor requirements where these are consistent with ESS2.

Some of these measures should include:

- i. Contractors and consultant's commitment forms structured to ensure conformity to measures that closes such gaps as mentioned above;
- ii. Enforcement of safety standards through regular inspections and the option to impose fines/penalties that discourages violations;
- iii. Insurance requirements for workers and all other project staff;

Furthermore, when there are differences between national labor law and ESS2, the more stringent provisions will be applied.

6 RESPONSIBLE STAFF

6.1 Project Management Unit of MPW

The Project Management Unit (PMU) of the MPW will be responsible for the engagement and management of all project workers. The project coordinators will be responsible for the overall management of all project workers and contractors and subcontractors. He/she will be supported by the Project Management Team.

The Project Coordinator at the PMUs will be responsible for the following tasks relevant to the labor 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 contractors/subcontractors to ensure that they 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.

6.2 Engineering and Supervision Consultants

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. 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 Consultants will report on performance to the PMU.

6.3 The Environmental and Social Consultants

The PMUs will be supported by environmental and social consultants will be responsible for monitoring all and environmental and social activities relative to the project. The environmental and social consultants will ensure adherence to the ESF E&S instruments requirements of the project. They will oversee the performance on environmental and social staff of and will report on performance to the PMU.

6.4 Contractors

The Contractors will be responsible for the following:

- Employ or appoint qualified environmental, social, occupational health and safety expert(s) to manage ESHS issues assigned to their tasks.
- 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.

6.5 Occupational Health and Safety (OHS) Consultant

Occupational Health and Safety (OHS) Consultant will be the responsible for matters related to health and safety during the implementation of the project. In large undertakings, this member of the staff may be a specialist in the area of OHS. For smaller activities and sub-contractors, this member of the staff will simply be someone with training and experience in OHS to 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.

7 POLICIES AND PROCEDURES

As discussed in the ESCP, the project will ensure that all tender documents for Infrastructure include budget provisions for all OHS provisions as well as other costs associated with labor management (e.g. the operation of a grievance redress mechanism). The project will regularly monitor the direct staff and contractor's performance in implementing OHS measures. Project's regular reporting system should include the project's performance on the OHS implementation.

Relative to ESS2 and national law, due to the hazardous work situation (use of machinery, etc.), children under the age of 18 will not be allowed to work on the project. The use of forced labor on the project is also prohibited. The LMP will include a grievance redress mechanism (GRM) which will be provided to all workers and measures will be in place for all workers (including contractors) to access the GRM to raise any concerns related to the project.

The project will apply the following policies and procedures to address the key labor risks identified under Chapter 3.

7.1 Contractors

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 Labor.

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 trade unions.

7.2 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.

7.3 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.

7.4 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."

7.5 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.

7.6 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.

7.7 Age of Employment

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/District 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 Decent Work Act of Liberia, 2015;
- Schedule a meeting with the underage 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.

7.8 Forced Labor

The project will not employ forced labor, 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 labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. The project will not employ trafficked persons.

7.9 Health and Safety Policies

7.9.1 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 LURP 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 OHS 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 drainage 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 ESMFs and contractor's ESMFs, will address areas that include the following:

- 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 will adapt available guidelines from the WB and other EHS regulations 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 Guidance Note will be prepared before the commencement of field tasks and shared with all project workers during the training sessions

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 adapt 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. These guidelines will be shares with all workers, before the commencement of field activities.

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.

7.9.2 Discrimination and Exclusion of Vulnerable/Disadvantaged Groups:

The employment of project workers under LURP 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, LURP 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 Labor 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. Toilets and other work facilities will also be accessible for workers with disabilities.

7.9.3 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 workers supported under the project. This will include workers of both sexes.

7.9.4 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.

7.10 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. Reports shall be submitted in accordance with the period stated in the ESCP.

Indicators to be monitored will include

- the total number of workers by employment type, employment contract and by gender and community 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.

7.11 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.

7.12 Training

7.12.1 Training of PMU workers

Training will be managed under existing structures of MPW, specifically under its department of Capacity Development and Employment. However, training of staff on Occupational Health and Safety (Hygiene,

Risk assessment and management, Accident/Hazard avoidance, STDs, GBV, SEA, SH, Etc.) will be the responsibility for LURP-PMU in collaboration with relevant institutions such as Ministry of Labor, Ministry of Gender, Children and Social Protection, Ministry of Health, among others where the project will be implemented. **The Project Management Unit of MPW will ensure that all contractors will undertake the responsibility of adequate OHS training on OHS, GBV/SEA/SH with all project workers under their control/supervision before the commencement of field tasks.** The training session for the project shall be implemented in accordance with the time frame provided for in the ESCP.

7.12.2 Training of Contractor Workers

The environmental and safeguards team at PMU 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 before the commencement of field tasks.

8 GRIEVANCE REDRESS MECHANISM

The project will have in place a grievance redress mechanism to address concerns of workers. For example, typical workplace grievances include demand for employment opportunities; labor wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in the work environment. Therefore, a separate grievance mechanism will be established for all project workers as required in the World Bank ESS2 and ILO's employers' guide on managing your workplace during COVID-19 (2020).

The general principles of the grievance redress mechanism will be as follows:

- i. Covers all project workers.
- ii. facilitate easy access and resolution of workplace grievances.
- iii. have a procedure in place so that workers know GRM exists and how to access it.
- iv. have measures in place to protect workers against reprisal for the use of GRM.
- v. utilize existing GRMs, providing these are accessible and effective.

Handling of grievances should be objective, prompt and responsive to the needs and concerns of the aggrieved workers. Different ways in which workers can submit their grievances should be allowed, such as submissions in person, by phone, text message, mail and email. Contact numbers/addresses for SMS, phone numbers and other channels to register complaints will be included in the LMP once the GRM are established. The grievance raised should be recorded and acknowledged within one day. While the timeframe for redress will depend on the nature of the grievance, health and safety concerns in the work environment or any other urgent issues should be addressed immediately. Where the grievance cannot be addressed within a reasonable timeframe, the aggrieved worker should be informed in writing, so that the worker can consider proceeding to the State inspection on labor (see below for more details). The mechanism will also allow for anonymous complaints to be raised and addressed. Individuals who submit their comments or grievances may request that their name be kept confidential.

Direct workers. PMU, currently, does not have a grievance mechanism in place which allows all of its employees to raise workplace concerns. PMU will hold periodic team meetings to discuss any workplace concerns. The grievance raised by workers will be recorded with the actions taken by each unit. The summary of grievance cases will be reported to the World Bank as part of the regular report. Where the aggrieved direct worker wishes to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor/hiring unit, the worker may raise the issue with responsible authorities including institutions that make up the project steering committee like the Ministry of Public Works (represented by the Deputy Minister for Technical Services), the Paynesville City Corporation and the Monrovia City Corporation (MCC). These institutions shall provide oversight management for the project and serve as adequate authorities to address worker's concerns. Where the construction and supervision consultants have an existing grievance system, their direct workers should use such a mechanism.

Contracted workers. The construction contractors will prepare their labor management procedure before the start of civil works, which will also include a detailed description of the workers' grievance mechanism.

The workers' grievance mechanism will include the following:

- i. a procedure to receive grievances such as comment/complaint form, suggestion boxes, email, a telephone hotline;
- ii. stipulated timeframes to respond to grievances;
- iii. a register to record and track the timely resolution of grievances;
- ii. a responsible department to receive, record and track resolution of grievances.

The summary of grievance cases will be reported to the PMU and the construction and supervision consultant as part of the contractor's periodic report. Where appropriate and available, the contracted workers should be allowed to utilize an existing grievance mechanism within the contractor. Where the aggrieved workers wish to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor, the workers may raise their issue with the PMU and/or the construction supervision consultant. The contracted workers will be informed of the grievance mechanism before the commencement of work. The contact information of the PMU and/or the construction supervision consultants will be shared with contracted workers.

Grievance Handling Procedure. Table 4 below provides steps with responsibilities of grievances relating to the complaint handling linked to labor issues. The fundamental purpose of this exercise is to present a grievance redress mechanism (GRM) process in an effective and user-friendly manner.

Steps	Complainants	GRM Functions	Timeframe	Suggested Focal
<p>Community-level GRM/mediation: The Affected Person (AP)/workers/complainant (or his/her representative) may submit his/her complaint in several ways, e.g. by written letter, phone, SMS messages and email to the GRM or raise his/her voice in a public or individual meeting with project staff.</p>				
1	Submission of complaint to the local or community level GRM/mediation	<ul style="list-style-type: none"> • Conduct public consultations among the affected communities to use grievance service. • Register a grievance in the project logbook and grievance database. • Segregate/sort and process. • Acknowledge and follow up of grievance. • Verify investigate, and act • Provide written response to the complainants. 	7 – 14 days	Local Community Chairman; Could include local municipal or township authorities
<p>Project level GRM: (a) Project Level GRM: If resolution at the local/community level is unsuccessful, or the Affected Person (AP) can take his or her complaint to project level GRM.</p>				
2.	Submission of grievance to the project level GRM through one of the channels	<ul style="list-style-type: none"> • Conduct coordinating meetings among complainants/public and appropriate administration levels. • Provide written response to the complainant. • Provide written response to the complainant 	15 days	E&S Teams at the PMU
<p>(b) GRM for Workers: The project workers (all three categories, direct workers, contracted workers and primary supply workers) can directly register their complaints with the GRM for workers. The members of this GRM will be trained to be capable to address grievances by workers, including workplace complaints efficiently and effectively to meet national regulations on labors and World Bank ESS2.</p>				
3.	Workers or labor association will submit their grievance to the GRM for Workers through one of the channels	<ul style="list-style-type: none"> • Refer workers related complaints to the Workers GRM. • Registration, classification and analysis of grievances. 	10 days	PMU & Technical Committee Members of the project

		<ul style="list-style-type: none"> • Convene the GRM for workers meeting to analyze and resolve the complaint. • Provide a written response to the complainant. • Guide with recommendations to the contractor to improve working condition/labor-management issues. 		
<p>County Level GRM: In case the grievance is not resolved within 10 days of its receipt, or it is unattended, the complainant can approach the County level GRM or to the court. The grievance will be examined and addressed within 30 days.</p>				
4.	Workers, labor associations or the AP can refer the complaint to the county GRM	<ul style="list-style-type: none"> • Conduct coordinating meetings/ resolution sessions with complainants. • Investigate the complaints. • Provide written response to the complainants. 	30 days	Steering Committee members including the Deputy Minister of MPW
<p>Referee Level: If all above fails, the last recourse is the Ministry of Labor, Civil Service Agency or Judiciary.</p>				

Grievances related to GBV/SEA/SH. To avoid the risk of stigmatization, exacerbation of the mental or psychological harm and potential reprisal, the GRM shall have a different and sensitive approach to GBV/SEA/SH related cases. The GRM equally applies to workers who experience GBV/SEA and SH. Where such a case is reported to the GRM, it should immediately be referred to the appropriate service providers, such as medical and psychological support, emergency accommodation, and any other necessary services. It should also be reported to the safeguards staff of the PMU who can advise on relevant service providers. Data on GBV/SEA/SH cases should not be collected through the GRM unless operators have been trained on the empathetic, non-judgmental and confidential collection of these complaints. Only the nature of the complaint (what the complainant says in her/his own words) and additional demographic data, such as age and gender, can be collected as usual.

Publicizing the GRM. The PMU will be in charge of publicizing the GRM. PMU should ensure that GRM is explained during public and workers' meetings. PMU should also ensure that leaflets on GRM are distributed during public meetings and made available, with contact numbers of the focal person for the GRM. Posters will be also be posted at project or work sites.

The following procedures shall be followed while filing and processing complaints through the above described GRM structures:

- i. Grievance Register Book: A grievance register book shall be opened and kept in the PMU. All grievances shall be registered when and upon the receipt of complaints from the aggrieved. The book shall have: i) case reference number, ii) the aggrieved name, iii) the date the case is received, iv) the date the case is resolved and, v) a remarks column;
- ii. Responsibility for Registering Complaints: the focal persons (FPs) in the project area or project site shall register in the Grievance Register Book all written complaints received;
- iii. Case Receipt: Within 24 hours of receiving complaints, the social consultant shall issue a letter to the aggrieved acknowledging receipt of the case and providing a date when the case will be reviewed as well as the venue;
- iv. Public access to the book: The book shall be accessible to the public;
- v. GBV/SEA/SH grievances will not be documented in the publicly accessible book. However, a GBV/SEA/SH action plan will be prepared to manage related risks.

9 PRIMARY SUPPLY WORKERS AND CONTRACTOR MANAGEMENT

9.1 Primary Supply Workers

Primary suppliers are suppliers who, on an ongoing basis, provide goods or materials directly to the Project. The project will require the procurement of substantial amounts of materials such as sand, stones, oil, bitumen, electro-mechanical equipment such as electrical cables and power poles, protection and control equipment, steel products among others however most of the risks are related to safety in borrow pits areas and child labor. The PMU must ensure that any contractor or supplier

engaged by the project comply with the requirements of ESS 2. The requirements of ESS 2 shall be embedded in the tendering, hiring and contracting documents, and any due diligence measures required in the sourcing of supplies for the project.

Child labor and GBV: Where a significant risk of child labor, GBV or serious safety issues in relation to primary suppliers has been identified, the procedure for monitoring and reporting on primary supply workers will involve various measures that have been put in place to prevent and control them such as establishment of grievance committees and GBV grievance redress desk established at community level. In the event of identification of child labor cases or GBV, these committees will immediately report to concerned authorities. The labor law also provides for penal and administrative penalties in case of non-compliance with its provisions.

OHS: These Labor Management Procedures require that, under the project, all primary suppliers must maintain records related to occupational injuries, illness and lost time accidents and to immediately reports fatalities to local authorities and the police for immediate investigation. These records will be subject to review by labor inspectorate as applicable and by project environmental and social management specialist on a continuous basis. The ESF team at PMU level also reserve the right to carry out field inspections and consult registries any time it deems necessary. Any supplier who will not comply with the law will be penalized in accordance with the provisions of the labor laws.

9.2 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 labor 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 labor 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 labor 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.

ANNEX 1- SAMPLE CODE OF CONDUCT

CODE OF CONDUCT FOR CONTRACTOR'S/CONSULTANT'S PERSONNEL

We, the Contractor, [enter name of Contractor] 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, laborers 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 PMU/LURP/MPW 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 MPW	
	Name / position of MPW staff incident was reported	
	Comments / Recommendations for PMU/MPW staff for which Incident was first reported	
	2 nd Name/Position / Department for which incident was reported to in MPW Comments / Follow up Action Recommended.	

Indicative Incident

Environmental	Social	Occupational Health & Safety
Small-volume hydrocarbon or chemical spills	Small-scale accidents or 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 disposal of hazardous waste	Project interference with locally significant practices or sites	Minor job site injuries
Small volume sediment, or waste run-off into local waterways	Vehicle damage to public or private roads caused by Works Contractors	Poor "housekeeping" at site, e.g., littering and waste 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 vegetation	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 fall" 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 solid waste	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, hazardous waste into waterways	Significant impacts to protected physical cultural resources	Consistent lack of health & safety plans and training at work site
Medium to large-scale waste disposal	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 taking away construction materials	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, of hazardous waste 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

ANNEX 3: SAMPLE COMPLAINT FORM

Complaint Form		
Grievance Number		Copies to forward to:
Name of the recorder		(Original) Receiver Party
District/ Sector/Cell		(Copy)- Responsible Party
Date		
INFORMATION ABOUT GRIEVANCE		
Define the Grievance		
INFORMATION ABOUT THE COMPLAINANT		Forms of Receive
Name-Surname		Phone line
Address		Community/Information meetings
Village		Mail
District		Informal
Signature of Complainant		Other

Grievances Close Out Form

Grievance Number:.....

Define immediate action required:.....

Define long term action required (if necessary).....

Verification of corrective action and sign off

Corrective action taken	Due date

Responsible Party

Notes: This part will be filled in and signed by the complainant when he/she receives the compensation or file is closed out

Complainant:.....

Name and Signature.....

Date

Representative of Responsible Party

Title, Name and Signature.....

Date:.....