

# Labor Management Procedures (Final)

Second Solomon Islands Roads and Aviation  
Project (SIRAP2) Additional Financing (AF)

14 November 2024

Document Review

Version	Date	Details	Submitted
1	09/08/2024	Original	Edwin Koveke
2	18/09/2024	Revision 1 Draft	Joseph Airahui
3	24/09/2024	Revision 2 Draft	Joseph Airahui
4	24/09/2024	Revision 3 Draft	Joseph Airahui
5	01/11/2024	Revision 4 Draft	Joseph Airahui
6	14/11/2024	Revision 5 Draft	Joseph Airahui

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Abbreviations and Acronyms

AF	Additional Financing
DSC	Design and Supervision Consultant
C-ESMP	Contractor's Environmental and Social Management Plan
CoC	Code of Conduct
EHS	Environmental, Health and Safety
ESF	Environment and Social Framework
ESMP	Environmental and Social Management Plan
ESS2	Environmental Social Standard 2: Labour and Working Condition
GRM	Grievances Redress Mechanism
GBV	Gender Based Violence
ILO	International Labour Organization
LMP	Labour Management Procedure
MCA	Ministry of Communication and Aviation
MID	Ministry of Infrastructure Development
NSC	National Steering Committee
OHS	Occupational Health and Safety
PPE	Personal Protective Equipment
PST	Project Support Team
SIG	Solomon Islands Government
SIRAP2	Second Solomon Islands Roads and Aviation Project
VAO	Suavanao Airfield
WB	World Bank

## 1.0. INTRODUCTION

The Solomon Islands Government (SIG), with World Bank financing, is implementing the Second Solomon Islands Roads and Aviation Project (SIRAP2) to improve the climate resilience and safety of the Solomon Islands' road and aviation sectors. In 2024, SIG requested additional finance (AF) for SIRAP2 given the need to expand SIRAP2 further. And the investment priorities under the proposed SIRAP2 AF are located on the following islands:

- Upgrading of Suavanao Airfield (VAO) located in Suavanao, Isabel Province.
- Routine maintenance and re-gravelling (including upgrading key vulnerable spots to enhance climate resilience) on 21 km of East Road from Baratolo to Atori, Malaita Province.
- Sealing 17 km of North Road (Auki Gwaunaru'u Airfield Junction to East Road Junction), Malaita Province.

This Labour Management Procedure (LMP) describes the requirements and expectations in terms of compliance roles and responsibilities, monitoring and reporting with respect to labour and working conditions under SIRAP2 AF. This plan will be adopted by the Ministry of Communication and Aviation (MCA), the Ministry of Infrastructure Development (MID) and the Project Support Team (PST) for SIRAP2 AF. This LMP will also cover the DSC, Contractors including sub-contractors and their respective workers both skilled, unskilled and casuals as well.

The LMP also considers the health and safety needs, and all the measures to addressing occupational health and safety issues specifically those related to COVID-19 and similar outbreaks. The LMP sets out the project's approach to meeting national requirements as well as the objectives of the World Bank's (WB) ESF, specifically objective of Environmental Social Standard 2: Labour and Working Condition (ESS2). The LMP will also provide provisions for labour/workers to raise grievances.

## 2.0. PROJECT DESCRIPTION

### 2.1. Overview of the AF

The proposed investments under the SIRAP2 AF are given in the table below. The road investments will be under MID, and the aviation investment will be under MCA.

Table 1: Proposed Investments for SIRAP2 AF

Upgrading of Suavanao Airfield (VAO) located in Suavanao, Isabel Province.
Routine maintenance and regravelling (including upgrading key vulnerable spots to enhance climate resilience) on 21 km of East Road, Baratolo to Atori, Malaita Province.
Sealing 17 km of North Road (Auki Gwaunaru'u Airfield Junction to East Road Junction), Malaita Province.

## 3.0. OBJECTIVE of the LMP

This LMP aims to ensure proper working conditions including:

- Promoting safety and health at work,
- Promoting fair and equitable labour practices for the fair treatment, non-discrimination and equal opportunity of workers engaged under SIRAP2 AF
- Protect all categories of project workers, including vulnerable workers such as women
- To prevent the use of all forms of forced and child labour
- To protect project workers' rights and ensure the management and control of activities that may pose labour related risks
- To provide project workers with accessible means to raise workplace concerns.

The LMP will identify and assesses potential labour risks and impacts on the project workers and describes how they will be mitigated. The LMP is a living document and will be reviewed and updated throughout development and implementation of the AF. This LMP will be updated based on approval of the activities for MCA and MID. The contractors are required to develop a WMP/LMP as part of their CESMP which will align with the requirements of this LMP.

## 4.0. OVERVIEW OF LABOUR USE ON THE PROJECT

### 4.1. Number of Project Workers

The ESS2 categorises the workers into direct workers, community workers, and primary supply workers. At this stage the number of workers will not be determined, except for the direct workers which covered SIRAP2 PST. A total of 12 workers are engaged.

Table 2: Number and Characteristics of Project Workers

Type	No. of Workers	Local	International	Timing of Engagement	Type of Job/Skills
PST	12	10	2	Q1 2022 – Q2 2029	Project Manager, Int. Procurement Specialist, Technical & Financial Staff
Supervision Consultant <sup>1</sup>	16	7	9	Q3 2023 – Q2 2029	Technical Staff: Engineers and supervisor and E&S Specialist
Contractor <sup>2</sup>	Not Known Yet				Airport and roads engineers, technical staffs, technicians, skilled and unskilled labour

Details of female workers to be hired under the project are not known at this stage. The community workers will be managed under the contractors.

### 4.2. Characteristics of Project Worker

For this AF, types of workers to be engaged is characterized by the type of activities that will be undertaken.

#### 4.2.1. Direct Workers

The Direct Workers will be the personnel stationed at the SIRAP2 AF PST Office. These would be the level of Project Manager, Procurement Specialists, Finance, administration, and safeguards.

The supervision consultants including Chief Engineer, Site Engineer, and other for

<sup>1</sup> Supervision Consultant will include firms subcontracted to do specific studies such as Geotech and topographical surveyors and others.

<sup>2</sup> Contractors will include subcontractors.



performing other specific functions as per requirement.

#### 4.2.2. Contracted Workers

For SIRAP2 AF the contracted workers will cover the Design and Supervision Consultant and Contractors. At this stage the Design and Supervision Consultant (DSC) and Contractors are not yet known. This LMP will be updated once this information is made available.

**The DSC** will be engaged to assist PST in the implementation and construction supervision of SIRAP2 AF activities. It will comprise of contract workers, comprising professionally qualified project engineers, multidisciplinary construction managers, skilled work supervisors and technicians.

**The Contractors** will be engaged to do the actual construction of the infrastructure. The contractor will have both technical staff and qualified engineers. They will be responsible for the employment of the unskilled (local community members). The unskilled workers will work and return to their respective homes. However, the skilled workers will be accommodated temporarily at the site for the duration of the project. Their camp will be set up by the contractor. The skilled and unskilled workers will be normally sourced through registered labour contractors, as a standard operating practice. The registered labour contractors includes sub-contractors such as topographical surveyors, UXO survey contractors and Geotech surveyors. In summary, ESS2 applies to project workers including fulltime, part time, temporary, seasonal and migrant workers (those who migrate from one location to another for employment purposes).

#### 4.3. Timing of Labour Requirement

The deployment of the contracted workers and community worker, particularly skilled category will directly link to the phases of the project (detailed engineering design, and construction phase) and the type of activities needed for the road upgrading, Fiu bridge replacement and Suavanao airfield sealing activities.

##### 4.3.1. Information on Contracted Workers

SIRAP2 AF, through the PST will maintain information on engagement of contracted workers of all categories. The contractors will be contractually obligated to maintain updated information on all categories of contracted workers, especially migrant construction workers and periodically.

The format for submittal of information on all contract workers will be finalised during mobilization phase of the contractor. The information database on contracted workers to be maintained by the contractor will include not limited to the following<sup>3</sup>.

- Name and Age (to be supported by Voter Card or some other official documents)
- Father's Name or may be next of kin and Permanent Address
- Marital Status and Name of the Spouse (if married)

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<sup>3</sup> as per ESF/Safeguards Interim Note: COVID-19 considerations in construction/civil works projects dated April 7, 2020

- Number of Children with Gender (as applicable)
- Place of Stay of Spouse and Children during work engagement under SIRAP2 AF
- Address and Contact Number (in case of any emergency)
- Key Skills and Years of Experience
- Work activities, Schedule, Duration of Engagement
- Duration of Contract and Rotation Arrangements
- Facilities Arranged by Contractor including health check-ups prior to engagement, accommodation (onsite workforce camps, with local community, transportation to work site and other facilities (to be specified by Contractor)
- Pre-Employment Check-ups, Fitness Tests and Health Awareness Campaign for workers

The contractor will be obligated to consider the following from COVID-19 or similar outbreaks considerations.

- **Sensitization of all contracted workers** about COVID-19, and precautions to be taken like social distance of minimum 1.5 metre during all work situations, use of face masks or cotton cloth, maintaining safe distance, use of sanitizers and frequent washing of hands, avoid spitting in public, maintain hygiene, reporting of flu like illness symptoms, avoid use of chewing gum, tobacco in all forms, and creation of isolation/quarantine rooms, for any workers showing COVID-19 symptoms, until shifting to hospitals, among others.
- **Minimize movement in and out of site** (consider extending term of existing contracts, to avoid workers returning home to affected areas, or returning to site from affected areas)
- **Minimize contact with people near the site** (including in certain cases prohibit from leaving the site for the duration of their contract, so that contact with local communities is avoided to extent possible. Move workers to site accommodation (subject to availability) where they would be subject to the same restrictions.

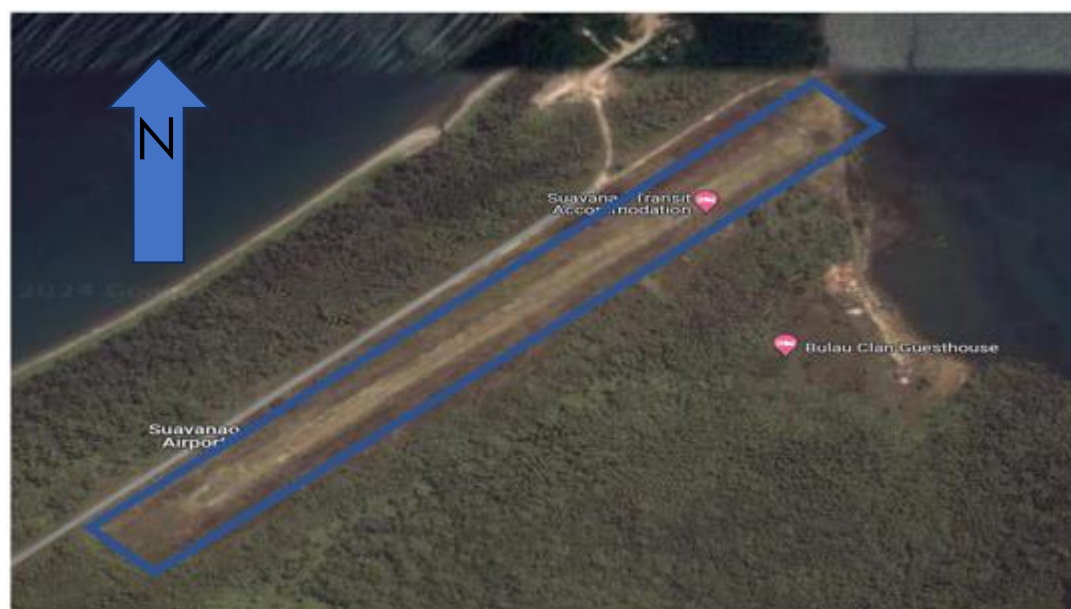
## 5.0. Project Activities

The SIRAP2 AF activities include upgrading of Suavanao Airfield in Isabel, sealing 17Km North Road in Malaita Province, and routine maintenance of the 21 km East Road from Baratolo to Atori in Malaita Province.

### 5.1. Upgrading of Suavanao Airfield (VAO) located in Suavanao, Isabel Province.

The airport is located on Isabel Island in Isabel Province. The existing coronous surface is low-lying and close to the lagoon. It is often saturated with the southern side of the runway strip submerged in the adjacent swampy wetlands. The runway also has water ponding issues on the central section. Without a proper pavement and drainage system, the existing runway is easily flooded and would be detrimental to the integrity of the runway and is inadequate for any aircraft operation. To adapt to these climate risks, the proposed AF will finance the construction of a new drainage channel on the southern side, deepening of the existing side drainage, raising the runway elevation, construction of base course, sealing of the unsealed runway, taxiway, and apron with bituminous surfacing, installing airfield ground lighting, and providing airfield line markings.

Figure 1: Suavanao Airfield



### 5.2. Sealing 17Km North Road (Auki Gwaunaru'u Airfield Junction to East Road Junction), Malaita Province.

This subproject site is located in Malaita Province. The 17km unsealed section along the North Road starts from Auki Gwaunaru'u Airfield Junction to East Road Junction (Ferakui) (See Figure 2). This section is about 80% flat, 20% gently sloping to undulating (3-8% slope type) and in 6 places slope is rolling to moderately steep (8% -30% slope). It traverses two rivers, 4 streams and 20 drains. The roadway includes three bridges and 25 culverts. The three bridges are located at Koa River and Bio 1 and Bio 2 Rivers. The three bridges and routine maintenance, regravelling and spot upgrade of the 17 km road were completed under SIRAP in September and August 2024, respectively. The proposed SIRAP2 AF

includes the investigation and design for sealing the 17 km gravel section between Auki Gwarunaru'u Airfield Junction and East Road Junction (Ferakui) (See Figure 3), and sealing and associated construction supervision of a part of the section with double bituminous bituminous surfacing treatment (DBST) and concrete pavement.

Figure 2: Proposed 17Km North Road Sealing Works, Malaita Province





*Figure 2: Photograph of North Road Improvements completed in September 2024.*



### **5.3. Routine Maintenance of 21 km of Unsealed East Road to Atori, Malaita Province.**

East Road is a 42 km-long gravel road, traversing Malaita Island, and its mountainous center from west in Dala to east in Atori. It has much longer steep sections with higher gradients, accelerating the deterioration of the road due to runoff water and making it impassable during rainy seasons. While the condition of the first 21 km from Dala has improved under SIRAP, the remaining 21 km to Atori is still a missing link and requires investment. To enhance climate resilience and connectivity during rainy seasons, the proposed AF under SIRAP2 will provide pothole repairs, crossfall correction, enhanced drainages and culverts, concrete pavement on steep sections, slope stabilization, routine maintenance, grading, regravelling, and road safety improvements on the remaining section of East Road. The detailed design completed under SIRAP in 2020 adopted the design criteria to allow for an increase in rainfall volumes and intensity and this will be reviewed and updated under the proposed SIRAP2 AF.

*Figure 3: East Road (Baratalo – Atori, 21 km)*

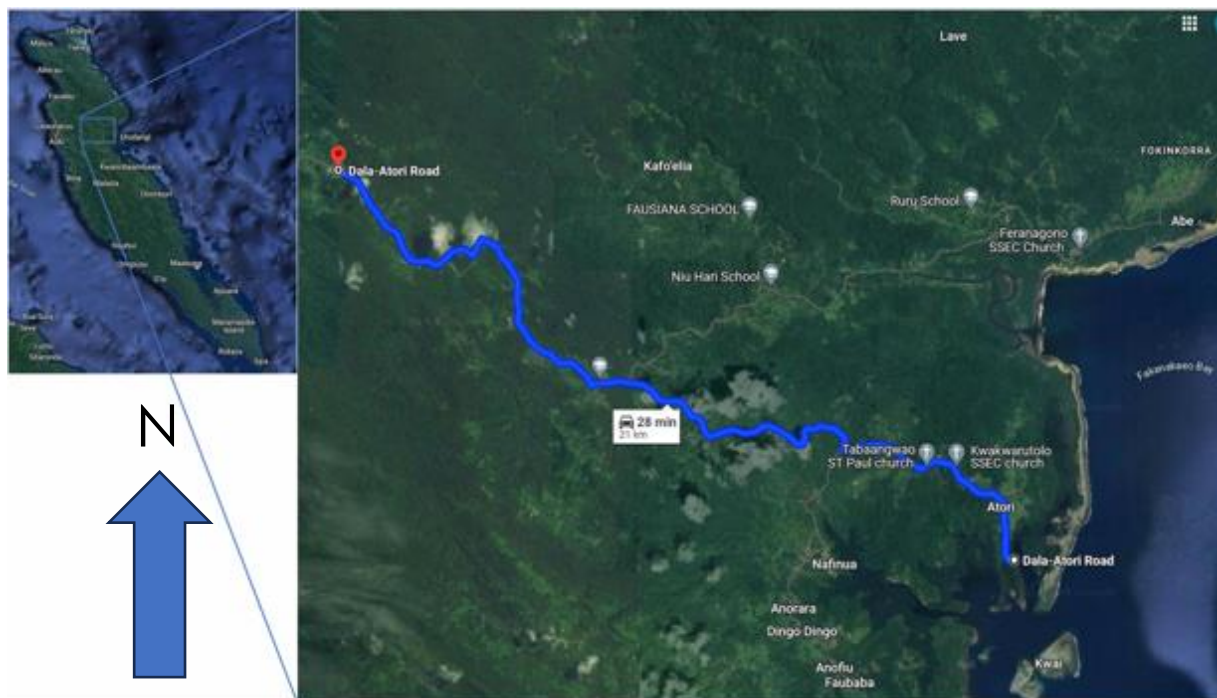


Figure 4: Example of the current condition of the East Road (Baratalo-Atori, 21 km) - PC: In depth Solomon's FB Page).



Figure 5: Current condition of East Road, Baratalo - Atori. PC: SBM Fb Page.





## **6.0. Assessment of Key Potential Labour Risks**

In respect of the infrastructure related interventions proposed, the nature of sealing the 17Km North Road from Gwaunaru to Ferakui, routine maintenance, regravelling, and spot upgrading of the 21Km East Road from Baratolo to Atori, including the design for Dala Bridge and Banio Bridge, and upgrading of the Suavanao Airfield might trigger several identified potential risks that this LMP is purposed to avoid or alleviate. These risks are identified based on the scale of activities, the corresponding labour requirement and the location where the activities will be implemented.

The most commonly adopted construction activities for roads and airport as hereunder:

- Site clearance activities including clearing and grubbing
- Establishing of material stack yard, hot mix plant, concrete batch mix plants, workforce camps as per requirements
- Procurement of construction materials, stacking and transportation to work sites
- Construction of longitudinal drains and road safety signs and etc
- Levelling and consolidation of roadway formation widths
- Construction of sub-base and base layers
- Laying of bitumen pavement and construction of shoulders
- Collection, transportation and disposal of all construction debris at approved locations
- Slope stability Improvement and erosion control works along landslide/erosion prone stretches of roads through nature based(bioengineering) interventions and developing vegetation cover for open areas within right of way
- Restoration of borrow areas, campsites, material laydown sites, hot mix plant, concrete batch mix plants, workforce camps, as per agreed upon restoration plan.

### **6.1. Key Labour Potential Risks**

Following are the potential risks associated with workers/labours engaged in road and airport construction works.

- Lack of training/awareness/ orientation amongst workforce and for safety at work
- Safety issues, while work at heights and working around moving equipment/machineries
- Lack/Inadequate or inappropriate personnel protective gear and or safety accessories for workforce
- Injuries/fatalities leading to even death, while at work during normal course, either due to negligence at work and/or inadequate experience/training or accidents
- Inadequate first-aid facilities at work sites and lack of emergency response mechanism for shifting injured to hospitals and care thereof
- Short and long-term effects on health due to over exposure to dust and noise levels, while at work
- Long term effects on health life due to exposure to chemicals /hazardous wastes, if any



- Inadequate accommodation facilities at work force camps
- Lack of adequate sanitation and health facilities
- Non-payment and disparity of wages
- Discrimination in employment (e.g., abrupt termination of the employment, working conditions, wages or benefits etc.)
- Engagement of child labour
- Sexual harassment at work sites or workforce camps
- Forced labour trafficking
- Safety and security of workforce campsites
- Safety and security of women workforce at work sites and within workforce campsites
- Lack/Inadequate facilities for the children of the workforce at camp sites
- Gender based violence issues within workforce camp sites
- Conflicts with local community, particularly gender-based violence issues
- Health risks of labour relating to HIV/AIDS and other sexually transmitted diseases
- Absence or inadequate or non-responsive emergency response mechanism for rescue of workforce, during natural calamities like disasters due to earthquake/floods/fire outbreak etc at operational sites and/or workforce camps
- Employment of children in hazardous work environment.

In addition, other risks could be as follows:

- i. Unclear terms and conditions of employment (particularly for unskilled construction workers/labor)
- ii. Discrimination and denial of equal opportunity in hiring and promotions/incentives/training opportunities (contracted workers)
- iii. Denial for workers' rights to form workers organizations, etc. (particularly for unskilled construction workers/labor)
- iv. Absence of a grievance mechanism for labor to seek redressal of their grievances/issues

The labour risk mitigation and OHS management of workers and related issues arising during construction works including subcontractors will be under direct control of contractors and thus have to be managed by contractors. Therefore, ensuring effective management of OHS plan for contract workers by contractor is core to the implementation of SIRAP2 AF by MID and MCA.

In respect of COVID-19: Influx of migrant workers will require additional considerations. SIRAP2 AF will require to bring in construction workers from outside of the country. Thus, it will inevitably bring in migrant workers from other provinces and outside of Solomon Islands. These workers could become vectors for transmission of COVID-19 to other workers in construction project sites and nearby communities.

SIRAP2 AF PST and contractor will ensure the contractor strictly adhere to these SIG and World Bank COVID-19 SOPs at all construction sites, which will cover migrant workers for pre-employment health checks including testing for COVID-19 symptoms at approved venues of all migrant workers about COVID-19, precautions like maintaining social distance of minimum 1.5 metre at work sites as well as at workforce camps, covering of

face with masks/cotton cloths, use of sanitizers, frequent washing of hands, avoid spitting in public, maintain hygiene, reporting of flu-like-illness symptoms, avoid use of chewing betelnut, tobacco in all forms, creation of isolation/quarantine rooms for any workers reporting/showing COVID-19 symptoms until shifting to designated COVID-19 sites, controlling entry and exit from site/workplace; use of non-contact thermal scanners at entry/worker reporting points, reviewing accommodation arrangements maintain social distancing norms, providing adequate and appropriate forms of personal protective equipment (PPE) among others as part of the Contractor's labour management plan. In case of any workers reporting COVID-19 symptoms, contractor will arrange to immediately shift such worker to temporary isolation rooms at workforce camps, until they are shifted to designated COVID-19 care sites at respective provincial level.

PST and Design and Supervision Consultant will ensure contractor is obligated to implement all applicable management plans/SOPs for COVID-19 at work sites and specially covering all migrant construction workers during the mobilisation phase of the contractor, as part of the approval process of the Contractor's OHS Plan and ESMP for works under SIRAP2 AF.

## 7.0. Brief Overview of Labour Legislation: Terms and Conditions

### 7.1. National Legislation

The principal legislation governing labour management in the Solomon Islands includes:

- **Labour Act (revised edition 1996)** provides an overarching framework for labour legislation, establishing standards in relation to:
  - Days and hours of work
  - Payment of wages
  - Written contracts of employment
  - Maternity leave
  - Child labour
  - Care of workers
  - Termination of employment
- **Trade Unions Act (revised edition 1996)**, which regulates the registration, leadership and operation of trades unions in Solomon Islands
- **Workmen's compensation Act (revised edition 1996)** makes provision for compensation to workmen injured at work in Solomon Islands, its also include occupational diseases.
- **National Provident Fund Act (revised edition 1993)** requires employers to pay contributions for any employee under a contract of service or apprenticeship.
- **Unfair dismissal Act (revised edition in 1996)** provides a remedy for employees who may be unfairly dismissed and establishes right of referral to the Trade Disputes Panel
- **Safety at Work Act (1982)** designed to establish safe systems of work to eliminate or minimize the risks to health, safety and welfare. Under the Safety at Work Act, employer has the duty to:
  - Ensure the health, safety and welfare of all employees including part-and full-time workers, temporary workers and work experience people.
  - Inform, instruct and supply relevant information to all employees
  - Ensure that all plant, machinery and systems of work are safe and without risk to health and safety.
  - Ensure that all premises are safe to use and that all hazardous processes are either eliminated or adequately controlled.
  - Ensure that adequate training is supplied to staff where applicable
  - Ensure freedom from discrimination, harassment, bullying or violence in the workplace.
  - Ensure the health and safety of other who are not employed by the employer but may be affected by their undertaking, for example visits or contractors.

### 7.2. International Conventions on labour

Solomon Islands has in addition ratified the following International Labour Organisation (ILO) conventions:

- C029 – Forced Labour Convention, 1930

- C087 – Freedom of Association and Protection of the Right to Organise Convention, 1948
- C098 – Right to Organise and Collective Bargaining Convention, 1949
- C105 – Abolition of Forced Labour Convention, 1957
- C111 – Discrimination (employment and occupation) Convention, 1958
- C138 – Minimum Age Convention, 1973
- C182 – Worst Forms of Child Labour Convention, 1999

### **7.3. Gender Based**

The Gender Equality and Women's Development (GEWD) Policy 2016 – 2020 is the overarching policy framework for achieving gender equality and women's rights in the Solomon Islands. SIG has in addition adopted other national and international frameworks and commitments such as the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and the Sustainable Development Goals (SDGs) are also fundamental to the purpose of the GEWD Policy. The Policy places the promotion of gender equality at the heart of the government's mission and recognizes that continuing to invest in women's empowerment is vital to achieving gender equality, including improved economic status of women, and recognizes the need to work to address attitudinal and institutional barriers to gender equality. The SIRAP2 AF will continue to implement the SIRAP Gender-Based Violence Action Plan (GBV Action Plan) for its activities and within the subproject areas.

## **8.0. Brief Overview of Labour Legislation: Occupational Safety and Health**

All occupational health and safety requirements as per WB Environmental, Health and Safety (EHS) and SIG law must be in place and workers trained in necessary procedures (e.g., spill response plan).

The OHS Management Plan will be designed to reinforce existing SIG health and safety law and must be applied to all aspects of the AF. They must also be applied in compliance with the World Bank OHS Environmental, Health, Safety (EHS) Guidelines<sup>4</sup>.

For the purposes of the project, in addition to the national OHS standards the employer is adopting a guideline for occupational health and safety based on good international industry practice. To be qualified for bidding contractors will be required to have in place an occupational health and safety management system which is compliant with, or equivalent to, OHSAS 18000 (<http://certificationeurope.com/ohsas-18000-health-safety-management-standards/>) and is acceptable to the client. The contractor shall specify which occupational health and safety standards are to be applicable to the project and provide evidence of application of such standards on a project of similar size and complexity during the past 5 years.

Civil works shall not commence until the Supervision Engineer has approved the OHS Management Plan, the Safety Officer is mobilized and on site, and staff have undergone induction training. Details of the expected content of the OHS Management Plan and expected practices of the Contractor with regards to health and safety.

In light of the COVID-19 and other world like pandemic diseases for example the scabies, chicken pox and M-pox that are easily spreading, the project will ensure to protect its workers, and to comply with those regulations that of the local and national health authority guidance on COVID and other like diseases. The Project should prioritize and look after the well-being of the workers and monitor and follow the local and national health authority guidance on Covid-19. All workers are required to undergo the COVID-19 testing, if a worker has been tested positive or in contact with a positive COVID-19 case, the worker will be required to undergo the 14 days quarantine.

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<sup>4</sup>

<https://www.ifc.org/wps/wcm/connect/1d19c1ab-3ef8-42d4-bd6b-cb79648af3fe/2%2BOccupational%2BHealth%2Band%2BSafety.pdf?MOD=AJPERES&CVID=Is62x8I>

## 9.0. Responsible Staff

### 9.1. Engagement and Management of Project Workers

**Direct Workers:** This will be the PST which will be responsible for the day-to-day project implementation on behalf of the SIG. The PST will engage 12 consultants, of which 2 will be international staff and 10 nationals. These direct workers will be mostly technical staff with skills in engineering, financial and environmental and social fields.

### 9.2. Engagement and Management of Contractors/ Subcontractors

The contractors will be primarily engaging the contract workers at field level will be overseen and managed by the Design and Supervision Consultant under the overall guidance of PST.

At the field level, every contractor will be mandated by contract to deploy one EHS officer (Environment, Health and Safety) per construction package to oversee Workers' Supervisors, managing workers on daily basis. The contractor workers will be supervised by their own supervisors and report to EHS officer(s) of the main contractor.

**Contracted Worker Design and Supervision Consultant:** The project will engage one main contractor (Supervision Engineer) who will be responsible for the day-to-day oversight of the construction works for the project, including safeguard compliance. The Supervision Engineer will work closely with the Contractor on a daily basis to ensure that all works are implemented in a compliant manner consistent with the detailed designs provided and the ESMPs and the LMP.

**Contracted Worker Contractor:** This will be the contractor that will carry out the actual construction of the proposed activities. The contractor will resource their team with an experienced and qualified full-time national safeguard specialist and an experienced and qualified international safeguards key personnel who is resourced to make regular and ad hoc (as needed) site visits. And they will deal with employment of the communities for the unskilled tasks. These will be taken into consideration in their bidding document.

Workers under the age of 18 will not be permitted in the implementation of the project. Details of workers to be hired under the project are not known at this stage.

**Contracted Worker Individual Consultant:** In case of consultancy services for conducting various studies, the various consultancy teams would be managed by PST under the directions of the Project Manager under their individual firms for SIRAP2 AF.

This LMP will be updated to include additional details on the engagement and management workers are known in the later stage.

### 9.3. Occupational Health and Safety (OHS)

The ESMPs prepared for SIRAP2 AF include measures to mitigate project's environmental and social risks and impacts. The ESMPs also has the institutional set-up outlining the roles and responsibilities of different project stakeholders involved in implementation of ESMP and ESCP, including that of contractor's Environmental, Health and Safety Officer.

The PST will coordinate with the Supervision Consultant to enforce effective implementation of measures approved in the Contractor's Environmental and Social Management Plan (C-ESMP) with the contractor including the OHS requirement in line with the ESF and also the national requirements. The contractor's approved C-ESMP will be reviewed periodically and updated in a timely manner, to address changed requirements, if any during project implementation.

#### **9.4. Training of Workers**

The OHS plan, will be submitted by the contractor and approved by Supervision Consultant/PST, prior to commencement of construction activities that will have procedures for the training of workers at various stages as hereunder:

- Induction training of new workers on OHS, CoC, local culture and custom sensitisation, GBV, SEAH and HIV.
- Toolbox meet/briefings by work supervisors on daily basis, sensitisation of workers about safety procedures at work for the day
- Briefing on safety at work procedures, prior to commencement of any new activity/tasks
- Response and reporting in case of injuries and/or incidents related to safety at work
- Periodic health check-ups and encourage to report occupational health issues
- Create awareness and report unsafe incidents at work, injuries including minor ones
- Awareness and mock drills about emergency response plan at worksite and reporting protocols
- Awareness and briefing on community safety, while at work
- Awareness and briefing on the Grievances Redress Mechanism (GRM), specially set up redressing Grievances, without any retribution
- Mandatory use of PPEs at work and replacement of PPEs

Specifically, in context of COVID-19, the C-ESMP will be required to cover aspects relating to the following:

- Details of key responsibilities and reporting arrangements vis-à-vis the project's Supervising Engineer and the contractor
- Coordination and reporting arrangements between contractors
- Raising awareness and training of workers in mitigating the spread of COVID-19
- Assessment, triaging and treatment of patients and/or workers infected with COVID-19

#### **9.5. Addressing Worker Grievance**

The contractor of respective construction packages will be obligated to set up a GRM, specially to redress complaints relating to workers deployed for construction works under SIRAP2 AF. The GRM will have due representation of PST, Construction Supervision Consultant, Contractor, Workers and women (from PST/contractor/workers). The mandate for GRM, Institutional arrangements, procedure for receiving complaints, time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be finalised during the approval of C-ESMP by Supervision Consultant and PST. SIRAP2 PST will have an oversight of this labour GRM. The GRM for the Workers will be set up during mobilisation phase of the contractor. For SIRAP2 AF GRM for PST direct workers, the project manager (s) shall oversight to address their grievances. In the event that PST direct workers are not comfortable in raising their grievance with the project manager, they will do that in writing to the National Steering Committee (NSC) to address these grievances.

For the DSC under SIRAP2 AF, the GRM process shall be accommodated by the PST. In the event that the GRM is unsatisfactorily addressed, the PST shall appraise the GRM matter to the NSC for further arbitration.



## 10.0. Policies and Procedure

All the employee and contractors working under SIRAP2 AF will sign the code of conduct before mobilising to the site of engagement. The following are the policies and procedures:

- i. Incidents and Accidents related
- ii. Occupational Health and Safety Related
- iii. Gender Based Violence (GBV)/Sexual Exploitation and Abuse
- iv. COVID-19 Consideration

A copy of the CoC Policy is also attached as Appendix 1 to this LMP.

### 10.1. Incidents and Accidents Notification

The contractor will promptly notify to the PST within 24 hours any incident or accident related or having an impact on the Project which has, or is likely to have, a significant adverse effect on the environment, tangible cultural heritage, the affected communities, the public or workers. They will provide sufficient detail regarding the incident or accident, indicating immediate measures taken to address it, and including information provided by any contractor and supervising entity. Further, the PST will appraise this to MCA/MID and WB.

To mitigate the risks of accidents and incidents

No.	Action	Responsibility	
		Implementation	Supervision
1	<p>EHS: Before commencing the works, onsite PST, Supervision Consultant and contractor shall provide training to all worker on basic EHS risks associated with the proposed construction works and the worker's responsibility</p> <p>Training will be conducted on a monthly basis. Contractor's site engineers will arrange weekly toolbox talks to the construction workers on EHS risk associated with construction activities that will be carried on that particular week</p> <p>The contractor's monthly training program will also cover topics related to Code of Conducts such as sexual harassment, sexual/gender-based violence and respectful attitude while interacting with the local community.</p>	Contractor	Supervision Consultant and PST

2	PPE: Contractor shall provide Personal Protective Equipment (PPE) for workers, such as safety shoes, helmets, safety vests masks, gloves, protective clothing, goggles, full face eye shields and ear protection based on the work requirements. Workers shall maintain the PPE properly by cleaning dirty ones and replacing damaged ones	Contractor	Supervision Consultant and PST
3	Height Risks: Contractor shall install guard rails with mid-rails and toe boards at the edge of any fall hazard area All shall use fall preventing devices such as full body harness in conjunction with the shock absorbing lanyards.	Contractor	Supervision Consultant and PST
4	Risk from machines and moving equipment: Contractor shall hire trained operators for the safe operation of specialized vehicles such as forklifts, including safe loading and unloading moving equipment with restricted rear visibility shall be outfitted with audible back-up alarms. Flagman will be provided to each moving equipment operator to guide the movement of equipment.	Contractor	Supervision Consultant and PST
5	Electrical Exposure: Contractor shall mark all energised electrical devices and lines with warning signs. The Contractor shall check all electrical cords, cables and hand power tools for frayed or exposed cords and following manufacturer recommendations for the maximum permitted operating voltage of the portable hand tools.	Contractor	Supervision Consultant and PST
6	Emergency at Worksite: The contractor shall prepare an emergency preparedness and response as part of the CESMP The contractor shall mark the fire escape routes and train the	Contractor	Supervision Consultant and PST

	<p>workers on emergency evacuation.</p> <p>Emergency drills shall be conducted on regular basis.</p> <p>The contractor shall have adequate fire extinguishers at the work site and all contractors site supervisors shall be trained with the operation of the extinguishers.</p> <p>The contractor shall have adequate spill kits for control of oils spills and leaks.</p>		
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### 10.2. Gender Based Violence (GBV) Related

It is anticipated that there will be more men than women working and will be largely in the unskilled category. Contractors will maintain harmonious relations with the local communities and by ensuring workers adhere to Code of Conduct (CoC). The CoC commits all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable standards of behaviour. The CoC will include sanctions for non-compliance, including non-compliance with specific policies related to gender-based violence, sexual exploitation and sexual harassment (e.g., termination). The CoC will be written in plain language and signed by each worker to indicate that they have:

- received a copy of the CoC as part of their contract;
- CoC has been explained to them as part of induction process;
- acknowledged that adherence to CoC is a mandatory condition of employment;
- understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

To mitigate potential risks related to on-site safety and GBV, the contractor will undertake actions as given in table below:

No.	Action	Responsibility	
		Implementation	Supervision
1	Facilities: Separate, safe and easily accessible facilities for women and men in the place of work and the labour camps. (e.g., toilets should be located in separate areas, well-lit)	Contractor	DSC and PST
2	Awareness: Display signs that the project site is an area where Sexual Exploitation and Abuse is prohibited.	Contractor	DSC and PST
3	CoC: Ensure Codes of Conduct are clearly	Contractor	DSC and

	understood and signed by those with a physical presence at the project site;		PST
4	Train project staff on the behaviour obligations under the CoCs and Disseminate CoCs (including visual illustrations) and discuss with employees and local communities.	Contractor	DSC and PST

### 10.3. Occupational Health and Safety

The construction of road and airports has its own challenges and add to the OHS challenges encountered during construction stage. The significance of OHS concern for workers and community would increase due to many factors that may be due to site conditions, workers or communities' awareness to OHS preventive/protective measures, provisions in contract, lack of supervision and monitoring and effective enforcement by implementing agency.

The OHS of workers and related issues arising during construction works will be under direct control of contractors, who will be responsible and liable for safety of site equipment, labours and daily workers attending to the construction site and safety of citizens for each work site, as mandatory measures. The requirement for the preparation of an OHS plan by Contractor, as part of C-ESMP is integrated in the contract documents and commitment in the ESCP. Further, the ESMP will be updated including management measures and contractor's responsibility to response to COVID-19 risk. The Contractor shall be obligated to include COVID-19 Response and Management measures in OHS plan that will be part of the C-ESMP submitted for approval.

Under no circumstances, the contractors (including sub-contractors) working under SIRAP2 AF will engage forced labour(all forms) including bonded labour (working against an impossible debt), excessive restrictions for freedom of movement, inordinately long notice periods, forceful keeping/ retaining worker's identity or any government issued documents or personal belongings, imposition of recruitment fee or commission payable either directly or indirectly at the commencement of employment, loss or delay of wages that impede the workers' right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other bouncers to force or extract work from project workers, or other restrictions that compel a project worker to work on a non-voluntary basis.

This will be ensured through i) inclusion of code of conduct in the contract documents; ii) OHS performance requirements, which include code of conduct on handling workers and iii) regular monitoring and reporting by the PST.

### 10.4. COVID-19 Consideration

**Request details in writing from** the Contractor of the measures being taken to address the risks (*construction contract should include health and safety requirements and mitigation measures*); This should include SOPs that cover the following aspects:

- Conducting pre-employment health checks
- controlling entry and exit from site/workplace
- General hygiene, cleaning and waste disposal
- Adjusting work practices

- e. reviewing accommodation arrangements, to see if they are adequate and designed to reduce contact with the community
- f. reviewing contract durations, to reduce the frequency of workers entering/exiting the site
- g. rearranging work tasks or reducing numbers on the worksite to allow social/physical distancing, or rotating workers through a 24-hour schedule
- h. providing appropriate forms of personal protective equipment (PPE)
- i. Instances of spread of virus
- j. Training and communication with workers
- k. Communication and contact with community

**Request the Contractor to convene regular meetings** with the project health and safety specialists and medical staff (and where appropriate with local health authorities), and to take their advice in designing and implementing the agreed measures.

**Identify a senior person** as a focal officer with responsibility for monitoring and reporting on COVID-19 issues and liaising with competent authorities designated by the district administration or State Government authorities point

**Check with Contractors** on whether the workers are informed/encouraged to use the existing project grievance mechanism to report concerns relating to COVID-19

The reports to be prepared for monitoring of compliance with HIS risks are summarized below

No.	Reports	Contents of the Report	Frequency	Responsible
1	OHS Monitoring Report	Compliance status of the project with the CESMP mitigation and monitoring measures	Weekly	Contractor
2	OHS Monitoring Report	Compliance status of the project with the ESMP mitigation and monitoring measures	Monthly	Supervision Consultant
3	OHS Monitoring Report	Compliance status of overall Project with ESMP requirement	Quarterly	PST
4	Incident Reports	Incident investigation reports for all major incidents covering details of the incident, root cause analysis, and actions taken to address the future recurrent of this event	Initial investigation report within 24hours; Detailed investigation report	Contractor

## **11.0. Age of Employment**

### **11.1. Direct Worker**

The Direct workers will be technically qualified, with age ranging between a minimum of 18 years and maximum 60 years.

### **11.2. Contracted Workers**

The age of the technically qualified and or skilled contract workers can be range between a minimum of 18 years and maximum 60 years, whereas the age of unskilled workers can range between 18 to 50 years and in no case, it can be expected to exceed 60 years.

It is possible that some of the personnel (specially consultants) deployed by PST, in exceptional cases could have a maximum age of 65 years.

The age of the personnel deployed by PST could be verified by PST through valid documents like Voter Card/Passport/Valid Driving License.

It is possible that some of the managerial or supervisory level contract workers deployed by contractor, in exceptional cases could have a maximum age of 65 years.

The age of the skilled and unskilled personnel deployed by Contractor could be verified by Supervision Consultant through valid documents like Voter Card/Valid Driving License. In exceptional cases, where the unskilled worker(s) are unable to produce valid age proof documents for whatsoever reason, the age could be ascertained through medical examination by competent medical authority at Government hospital at the expense of Contractor

Solomon Islands has ratified both the ILO Minimum of Age Convention (C138) and the ILO Worst Forms of Child Labour Convention (C182). The minimum age of employment for this project will be 18years due to the hazardous work conditions. To ensure compliance, all employees will be required to produce their voters ID or driving licence as a proof of their identity and age. Contractors and subcontractors will be required to receive approval for the specific procedures they will use to verify the ages of job applicants.

If underage workers are found working on the project, PST will provide immediate notification to the contractor and labour office and instruct immediate termination of the worker by the contractor.

### **11.3. Community Workers**

SIRAP2 AF intends engage local workers along project roads, particularly women from nearby villages/areas and deploy for non-core project interventions like vegetation clearing and drainage cleaning as well as engaged as cleaners in the office and camp. Also, men will also be engaged in the unskilled jobs for both the road and airports proposed activities.

The workers thus engaged on payment basis, will be sourced from nearby villages/areas. The age (in compliance with the national standard) of the community workers will be verified by the contractor and supervision consultant through valid documents like Voter Card.

### **12.0. Terms and Conditions**

The contractor that will be engaged under SIRAP2 AF will comply with the national law regarding the payments and working hours.

### **13.0. Compliant and Feedback Procedure**

A grievance mechanism under SIRAP2 will be maintained and utilised under SIRAP2 AF for all direct workers and contracted workers (and, where relevant, their organizations) to raise workplace concerns. Such 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. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers.

The grievance mechanism will be proportionate to the nature and scale and potential risks and impacts of the project similar to that of SIRAP2. It was designed to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without and retribution, and will operate in independent and objective manner.

The grievance mechanism will not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or any substitute avenue for addressing issues as such.

Information relating to availability of GRM without any retribution, its institutional set up, timings and procedure for receiving complaints, mechanism of handling complaints, maximum time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be disseminated to the workers on a regular basis.

Some of the GRM dissemination avenues are;

- During Induction training for new workers
- During Toolbox meet/briefings by work supervisors
- During periodic tail gate sessions, to review and refresh site protocols on safety procedures at work.
- Through pictorial illustrations and posters in local language installed at prominent places like entry/exit points, canteen, entertainment areas, health camps sites etc.
- During awareness campaigns for safety at work and response to Emergency Response Plans
- Awareness and briefing on community safety, while at work

A summary of the grievance received should be included in the monthly and quarterly monitoring reports. If grievances are repeated, unresolved or submitted by several people, this should be escalated to the Labour Department.



## **14.0. Contractor Management**

### **14.1. Contractor Selection Process**

Selection of a Contractor for civil works or consultancy firms for studies, etc. is done through an open competitive online bidding process (e-procurement) having a two stage (technical and financial) evaluation process. All the bidding process will comply with the WB procurement process.

SIRAP2 AF will make reasonable efforts to ascertain that the contractor and their subcontractors hire the workers from legitimate labour entities in the country. SIRAP2 AF may ask the contractors to provide the following information:

- Business licenses, registrations and permit of the local entities that supply labour to the contractor and its subcontractors.
- Documents relating to a labour management system, including OHS issues (for e.g., management procedures)

### **14.2. Contractual Provisions for Labour Management and OHS**

The environmental, social risks and impacts including labour management and OHS issues arising from implementation of the sub-projects has been identified and will be managed through implementation of ESMP through the contractors. The labour management and OHS of workers and related issues arising during construction works will be under direct control of contractors and will be managed by contractors. Therefore, ensuring effective management of OHS plan for contract workers by contractor(s) is core to implementation of SIRAP2 AF by MCA/MID and PST.

The OHS performance requirements incorporated in the bid documents, obligate the contractor, upon mobilization, to prepare a C-ESMP, which will include impacts mitigation and management plan, environmental enhancement plan, OHS plan, labour management plan, workers' campsite management plan, GRM for workers', traffic management and road safety management plan, COVID-19 considerations and among others in accordance with the national and & WB requirements. The C-ESMP will be reviewed and approved by the PST and WB, prior to commencement of construction works.

### **14.3. Monitoring of Performance of Contractors**

The monitoring of performance of contractors including the implementation of C-ESMP and meeting the OHS performance requirements by the contractor will be overseen and managed by the PST under the overall guidance and direction of the National Steering Committee.

In context of COVID-19 or any other related global pandemics, all observatory protocols shall be gathered from the Ministry of Health and Medical Services on what needs to be managed in such situation. Additionally, the Contractor will be required to include:

- Provision of medical insurance covering treatment for COVID-19, sick pay for workers who either contract the virus or are required to self-isolate due to close contact with infected workers and compensation payment in the event of death
- Designating/appointing a COVID-19 focal point officer with responsibility for monitoring and reporting on COVID-19 issues, and liaising with competent authorities designated by SIG.

## **APPENDIX 1 - Copy of SIRAP2 CoC Policy**

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### **Second Solomon Islands Roads and Aviation Project (SIRAP2)**

#### **SIRAP2 Code of Conduct and Action Plan for the Prevention of GBV and SAE**

#### **CODES OF CONDUCT AND ACTION PLAN FOR IMPLEMENTING ESHS AND OHS STANDARDS, AND PREVENTING GENDER BASED VIOLENCE ON PACIFIC ISLAND COUNTRY TRANSPORT PROJECTS**

##### **Background**

The purpose of these Codes of Conduct and Action Plan for Implementing ESHS and OHS Standards, and Preventing Gender Based Violence is to introduce a set of key definitions, core Codes of Conduct, and guidelines for application on World Bank financed transport projects in Pacific Island Countries (PICs) that:

- i. clearly define obligations on all project staff (including sub-contractors and day workers) with regard to implementing the project's environmental, social, health and safety (ESHS) and occupational health and safety (OHS) requirements, and;
- ii. help prevent, report and address Gender Based Violence (GBV) within the work site and in its immediate surrounding communities.

The application of these Codes of Conduct will help ensure the project meets its ESHS and OHS objectives, as well as preventing and/or mitigating the risks of GBV on the project and in the local communities.

These Codes of Conduct are to be adopted by all those working on the project—including subcontractors—and are meant to:

- i. create awareness of the ESHS and OHS expectations on the project;
- ii. create common awareness about GBV and:
  - (a) ensure a shared understanding that GBV has no place on the project; and,
  - (b) create a clear system for identifying, responding to, and sanctioning GBV incidents.

Ensuring that all project staff understand the values of the project, understanding expectations for all employees, and acknowledging the consequences for violations of these values, will help to create smoother, more respectful and productive project implementation thereby helping ensure that the project's development objectives will be achieved.

## **Definitions**

The following definitions apply:

### **ESHS and General Project**

Environmental, Social, Health and Safety (ESHS): an umbrella term covering issues related to the impact of the project on the environment, communities and workers.

Occupational Health and Safety (OHS): Occupational health and safety is concerned with protecting the safety, health and welfare of people engaged in work or employment, and the surrounding communities. The enjoyment of these standards at the highest levels is a basic human right that should be accessible by each worker.

### **Key Documents:**

- **Project Environmental and Social Management Plan (ESMP):** The safeguards document prepared prior to project approval by the World Bank identifying the activities to be undertaken, key risks (based on ESIA if available), and their mitigation measures.
- **Contractors Environmental and Social Management Plan (C-ESMP):** the plan prepared by the contractor outlining how they will implement the works activities in accordance with the project's environmental and social management plan (ESMP). As shown in Figure 2, the C-ESMP also contains a number of management plans, in particular, the OHS Management Plan.
- **Codes of Conduct:** The Codes of Conduct adopted for the project (or individual companies) covering the commitment of the company, and the responsibilities of managers and individuals with regards to ESHS, OHS and GBV.

### **Key Project Actors:**

- o **Consultant:** is as any firm, company, organization or other institution that has been awarded a contract to provide consulting services to the project, and has hired managers and/or employees to conduct this work.
- o **Contractor:** is any firm, company, organization or other institution that has been awarded a contract to conduct infrastructure development works for the project and has hired managers and/or employees to conduct this work. This also includes sub-contractors hired to undertake activities on behalf of the contractor.
- o **Manager:** is any individual offering labor to the contractor or consultant, on or off the work site, under a formal or informal employment contract and in exchange for a salary, with responsibility to control or direct the activities of a contractor's or consultant's team, unit, division or similar, and to supervise and manage a pre-defined number of employees.
- o **Employee:** is any individual offering labor to the contractor or consultant within country on or off the work site, under a formal or informal employment contract or arrangement, typically, but not necessarily (e.g. including unpaid interns and volunteers), in exchange for a salary, with no responsibility to manage or supervise other employees.

- **Grievance Redress Mechanism (GRM):** is the process established by a project to receive and address complaints related to the project—not just GBV but related to any aspect of the project. The GRM needs to: (i) allow for multiple channels to receive complaints; (ii) be readily accessible, allowing complaints to be made in different ways; and, (iii) have appropriate protocols to handle GBV complaints including empathetic listening and assurance of confidentiality.
- **Work Site:** is the area in which infrastructure development works are being conducted, as part of the project. Consulting assignments are considered to have the areas in which they are active as their work sites.
- **Work Site Surroundings:** is the 'Project Area of Influence' which are any area, urban or rural, directly affected by the project, including all human settlements found in it.

### **GBV**

**Key definitions:** With reference to the focus areas for in Figure 1, there are a number of key definitions for understanding GBV:

#### **Figure 1: Types of GBV that may be Exacerbated by Investment Operations**

- **Gender Based Violence (GBV):** is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (that is, gender) differences between male and female individuals. GBV includes acts that inflict physical, mental, or sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or in private life.
  - **Sexual Exploitation and Abuse (SEA):** Sexual exploitation is a facet of GBV that is defined as any actual or attempted abuse of a 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 the context of World Bank supported projects, SEA occurs against a beneficiary or member of the community.
  - Sexual abuse is further defined as the actual or threatened physical intrusion of a sexual nature whether by force or under unequal or coercive conditions.
  - **Child sexual abuse** is defined by the age of the survivor. It includes different forms of sexual violence, involves either explicit force or coercion or cases in which the survivor cannot consent because of his or her age. Sexual activity with anyone below the age of 18, except in cases of pre-existing marriage, constitutes child sexual abuse. Mistaken belief regarding the age of the child and/or receipt of consent from the child is not a defense.
  - **Sexual harassment:** occurs between personnel and staff on the project and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. (e.g. looking somebody up and down; kissing; whistling and catcalls; in some instances, giving personal gifts). The distinction between the SEA and sexual harassment is important so that agency policies and staff trainings can

include specific instruction on the procedures to report each.

- **Sexual favors:** is a form of sexual harassment and includes making promises of favorable treatment (e.g. promotion) or threats of unfavorable treatment (e.g. loss of job) dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- **Child protection (CP):** Is an activity or initiative designed to protect children from any form of harm, particularly arising from child abuse and exploitation.
- **Child:** is used interchangeably with the term 'minor' and refers to a person under the age of 18. This is in accordance with Article 1 of the United Nations Convention on the Rights of the Child.
- **Child Abuse and Exploitation (CAE):** the physical, sexual or psychological harm of children including using for profit, labor, sexual gratification, or some other personal or financial advantage. This also includes other activities such as using computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any mediums
- **Grooming:** are behaviors that make it easier for a perpetrator to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualize that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).
- **Online Grooming:** is the act of sending an electronic message to a recipient who the sender believes to be a minor, with the intention of developing a relationship of trust that can be abused by procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily limited to the sender. This includes engaging in online sexual activities, such as messages, videos and photos with sexual content either sent to or procured from a child.

**Other definitions:** In addressing the issues raised above related to GBV there are a number of considerations which need to be clearly defined:

- **Rape:** non-consensual penetration (however slight) of the vagina, anus or mouth with a penis, other body part, or an object.
- **Consent:** refers to when an adult makes an informed choice to agree freely and voluntarily to do something. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the CoC is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense. There is no consent when agreement is obtained through:
  - The use of threats, force or other forms of coercion, abduction, fraud, manipulation, deception, or misrepresentation,

- The use of a threat to withhold a benefit to which the person is already entitled, or,
- A promise made to the person to provide a benefit.
- **Perpetrator:** the person(s) who commit(s) or threaten(s) to commit an act or acts of GBV.
- **Survivor/Survivors:** the person(s) adversely affected by GBV. Women, men and children can be survivors of GBV.
- **GBV Service Provider:** is an independent organization trusted by the local communities with the skills and resources to provide support to survivors of GBV, as well as training to reduce the risks of GBV.
- **Third-Party Monitor (TPM) or Independent Verification Agent (IVA):** an organization commissioned to independently monitor and report on the effectiveness of the implementation of the GBV activities on the project. TPMs are financed independent of the project; IVAs are financed by the project.

#### **Investigation and resolution of GBV allegations:**

- **GBV Allegation Procedure:** is the prescribed procedure to be followed when reporting incidents of GBV.
- **Accountability Measures:** are the measures put in place to ensure the confidentiality of survivors and to hold contractors, consultants and the client responsible for instituting a fair system of addressing cases of GBV.
- **Response Protocol:** are the mechanisms set in place to respond to cases of GBV.
- **GBV Complaints Team (GCT):** a team established by the project to address GBV issues.

#### **Codes of Conduct**

This chapter presents three Codes of Conduct for use:

- I. **Company Code of Conduct:** Commits the company to addressing EHS, OHS and GBV issues.
- II. **Manager's Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,
- III. **Individual Code of Conduct:** Code of Conduct for everyone working on the project, including managers.

**Company Code of Conduct**  
**Implementing EHS and OHS Standards**  
**Preventing Gender Based Violence**

The company is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The company is also committed to creating and maintaining an environment where children under the age of 18 will be protected, and where Sexual Exploitation and Abuse (SEA) and sexual harassment have no place. Improper actions towards children, SEA and sexual harassment are acts of Gender Based Violence (GBV) and as such will not be tolerated by any employee, sub-contractors, supplier, associate, or representative of the company.

Therefore, to ensure that all those engaged in the project are aware of this commitment, the company commits to the following core principles and minimum standards of behavior that will apply to all company employees, associates, and representatives, including sub-contractors and suppliers, without exception:

### **General**

1. The company—and therefore all employees, associates, representatives, sub-contractors and suppliers—commits to complying with all relevant national laws, rules and regulations.
2. The company commits to full implementing its 'Contractors Environmental and Social Management Plan' (C-ESMP) as approved by the client.
3. The company commits to treating women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Acts of GBV are in violation of this commitment.
4. The company shall ensure that interactions with local community members are done with respect and non-discrimination.
5. Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behavior are prohibited among all company employees, associates, and its representatives, including sub-contractors and suppliers.
6. The company will follow all reasonable work instructions (including regarding environmental and social norms).
7. The company will protect and ensure proper use of property (for example, to prohibit theft, carelessness or waste).

### **Health and Safety**

8. The company will ensure that the project's OHS Management Plan is effectively implemented by company's staff, as well as sub-contractors and suppliers.
9. The company will ensure that all persons on-site wear prescribed and appropriate personal protective equipment, preventing avoidable accidents, and reporting conditions or practices that pose a safety hazard or threaten the environment.
10. The company will:
  - i. prohibit the use of alcohol during work activities.
  - ii. prohibit the use of narcotics or other substances which can impair faculties at all times.

11. The company will ensure that adequate sanitation facilities are available on site and at any worker accommodations provided to those working on the project.
12. The company will not hire children under the age of 18 for construction work, or allow them on the work site, due to the hazardous nature of construction sites.

### **Gender Based Violence**

13. Acts of GBV constitute gross misconduct and are therefore grounds for sanctions, which may include penalties and/or termination of employment and, if appropriate, referral to the Police for further action.
14. All forms of GBV, are unacceptable, regardless of whether they take place on the work site, the work site surroundings, at worker's camps or within the local community.
15. Sexual harassment of work personnel and staff (e.g. making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature) are acts of GBV and are prohibited.
16. Sexual favors (e.g. making promises of favorable treatment such as promotions, threats of unfavorable treatment such as losing a job, payments in kind or in cash dependent on sexual acts) and any form of humiliating, degrading or exploitative behavior are prohibited.
17. The use of prostitution in any form at any time is strictly prohibited.
18. Sexual contact or activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
19. Unless there is full consent by all parties involved in the sexual act, sexual interactions between the company's employees (at any level) and members of the communities surrounding the workplace are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered "non-consensual" within the scope of this Code.
20. In addition to company sanctions, legal prosecution of those who commit acts of GBV will be pursued if appropriate.
21. All employees, including volunteers and sub-contractors are highly encouraged to report suspected or actual acts of GBV by a fellow worker, whether in the same company or not. Reports must be made in accordance with project's GBV Allegation Procedures.
22. Managers are required to report and act to address suspected or actual acts of GBV as they have a responsibility to uphold company commitments and hold their direct reports responsible.

### **Implementation**

To ensure that the above principles are implemented effectively the company commits to:

23. Ensuring that all managers sign the project's 'Manager's Code of Conduct' detailing their responsibilities for implementing the company's commitments and enforcing the responsibilities in the 'Individual Code of Conduct'.
24. Ensuring that all employees sign the project's 'Individual Code of Conduct'



- confirming their agreement to comply with ESHS and OHS standards, and not to engage in activities resulting in GBV, child endangerment or abuse, or sexual harassment.
25. Displaying the Company and Individual Codes of Conduct prominently and in clear view at workers' camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
  26. Ensuring that posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
  27. Ensuring that an appropriate person is nominated as the company's 'Focal Point' for addressing GBV issues, including representing the company on the GBV Complaints Team (GCT) which is comprised of representatives from the client, contractor(s), the supervision consultant, and local GBV Service Provider.
  28. Ensuring that an effective GBV Action Plan is developed in consultation with the GCT which includes as a minimum:
    - i. GBV Allegation Procedure to report GBV issues through the project Grievance Redress Mechanism (Section 4.3 Action Plan);
    - ii. Accountability Measures to protect confidentiality of all involved (Section 4.4 qAction Plan); and,
    - iii. Response Protocol applicable to GBV survivors and perpetrators (Section 4.7 Action Plan).
  29. Ensuring that the company effectively implements the agreed final GBV Action Plan, providing feedback to the GCT for improvements and updates as appropriate.
  30. Ensuring that all employees attend an induction training course prior to commencing work on site to ensure they are familiar with the company's commitments to ESHS and OHS standards, and the project's GBV Codes of Conduct.
  31. Ensuring that all employees attend a mandatory training course once a month for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project's ESHS and OHS standards and the GBV Code of Conduct.

I do hereby acknowledge that I have read the foregoing Company Code of Conduct, and on behalf of the company agree to comply with the standards contained therein. I understand my role and responsibilities to support the project's OHS and ESHS standards, and to prevent and respond to GBV. I understand that any action inconsistent with this Company Code of Conduct or failure to act mandated by this Company Code of Conduct may result in disciplinary action.

Company name: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

### **Manager's Code of Conduct Implementing ESHS and OHS Standards Preventing Gender Based Violence**

The company is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The company is also committed to creating and maintaining an environment where children under the age of 18 will be protected, and where Sexual Exploitation and Abuse (SEA) and sexual harassment have no place. Improper actions towards children, SEA and sexual harassment are acts of Gender Based Violence (GBV) and as such will not be tolerated by any employee, sub-contractors, supplier, associate, or representative of the company.

Managers at all levels have a responsibility to uphold the company's commitment. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere to this Manager's Code of Conduct and also to sign the Individual Code of Conduct. This commits them to supporting the implementation of the Contractor's Environmental and Social Management Plan (C-ESMP), the OHS Management Plan, and developing systems that facilitate the implementation of the GBV Action Plan.

Managers need to maintain a safe workplace, as well as a GBV-free environment at the workplace and in the local community. Their responsibilities to achieve this include but are not limited to:

#### **Implementation**

1. To ensure maximum effectiveness of the Company and Individual Codes of Conduct:
  - i. Prominently displaying the Company and Individual Codes of Conduct in clear view at workers' camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
  - ii. Ensuring all posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
2. Verbally and in writing explain the Company and Individual Codes of Conduct to all staff.
3. **Ensure that:**
  - i. All direct reports sign the 'Individual Code of Conduct', including acknowledgment that they have read and agree with the Code of Conduct.
  - ii. Staff lists and signed copies of the Individual Code of Conduct are provided to the OHS Manager, the GBV Complaints Team (GCT), and the client.

- iii. Participate in training and ensure that staff also participate as outlined below.
- iv. Put in place a mechanism for staff to:
  - (a) report concerns on ESHS or OHS compliance; and,
  - (b) confidentially report GBV incidents through the Grievance Redress Mechanism (GRM)
- v. Staff are encouraged to report suspected or actual ESHS, OHS, GBV issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.
- 4. In compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed. Use background and criminal reference checks for all employees not ordinarily resident in the country where the works are taking place.
- 5. Ensure that when engaging in partnership, sub-contractor, supplier or similar agreements, these agreements:
  - i. Incorporate the ESHS, OHS, GBV Codes of Conduct as an attachment.
  - ii. Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.
  - iii. Expressly state that the failure of those entities or individuals, as appropriate, to ensure compliance with the ESHS and OHS standards, take preventive measures against GBV, to investigate allegations thereof, or to take corrective actions when GBV has occurred, shall not only constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct but also termination of agreements to work on or supply the project.
- 6. Provide support and resources to the GCT to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the GBV Action Plan.
- 7. Ensure that any GBV complaint warranting Police action is reported to the Police, the client and the World Bank immediately.
- 8. Report and act in accordance with the agreed response protocol any suspected or actual acts of GBV.
- 9. Ensure that any major ESHS or OHS incidents are reported to the client and the supervision engineer immediately, non-major issues in accordance with the agreed reporting protocol.
- 10. Ensure that children under the age of 18 are not present at the construction site or engaged in any hazardous activities.

## **Training**

- 11. The managers are responsible to:
  - i. Ensure that the OHS Management Plan is implemented, with suitable training required for all staff, including sub-contractors and suppliers; and,
  - ii. Ensure that staff have a suitable understanding of the C-ESMP and are trained as appropriate to implement the C-ESMP requirements.
- 12. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the GBV elements of these Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and

- technical support needed to begin to develop the GBV Action Plan for addressing GBV issues.
13. Managers are required to attend and assist with the project facilitated monthly training courses for all employees. Managers will be required to introduce the trainings and announce the self-evaluations, including collecting satisfaction surveys to evaluate training experiences and provide advice on improving the effectiveness of training.
  14. Ensure that time is provided during work hours and that staff prior to commencing work on site attend the mandatory project facilitated induction training on:
    - i. OHS and ESHS; and,
    - ii. GBV required of all employees.
  15. During civil works, ensure that staff attend ongoing OHS and ESHS training, as well as the monthly mandatory refresher training course required of all employees to on GBV.

### **Response**

16. Managers will be required to take appropriate actions to address any ESHS or OHS incidents.
17. **Regarding GBV:**
  - i. Provide input to the GBV Allegation Procedures and Response Protocol developed by the GCT as part of the final cleared GBV Action Plan.
  - ii. Once adopted by the Company, managers will uphold the Accountability Measures set forth in the GBV Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
  - iii. If a manager develops concerns or suspicions regarding any form of GBV by one of his/her direct reports, or by an employee working for another contractor on the same work site, s/he is required to report the case using the GRM.
  - iv. Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made by the GCT.
  - v. If a manager has a conflict of interest due to personal or familial relationships with the survivor and/or perpetrator, he/she must notify the Company and the GCT. The Company will be required to appoint another manager without a conflict of interest to respond to complaints.
  - vi. Ensure that any GBV issue warranting Police action is reported to the Police, the client and the World Bank immediately
18. Managers failing address ESHS or OHS incidents or failing to report or comply with the GBV provisions may be subject to disciplinary measures, to be determined and enacted by the Company's CEO, Managing Director or equivalent highest-ranking manager. Those measures may include:
  - i. Informal warning.
  - ii. Formal warning.

- iii. Additional Training.
- iv. Loss of up to one week's salary.
- v. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- vi. Termination of employment.
- 19. Ultimately, failure to effectively respond to ESHS, OHS, and GBV cases on the work site by the company's managers or CEO may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, and GBV requirements. I understand that any action inconsistent with this Manager's Code of Conduct or failure to act mandated by this Manager's Code of Conduct may result in disciplinary action.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Individual Code of Conduct  
Implementing ESHS and OHS Standards  
Preventing Gender Based Violence**

I, \_\_\_\_\_, acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing Gender Based Violence (GBV) is important.

The Company considers that failure to follow ESHS and OHS standards, or to partake in activities constituting GBV—be it on the work site, the work site surroundings, at workers' camps, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the Police of those who commit GBV may be pursued if appropriate.

I agree that while working on the project I will:

- Consent to Police background check.
- Attend and actively partake in training courses related to ESHS, OHS, and GBV as requested by my employer.
- Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
- Take all practical steps to implement the contractor's environmental and social management plan (C-ESMP).
- Implement the OHS Management Plan.

- Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times.
- Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.
- Not engage in sexual harassment of work personnel and staff—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is prohibited. E.g. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
- Not engage in sexual favors—for instance, making promises of favorable treatment (e.g. promotion), threats of unfavorable treatment (e.g. loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Not use prostitution in any form at any time.
- Not participate in sexual contact or activity with children under the age of 18—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Unless there is the full consent by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.
- Consider reporting through the GRM or to my manager any suspected or actual GBV by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

With regard to children under the age of 18:

- Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
- Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children for domestic or other labor below the minimum age of 14 unless national law specifies a higher age, or which places them at significant risk of injury.

- Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank's safeguard policies on child labor and minimum age.
- Take appropriate caution when photographing or filming children (See Annex 2 for details).

### **Use of children's images for work related purposes**

When photographing or filming a child for work related purposes, I must:

- Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

### **Sanctions**

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

1. Informal warning.
2. Formal warning.
3. Additional Training.
4. Loss of up to one week's salary.
5. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
6. Termination of employment.
7. Report to the Police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I will adhere to the occupational health and safety management plan. That I will avoid actions or behaviors that could be construed as GBV. Any such actions will be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: \_\_\_\_\_

## Labour Management Procedure (LMP) - Final

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## **APPENDIX 2 - GBV Action Plan**

This GBV Action Plan outlines how the project will put in place the necessary protocols and mechanisms to minimize or eliminate GBV on the project, as well as to address any GBV issues that may arise. The following framework needs to be adapted to reflect the specific situation and implementation arrangements for each project.

### **The GBV Complaints Team**

The project shall establish a 'GBV Complaints Team' (GCT). The GCT will include, as appropriate to the project, at least four representatives ('Focal Points') as follows:

- a. A safeguards specialist from the client;
- b. The occupational health and safety manager from the contractor, or someone else tasked with the responsibility for addressing GBV with the time and seniority to devote to the position;
- c. The supervision consultant;
- d. A representative from a client approved service provider with experience in GBV—the 'GBV Service Provider' (GSP); and optionally,
- e. Members representing the local community, government, etc.

It will be the duty of the GCT with support from the management of the contractor(s) and consultant(s) to inform workers about the activities and responsibilities of the GCT. To effectively serve on the GCT, members must undergo training by the GBV Service Provider prior to the commencement of their assignment to ensure that they are sensitized on GBV.

The GCT will be required to:

- a. Approve any changes to the GBV elements of the Codes of Conduct contained in this document, with clearances from the client and the World Bank for any such changes.
- b. Prepare the GBV Action Plan reflecting the Codes of Conduct which includes:
  - i. GBV Allegation Procedures
  - ii. Addressing GBV Complaints
  - iii. Accountability Measures
  - iv. An Awareness raising Strategy
  - v. A Response Protocol
- c. Obtain approval of the GBV Action Plan by the Contractor's management;
- d. Obtain client and World Bank clearances for the GBV Action Plan prior to full mobilization;
- e. Receive and monitor resolutions and sanctions regarding complaints received related to GBV associated with the project; and,
- f. Ensure that GBV statistics in the GRM are up to date and included in the regular project reports.

The GCT shall hold quarterly update meetings to discuss ways to strengthen resources and GBV support for employees and community members.

## **Making Complaints: GBV Allegation Procedures**

All staff, volunteers, consultants and sub-contractors are encouraged to report suspected or actual GBV cases. Managers are required to report suspected or actual GBV cases as they have responsibilities to uphold company commitments and they hold their direct reports accountable for complying with the Individual Code of Conduct.

The project will provide information to employees and the community on how to report cases of GBV Code of Conduct breaches through the Grievance Redress Mechanism (GRM). The GCT will follow up on cases of GBV and Code of Conduct breaches reported through the GRM.

## **Addressing Complaints about GBV**

Each project needs to put in place appropriate protocols for addressing GBV complaints. The protocols will vary between projects based on local circumstances, but there are key principles which are required in all projects.

## **GRM**

The project operates a GRM which is managed by a designated GRM operator with the project management unit or, ideally, an entity independent of the project implementation. The GRM must be designed to ensure that:

- i. Complaints can be made through different channels, such as the traditional local practices (e.g. village chiefs), online, phone, in-person, the local GBV Service Provider, the manager(s), or the Police.
- ii. Complaints should be able to be made in different ways such as online, via telephone or mail, or in person;
- iii. Anonymity should be ensured if the complainant so desires it, especially about GBV;

There needs to be a specific workflow for handling GBV complaints. The figure below illustrates the work flow adopted in 2017 for the Vanuatu Aviation Investment Project (VAIP).

If the complaint to the GRM is made by an GBV survivor, or on behalf of a survivor, the complainant will be directly referred to the GBV Service Provider to receive support services (if so desired) while the GCT investigates the complaint in parallel.

The World Bank requires that all complaints regarding GBV must immediately be reported to the World Bank task team by the GRM operator. These complaints may be referred to the World Bank management in accordance with the World Bank's reporting protocols.

The GRM shall only collect two items of data related to GBV—to be inferred from discussions with the complainant:

- i. The nature of the GBV; and,
- ii. To the best of the knowledge was the perpetrator associated with the project.

Additional information shall be gathered by the GBV Service Provider using their existing survivor support protocols. This information shall be confidential and not part of the GRM process.

The GRM operator will refer complaints related to GBV to the GCT to resolve them. In accordance with the GBV Action Plan, the GCT through the GBV Service Provider and Focal Point(s) will investigate the complaint and ultimately provide the GRM operator with a resolution to the complaint, or the Police if appropriate. The victim's confidentiality should also be kept in mind when reporting any incidences to the Police.

The GRM operator will, upon resolution, advise the complainant of the outcome, unless it was made anonymously.

### **GBV Service Provider**

The GBV Service Provider is a local organization which has the trust of the local community, experience and ability to support survivors of GBV. They will be identified by the client during project preparation, if necessary with the support of the World Bank.

The client, the contractor(s) and consultant(s) must establish a working relationship with the GBV Service Provider, so that GBV cases can safely be referred to them. The GBV Service Provider will also provide support and guidance to the GBV Focal Points as necessary. The GBV Service Provider will have a representative on the GCT and be involved in resolving complaints related to GBV.

The contract for the GBV Service Provider shall include provision for financing costs around providing the necessary support to survivors.

### **GBV Complaints Team**

The GCT is responsible for ensuring that GBV complaints are properly investigated and that appropriate sanctions are applied for any cases where sanctions are considered to be justified. The GCT is comprised of: (i) the GBV Service Provider; and, (ii) 'Focal Points' from the contractor(s), consultant(s) and client; and optionally, (iii) members of the local community, government, etc.

All the Focal Points on the GCT must be trained and empowered to resolve GBV issues. It is essential that all staff of the GRM and GCT understand the guiding principles and ethical requirement of dealing with survivors of GBV. All reports should be kept confidential and referred immediately to the GBV Service Provider represented on the GCT.

The GCT shall confirm that all complaints related to GBV have been: (i) referred to the client and the World Bank by the GRM operator; and, (ii) are referred to Police (or other authorities) for investigation if of appropriate severity. In GBV cases warranting Police action; and, (iii) management for further action.

The GCT shall consider all GBV complaints and agree on a plan for resolution. The appropriate Focal Point will be tasked with implementing the plan (i.e. issues with contractor's staff will be for the contractor to resolve; consultant's staff the consultant; and client's staff the client). The Focal Point will advise the GCT on resolution, including referral to the Police if necessary. They will be assisted by the GBV Service Provider as appropriate.

### **Accountability Measures**

All reports of GBV shall be handled in a confidential manner to protect the rights of all involved. The client, contractor and consultant must maintain the confidentiality of employees who notify any acts or threats of violence, and of any employees accused of engaging in any acts or threats of violence (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law). The contractor and consultant must prohibit discrimination or adverse action against an employee because of survivor's disclosure, experience or perceived experience of GBV (see Annex 1 for examples of actions to maintain accountability).

To ensure that survivors feel confident to disclose their experience of GBV, they can report cases of GBV through multiple channels such as: (i) online, (ii) phone, (iii) in-person, (iv) the local GBV Service Provider, (v) the manager(s), (vi) village councils; or, (vii) the Police. To ensure confidentiality, only the GBV Service Provider will be privy to information regarding the survivor. The GCT will be the primary point of contact for information and follow up regarding the perpetrator.

#### Monitoring and Evaluation

The GRM is to notify the client and the World Bank immediately of any complaints related to GBV.

The GCT must monitor the follow up of cases that have been reported and maintain all reported cases in a confidential and secure location. Monitoring must collect the number of cases that have been reported and the share of them that are being managed by Police, NGOs etc.

These statistics shall be reported to the GRM and the Supervision Engineer for inclusion in their reporting.

#### **Awareness-raising Strategy**

It is important to create an Awareness-raising Strategy with activities aimed to sensitize employees on GBV on the work site and its related risks, provisions of the GBV Codes of Conduct, and GBV Allegation Procedures, Accountability Measures and Response Protocol. The strategy will be accompanied by a timeline, indicating the various sensitization activities through which the strategy will be implemented and the related (expected) delivery dates. Awareness-raising activities should be linked with trainings provided by the GBV Service Provider.

#### **Response Protocol**

The GCT will be responsible for developing a written response protocol to meet the project requirements, in accordance to national laws and protocols. The response protocol must include:

- i. Mechanisms to notify and respond to perpetrators in the workplace;
- ii. The GRM process to ensure competent and confidential response to disclosures of GBV, and;
- iii. A referral pathway to refer survivors to appropriate services (See 4.8 Survivor Support Measures below).

The contractor(s), consultant(s) and client shall encourage notification through the GRM channels from employees and community members about perpetrators in the workplace through awareness raising activities. An employee who discloses a case of sexual harassment in the workplace shall be referred to the GRM for reporting to seek services.

Through the GCT, the companies and client shall oversee the investigation of these grievances, ensuring procedural fairness for the accused, and within the local laws. If an

employee has breached the Code of Conduct, the employer will take appropriate action which could include:

- i. Undertake disciplinary action up in accordance with sanctions in the GBV Codes of Conduct.
- ii. Report the perpetrator to the Police as per local legal paradigms; and/or
- iii. If feasible, provide or facilitate counselling for the perpetrator.

### **Survivor Support Measures**

It is essential to appropriately respond to the survivor's complaint by respecting the survivor's choices to minimize the potential for re-traumatization and further violence against the survivor.

Any survivor will receive care regardless of whether the perpetrator is associated with the project will receive support/ The support will be provided by the GBV Service Provider—including medical and psychosocial support, emergency accommodation, transport fees necessary to receive services, security including Police protection and livelihood support—by facilitating contact and coordination with these services. See Annex 1 for examples of the types of support which could be considered under the project.

The contract with the GBV Service Provider shall explicitly detail the services to be provided, and how the associated costs shall be financed by the project.

If the survivor is an employee of the contractor(s), consultant(s) or client, to ensure the safety of the survivor, and the workplace in general, the client, contractor or consultant, in consultation with the survivor, will assess the risk of ongoing abuse to the survivor and in the workplace. Reasonable adjustments will be made to the survivor's work schedule and work environment as deemed necessary (see Annex 1 for examples of safety measures). The employer will provide adequate leave to survivors seeking services after experiencing violence (see Annex 1 for details).

### **Sanctions**

In accordance with the Code of Conduct, any employee confirmed as a GBV perpetrator shall be considered for disciplinary measures in line with sanctions and practices as agreed in the Individual Code of Conduct. Potential Sanctions to employees who are perpetrators of GBV include:

- i. Informal warning
- ii. Formal warning
- iii. Additional Training
- iv. Loss of up to one week's salary.
- v. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- vi. Termination of employment.
- vii. Referral to the Police or other authorities as warranted.

It is important to note that, for each case, disciplinary sanctions are intended to be part of a process that is entirely internal to the employer, is placed under the full control and responsibility of its managers and is conducted in accordance with the applicable national labor legislation.

Such process is expected to be fully independent from any official investigation that competent authorities (e.g. Police) may decide to conduct in relationship to the same case, and in accordance with the applicable national law. Similarly, internal disciplinary measures that the employer's managers may decide to enact are meant to be separate

from any charges or sanctions that the official investigation may result into (e.g. monetary fines, detention etc.).

### **Annex 1 - Potential Procedures for Addressing GBV**

Accountability Measures to maintain confidentiality can be achieved through the following actions:

1. Inform all employees that confidentiality of GBV survivors' personal information is of utmost importance.
2. Provide the GCT with training on empathetic and non-judgmental listening.
3. Take disciplinary action, including and up to dismissal, against those who breach survivor's confidentiality (this is unless a breach of confidentiality is necessary to protect the survivor or another person from serious harm, or where required by law).

### **GBV Allegation Procedures should specify:**

1. Who survivors can seek information and assistance from.
2. The process for community members and employees to lodge a complaint through the GRM should there be alleged GBV.
3. The mechanism for how community members and employees can escalate a request for support or notification of violence if the process for reporting is ineffective due to unavailability or non-responsiveness, or if the employee's concern is not resolved.

### **Financial and Other Supports to survivors can include:**

1. No/low interest loans.
2. Salary advances.
3. Direct payment of medical costs.
4. Coverage of legal costs specifically related to the incident.
5. Coverage of all medical costs related specifically to the incident.
6. Upfront payments for medical costs to later be recouped from the employee's health insurance.
7. Providing or facilitating access to childcare.
8. Providing security upgrades to the employee's home.
9. Providing safe transportation to access support services or to and from accommodation.

Based on the rights, needs and wishes of the survivor, survivor support measures to ensure the safety of the survivor who is an employee can include :

1. Changing the perpetrator or survivor's span of hours or pattern of hours and/or shift patterns.
2. Redesigning or changing the perpetrator or survivor's duties.

3. Changing the survivor's telephone number or email address to avoid harassing contact.
4. Relocating the survivor or perpetrator to another work site/ alternative premises.
5. Providing safe transportation to and from work for a specified period.
6. Supporting the survivor to apply for an Interim Protection Order or referring them to appropriate support.
7. Taking any other appropriate measures including those available under existing provisions for family friendly and flexible work arrangements.

Leave options for survivors that are employees can include:

1. An employee experiencing sexual harassment should be able to request paid special leave to attend medical or psychosocial appointments, legal proceedings, and relocation to safe accommodation among other services that may be needed.
2. An employee who supports a person experiencing sexual harassment may take care givers leave, including but not limited to accompanying them to court or hospital, or to take care of children.
3. Employees who are employed in a casual capacity may request unpaid special leave or unpaid care givers leave to undertake the activities described above.
4. The amount of leave provided will be determine by the individual's situation through consultations with the employee, the management and the GCT where appropriate.

Potential Sanctions to employees who are perpetrators of GBV include:

1. Informal warning
2. Formal warning
3. Additional Training
4. Loss of up to one week's salary.
5. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
6. Termination of employment.

Referral to the Police or other authorities as warranted.