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**Ministry of Environment Science,
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**West Africa Coastal Areas Resilience
Investment Project II
(P175525)**

**LABOUR MANAGEMENT
PROCEDURES**

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Prepared by:

Prof. Frederick Ato Armah, (Ph.D.), Email: farmah@ucc.edu.gh, Tel: +233249483014

Contributors: Nana Fredua-Agyeman, Bernard Ekumah.

For more information, contact:

The Project Director

West Africa Coastal Areas Program (WACA)

Ministry of Environment, Science, Technology, and Innovation

Box M232, Accra, Ghana

Tel: +233 24 364 67 49, +233 302 688 913

E-mail: peterjdery@yahoo.com

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LIST OF ACRONYMS AND ABBREVIATIONS

AIDS	Acquired Immunodeficiency Syndrome
CDD	Community-Driven Development
CoC	Code of Conduct
COVID	Corona Virus
ESF	Environment and Social Framework
ESHS	Environmental, Social, Health and Safety
ESRC	Environmental and Social Risk Classification
ESS	Environment and Social Standards
FWSC	Fair Wages and Salaries Commission
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
HIV	Human Immunodeficiency Virus
ILO	International Labour Organisation
LIPW	National Labour-Intensive Public Works
LMP	Labour Management Plan
LMP	Labour Management Procedure
MESTI	Ministry of Environment, Science, Technology and Innovation
NEP	National Employment Policy
OHS	Occupational Health and Safety
OSHP	Occupational Safety and Health Policy of Ghana
PIU	Project Implementation Unit
PNDC	Provisional National Defence Council
PPE	Personal Protective Equipment
PWD	Persons with Disabilities
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
STD	Sexually Transmitted Diseases
WACA	West Africa Coastal Areas Management Program
WB	World Bank

EXECUTIVE SUMMARY

The Project Development Objective of the West Africa Coastal Areas Resilience Investment Project II is to strengthen the resilience of targeted communities and areas in coastal Western Africa. The Project has four components: **Component 1: Regional Integration** aims to strengthen the effective coordination of interventions for coastal resilience in West Africa at the regional and national levels through the consolidation of the regional institutional set-up and harmonization of policy to seek economies of scale and the development of new strategic partnerships needed for the scale-up of response to the coastal resilience development challenge. **Component 2: Strengthening the Policy or Institutional Frameworks** seeks to support countries to develop policy frameworks necessary to implement integrated coastal zone management plans and strategies at the national, and link these to regional levels; **Component 3: Physical and Social Investments. Sub-component 3.1: Physical investments** seeks to finance a mix of grey, green, and hybrid infrastructure solutions at multiple sites to reduce risks of flooding and erosion. **Sub-component 3.2: Social Subprojects** will support social sub-projects for targeted coastal communities. These subprojects will be designed and implemented through participatory decision-making structures embedded in the subnational level community platform (Component 2); and **Component 4: Project Management** which focuses on project coordination with key experts to manage the project.

Assessment of Key Potential Labour Risks

Occupational health and safety of project workers (e.g., exposure to dust, noise levels, exposure to hazardous materials and hazards from working in water and risk of drowning, the use of tools and machinery and construction wastes, lack/inadequate or inappropriate use of personnel protective equipment; denial of benefits including compensation, bonus, maternity benefits etc.). Other labour risks identified include labour influx, child labour, forced labour, Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), communicable and other infectious diseases including HIV/AIDS, STDs, COVID-19, discrimination on the bases of gender, sex, political affiliation in the recruitment process etc. The project will prepare site-specific Environmental and Social Impact Assessments (ESIA) and/or Environmental and Social Management Plan (ESMP) and Labour Management Plans (LMP) which will include a set of mitigation, monitoring, and institutional measures to be taken during construction and operation of the project to eliminate or reduce labour related risks to acceptable levels.

Overview of Labour Use in Project Implementation

The project will engage i) direct workers; (ii) contractor workers; (iii) primary supply workers; and (iv) community workers. The project recognises the fundamental human rights of the different categories of workers and a sound worker-management relationship as key ingredient for the smooth implementation and sustainability of the project interventions. Through a constructive worker-management relationship, and by treating all workers fairly with respect and providing safe and healthy working conditions, providing workers GRM as well as ensuring the payment of living wages, the project will create tangible benefits, such as decent working for all and the enhancement of the efficiency and productivity of their operations. The project is estimated to require about 410 Project Workers comprising 10 direct workers, 250 contracted workers, 50 primary supply workers and 100 community workers.

Overview of Applicable Ghana Labour Regulations

The LMP has been prepared to meet the requirements of the Ghana labour laws and regulations, Occupational Health and Safety requirements and the objectives and requirements of the World Bank's ESS 2: Labour and Working Conditions. It sets out the approach to management of labour issues throughout the project life. The

project will adhere to the key national labour laws and regulations such as the Ghana Labour Act-the primary law that regulates employment relationships in Ghana; the Fair Wages and Salaries Commission Act, 2007 (Act 737); the Factories, Offices and Shops Act, 1970 (Act 328); Workmen's Compensation Law 1987(PNDC 187); National Employment Policy (NEP), 2014; National Workplace HIV/AIDS Policy, 2004; and Employment of Persons with Disabilities as specified in the National Disability Act. These laws and regulations are consistent with the ESS2 except for the use of Community Workers. However, the PIU will ensure that community labour will be provided on a voluntary basis following individual and/or community agreements.

Responsible Staff

The PIU at MESTI will be responsible for the overall Project coordination and reporting. The PIU will be assisted by Civil Servants, Technical Specialists and Consultants among others. A key task of the PIU will be the engagement and management of consultants, contractors/ subcontractors to undertake aspects of the project activities including civil works and other implementation support activities. The categories of Project Workers and their roles and responsibilities have been elaborated in the main report. Policies and Procedures relating to Occupational Health and Safety, Incidents and Accident reporting, SEA/SH prevention and COVID-19 prevention protocols have been detailed in the report.

Age of Employment

The minimum age for admission of workers to employment in this project shall be 18 years. The Project will comply with national laws and regulations on employment of children and ESS 2 requirements to prevent the use of child labour. Under no circumstance shall a child under 18 years of age be engaged by the PIU, Contractors, or sub-contractors to undertake any aspect of the Project activities for wages or voluntary labour. The risk of child labour will be mitigated through age verification of workers using legally recognized documents such as birth certificates, Passports, National Identity Cards, and medical or school records.

Grievance Mechanism

The project will establish Workers Grievance Mechanism to address work related complaints from Direct and Community Workers. Contractors will be obliged under their contract to set up workers' grievance redress mechanism to address work-related concerns. The GRM will be proportionate to the risk of the subproject and will include measures to ensure prompt redress of concerns, using transparent processes and feedback mechanism. The workers' grievance redress mechanism will also include measures to allow for anonymous reporting on SEA/SH. Aggrieved workers may submit complaints to the World Bank's Grievance Redress Service (GRS).

Management of Contractors

Contractors to undertake any aspects of the works will be selected on a competitive bidding basis. The Environment, Social, Health and Safety (ESHS) requirements of the Project specified and incorporated as special conditions and performance requirements in the World Bank Standard Bidding Documents (April 2021) will apply. Contractors shall be required to build into item rates the cost for the implementation of the Labour Management Plan as part of the ESHS requirements for the Project to ensure safe and decent working conditions for workers. Two (2) percent of the contract value shall be earmarked as ESHS performance security in the bidding document. A Contractor ESMP (C-ESMP) will be prepared and implemented by the contractors used to manage construction-related ESHS risks and impacts. The C-ESMP will include OHS management plan that will be reviewed and approved by the PIU prior to commencement of civil works and thereafter, reviewed on a quarterly basis and updated as needed during project implementation. Contractors will be required to engage qualified OHS personnel to manage subproject OHS risks and impacts and the

implementation of the C-ESMPs. The PIU Environment Specialist, Social Specialist and Monitoring and Evaluation Specialist will be responsible for monitoring the implementation of the C-ESMP to ensure contractors comply with the ESHS performance requirements.

Community Workers

The Project envisages the use of community workers in the implementation of the community driven sub-projects at the community level. This type of labour will be provided on a voluntary basis following an individual or community agreement with the Project. The agreement will specify the activities that have been agreed between the PIU and community workers, terms and conditions on which community labour will be engaged, amount and method of payment, safety at the workplace, and various avenues through which community workers can raise grievances in relation to the subproject.

1. Introduction

1.1 Background

The Government of Ghana, through the Ministry of Environment, Science, Technology and Innovation (MESTI), with funding from the World Bank is preparing to implement the West Africa Coastal Areas Resilience Investment Project II. The proposed project, which is a regional operation, will restore coastal ecosystems, especially mangroves, to reduce the risk of erosion and flooding, including restoration of abandoned rice paddies and the water system. It builds on an ongoing project the WACA Resilience Investment Project (P175525). The Project will address the underlying issues of a) coastal retreat and increased flooding incidences that cause loss of housing, assets, and land, and b) Coastal and marine pollution affecting the quality of coastal ecosystems. The constraints to sustainable development are a) lack of coastal management and planning, b) Insufficient integration of social development in environmental and social protection and resilience, and c) Lack of finance planning and adequate solutions.

1.2 Project Description and Components

The Program Development Objective (PDO) of the WACA Project is to strengthen the resilience of targeted communities and areas in coastal Western Africa. The project will restore coastal ecosystems, especially mangroves, to reduce the risk of erosion and flooding, including restoration of abandoned rice paddies and the water system. It builds on an ongoing project, the WACA Resilience Investment Project. The Project has four components as follows:

Component 1: Regional Integration. The objective of the regional integration component is to strengthen the effective coordination of interventions for coastal resilience in West Africa at the regional and national levels. This will be achieved through the consolidation of the regional institutional set-up and harmonization of policy, to seek economies of scale and the development of new strategic partnerships needed for the scale-up of response to the coastal resilience development challenge.

Component 2: Strengthening the Policy or Institutional Frameworks. The project will support the strengthening of institutional and policy frameworks around coastal development, protection, and natural resource management (exclusive of fisheries). Focus areas will include strengthening of existing national coordination mechanisms and development of mechanisms for sub-national coordination, including Civil Society coordination. This component will also support development of institutional capacity of key ministries and agencies, including MESTI and the Coastal Development Authority, for coastal development and management.

Policy actions under this component will support improved land use and marine spatial planning for resilient coastal development. This includes measures for institutional support that will improve collection and analysis of data critical for risk-informed decision making. This includes, but is not limited to, data related to beach profile and crest elevation, spatial data, and improved local demographic and economic data, especially as related to sources of livelihood and gender disaggregation.

Support to national engagement in regional integration activities described in Component 1. This component will support Ghanaian engagement on the West Africa Coastal Observatory and State of the Coast reporting process, private sector engagement on ports via the sustainable ports' initiative, local initiatives and learning with PRCM, knowledge sharing on marine protected areas management with RAMPAO, engagement of capacity-building and professional training with Africa Centre of Excellence in Coastal Resilience (ACECoR),

and work with the Abidjan Convention Secretariat to address any gaps in meeting the obligations made to the Convention's protocols (mangroves, ICZM, pollution, and oil/gas).

Transboundary cooperation. This component will support the development of policy frameworks around transboundary coastal zone management, specifically as it relates to the use and management of shared resources along Ghana's borders with Cote d'Ivoire and Togo. Priority interventions identified by the work under this component can be addressed through regional policy measures under Component 1 of this project, through technical studies supported by Component 2 of this project or by WACA ResIP 1, and physical and social interventions under Component 3 of this project.

Component 3: Physical and Social Investments.

Sub-component 3.1: Physical investments. The project will finance a mix of grey, green, and hybrid infrastructure solutions at multiple sites to reduce risks of flooding and erosion. Nature-based solutions include submerged native aquatic vegetation, mangrove protection and reforestation to serve as a buffer to inundation and sea-level rise, and/or nourishment of shorelines and dunes between communities and the sea. Potential grey solutions include small-scale localized infrastructure such as groynes or breakwaters for erosion control/sediment management and tidal wave attenuation, while hybrid solutions incorporate both approaches depending on site-specific needs and characteristics. Based on systems analyses, risk level assessments, and extensive stakeholder consultations, priority areas to be addressed by the project through infrastructure measures include the Korle Lagoon, Densu Delta, and Keta Lagoon. The project will also support interventions for social development and economic recovery based on the needs of affected coastal communities through community-based sub-projects. Special attention will be given to ensure opportunities for marginalized groups, including women and native peoples. Site selection is being finalized through a series of government-led consultations with communities, civil society, private sector, traditional authorities, and other stakeholders. Sites selection and potential intervention options will be identified and prioritized prior to project appraisal at the pre-feasibility level. Feasibility level studies will be carried out by this project component. For those sites identified as requiring urgent interventions but not financed by this project, this component will support Government to carry out necessary further technical studies and develop project concepts to seek financing through the WACA Marketplace or other venues.

Physical investments. Physical interventions under this component will support adaptation measures for protection, retreat, or accommodation, or a combination thereof at three locations: Korle Lagoon, Densu Delta, and Keta Lagoon. Nature-based physical protection measures will include protection and restoration of mangroves and other submerged native aquatic vegetation to reduce flooding hazards, and beach nourishment and dune rehabilitation to address coastal erosion. Grey solutions may include the construction of groins, dykes, seawalls, revetments, or other infrastructure. The type of intervention to be utilized will be decided through participatory, multi-stakeholder engagement that provides the greatest benefit to coastal communities while also provided significant co-benefits, including sustainable job creation, and diversified livelihood opportunities.

Korle Lagoon: The Korle Lagoon serves as the main outlet for all drainage channels in Accra. Though not a designated Ramsar site, Korle Lagoon can provide significant ecological benefits to the greater Accra area by serving as a natural buffer against flooding during heavy rainfall events. However, its ability to do so is severely limited due to the regular accumulation of plastic and other solid waste at the non-functional weir located on the northern end of the lagoon, and to the accumulation of marine sediment at the seaward outlet at the southern end of the lagoon. While the Greater Accra Resilient and Integrated Development Project is

addressing the accumulation of solid waste in the lagoon, WACA ResIP 2 aims to address the accumulation of marine sediment at the outlet of the lagoon, thereby minimizing the obstruction to water flow within the lagoon and past the Old Winneba Road bridge. The project will do so by rehabilitating and extending the existing breakwater located at the outlet of the lagoon. Additionally, WACA ResIP 2 will dredge the existing sediment at the outlet and remove the foundations of the old bridge that are blocking the outflow of water and serving as an accumulation point for sediment. Following the completion of these works and improved management of solid waste within the lagoon, WACA ResIP 2 will support the restoration of the lagoon – approximately 42 hectares – to improve its ecological status and hydrological function. Restoration measures will include revegetation of native flora within the lagoon, creation of a green buffer zone around the lagoon to serve as a community asset and increase the areas absorptive capacity during rainfall events, and stabilization of the lagoon’s eroding slopes through revegetation and riprap retaining structures.

Densu Delta: The Densu Delta Ramsar site comprises an open lagoon, salt pans, freshwater marsh, scrublands, and sand dunes over an area of 5,893 hectares. The lagoon provides nesting and feeding grounds to dozens of water bird species, contains clusters of mangroves, and is a key livelihood source for nearby communities through commercial fishing and salt mining. However, Densu Delta and its surrounding communities are plagued by floods and coastal recession resulting from rising sea levels, increasing rainfall, and encroachment of settlements which have significantly degraded the vegetation and health of the delta. Coastal erosion also significantly impacts the delta, with shoreline retreat ranging between 0.27m and 3.72m/year in front of the delta. These phenomena notably impact the Dansoman area east of the Delta, and the Tetegu and Glefe settlements which have encroached into the protected area of the delta itself. Shoreline retreat is exacerbated by the extraction of beach sand for construction material by local residents for income generation, which also increases local risk for coastal flooding. During the rainy seasons when the water level in the reservoir exceeds the safe operational level of 13.7m, capacity flooding occurs. The Weiya dam is opened by removing the sand bar at the mouth of the Densu River to spill excess water into the sea to prevent it from flooding and collapsing. The floods inundate several homes and properties, displacing people and potentially resulting in casualties. Encroachments also exacerbate flooding, blocking the outflow of water into the delta’s floodplains or seaward during rainfall events. Temporary channels dug by individuals to direct excess water away from their property often exacerbates flooding for nearby residents. Planned, sustainable measures for flood risk mitigation and management are required for the inhabitants in and around the delta as opposed to temporary measures that transfer risk.

In the Densu Delta area, the project will support improved spatial planning and enforcement capacities for existing regulations for protected areas and to minimize further encroachment into the delta ecosystem. Specifically, the project will support improved awareness and capacity for enforcing existing environmental protection regulations regarding sand mining and removal, Ramsar site management guidelines for wetland conservation, and building regulations and permitting to prevent further encroachment and settlement on highly vulnerable sites. The project will explore potential flood control measures that reduce risk rather than transfer risk. For improved management of coastal erosion, the project will support measures including the restoration and fixation of sand dunes within the delta, including revegetation, beach nourishment, and works including but not limited to temporary groyne systems (e.g., removable semi-rigid webbing/fencing). The project will also support the protection and restoration of mangroves and coconut trees where possible, critical for fishery health and bird nesting ground, respectively, as well as supplemental income generation for local communities.

Keta Lagoon Complex: Keta Lagoon is the largest of the over 90 lagoons that are found along the 550 km stretch of the Ghanaian coastline. This low-lying lagoon is 126.13 km in length, surrounded by settlements of several towns, flood plains and mangrove swamps. The Keta lagoon is separated from the sea by a narrow strip of sandbar. This hotspot is prone to annual flooding from the sea and erosion by sea waves. Over the past decades, the area has been threatened by advancing tidal waves resulting in the destruction of schools, homes, and many habitats. The beach fronting this lagoon has been the subject of concern in the last two decades due to rampant erosion and flooding. Over the years' population growth, extensive human activities and climate change all contributed to this erosion and dynamics of the lagoon which appears to be degrading. Coastal erosion is severe in the area, with rates of shoreline retreat around the Dzita-Anloga beach area reaching 8-10 meters per year following the construction of the Akosombo dam, and potentially reaching up to 17 meters per year in areas near Kedzi downdrift of the existing Keta Sea defense system. The projects interventions in the Keta area will focus on the community facing the most urgent need of intervention that stands to benefit most from a hybrid infrastructure approach. Specific sites and interventions will be identified based upon robust community engagement and stakeholder involvement in order to catalyze a national program of action to address long-standing issues of flooding and erosion in the area. Additional activities in the Keta area will include mangrove reforestation and protection, with specific attention to mangrove areas that are threatened by saline intrusion due to coastal erosion and sea level rise degrading the narrow sandbar separating the mangrove habitat from the sea. Pilot studies and works will be carried out to identify native marine vegetation, such as seagrasses, that could be planted and/or expanded in order to attenuate waves that contribute to coastal inundation while improving nearshore ecosystems that can serve as habitat and breeding grounds for marine life.

Subcomponent 3.2: Social Subprojects. The project will support social subprojects for targeted coastal communities. These subprojects will be identified during project implementation using a community driven development (CDD) approach. An operations toolkit will be developed laying out the step-by-step procedures for community mobilization (outreach and sensitization), participatory needs diagnostic, participatory subproject prioritization and selection, subproject proposal preparation, community implementation workplan, subproject closure including community operations and maintenance (O&M) and monitoring and evaluation (M&E), and terms of reference (e.g., feasibility studies and facilitators). The typology of subprojects may include community infrastructure (e.g., wells, schools, and sanitation) and livelihood diversification activities (e.g., aquaculture and innovative oyster production, mangrove nursery and restoration, confectionary soap making and other handicrafts, and plastics and waste management). A negative list of social subprojects has been identified in the Environmental and Social Management Framework (ESMF) and will be excluded from financing under the project. Women, youth, fishers and fish processors, mangrove harvesters, and those engaged in agro industry and tourism are expected to benefit from these subprojects.

Component 4: Project Management. A PIU will be established with MESTI and will be guided by a multi-stakeholder project steering committee.

1.3 Environmental and Social Framework

The Environmental and Social Risk Classification (ESRC) for the project assigned by the World Bank (WB) is "high". The project design and implementation will be guided by the WB's Environmental and Social Framework (ESF) and will comply with all relevant legal requirements in Ghana. Eight (8) of the Environmental and Social Standards (ESSs) of the WB's ESF will be applicable to the project, namely: ESS1 - Assessment and Management of Environmental and Social Risks and Impacts, ESS2 - Labour and Working Conditions, ESS3 - Resource Efficiency and Pollution Prevention and Management, ESS4 - Community Health and Safety, ESS5

- Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, ESS6 - Biodiversity Conservation and Sustainable Management of Living Natural Resources, ESS8 - Cultural Heritage, and ESS10 - Stakeholder Engagement and Information Disclosure. In line with ESS2, MESTI has prepared this Labour Management Procedure (LMP) to facilitate the planning and management of labour related issues of the Project by identifying the main labour requirements, the associated risks and impacts, and the procedures and resources necessary to address project-related labour risks.

1.4 Purpose of the LMP

This Labour Management Procedure (LMP) is developed to provide a framework for dealing with labour-related issues, health and safety risks that are likely to emanate from the implementation of this project and their impacts on workers and community around the project areas and to determine the resources necessary to address project-related labour issues. This LMP has been prepared in accordance with the requirements of the Labour laws of Ghana and the World Bank Environmental and Social Standards (ESS) 2-Labour and Working Conditions. This LMP include procedures to be followed for the protection of the rights of different categories of workers and to manage and implement measures that will avoid or reduce labour related risks and impacts on workers, community health and safety, and security. Based on the Project's Environmental and Social Conditions, risks related to labour and working conditions, occupational health and safety as well as harassment at work are significant. These risks are understood and are expected to have a limited impact on the project if managed by the procedures set out in this document. The MESTI and all implementing agencies and civil works contractors, will ensure full compliance and application of this LMP during the implementation of the subproject activities. This LMP will further guide the preparation of a labour management plan by subproject contractors during implementation.

The specific objectives of the LMP are to:

- Promote safety and health at work;
- Promote the fair treatment, non-discrimination and equal opportunity of project workers;
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with the Labour Laws of Ghana) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labour and child labour;
- Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national labour laws;
- Institute measures to prevent all forms of harassment, exploitation and abuse, including sexual harassment; and
- Provide project workers with accessible means to raise workplace concerns and to receive resolution.

The LMP is a living document, which is initiated early in project preparation and is reviewed and updated throughout the development and implementation of the project. This document may be adjusted as the project advances, and as new stakeholders and categories of workers get involved in the various activities.

2. Overview of Labour Use on the Project

The PIU will engage workers as either full-time, part-time, temporary or seasonal workers. The project recognises the fundamental human rights of the different categories of workers and a sound worker-management relationship as a key ingredient for the smooth implementation and sustainability of the project interventions. Through a constructive worker-management relationship, and by treating the workers with decency and providing a safe and healthy working condition, the project will create tangible benefits.

2.1 Categories of workers to be Engaged

The project is expected to engage the following categories of workers:

- a. **Direct Workers:** Direct workers would include civil servants and local government service staff including Project Director, MESTI Technical Officers, Planners and Engineers on secondment or engaged directly by the project. It is expected that other independent consultants who are specialized in certain disciplines (such as environment and social risk management and community relations) will also be engaged. These consultants will be hired under individual contracts, or on part-time basis, with specific definition of the assigned tasks and responsibilities. These officers will not be more than 10 in number, and it is expected that at least 25 percent of the Direct Workers will be women. Direct Workers involved in the project are expected to be domicile at their present duty locations with periodic visit to the project sites. Government civil servants will remain subject to the terms and conditions of their existing public sector employment agreement or arrangements. However, the project will protect such workers by creating a safe working environment while supporting the project.
- b. **Contracted Workers:** Contracted workers would be hired under design and build of the site-specific grey, green, and hybrid physical investments. Contractors might need engagement of multiple subcontractors. The contractors and subcontractors' workforce will all be considered as contracted workers. Two broad categories of contracted workers are anticipated under the project:
 - **Service Providers:** Individuals or firms such as consultants to be hired by the PIU to prepare subprojects or undertake other studies (e.g., Feasibility Studies, ESIA/ESMPs, Resettlement Action Plans, capacity building, Procurement and Financial Audits, E&S Audits etc.). The engagement of service providers will be guided by the requirements of the LMP and national labour laws. It is estimated that about 50 service providers will be engaged throughout the life of the project and 10 percent of service providers are expected to be women.
 - **Civil Works Contractors:** The Project will procure the services of civil works contractors to undertake the construction activities as may be required. Given the nature of construction activities, both skilled and unskilled labour will be required. Skilled workers may include Civil Works Engineers, Project Managers, OHS Specialists, technicians among others. Unskilled labour will mainly be artisans and labourers to be employed by the civil work contractors. Contractors are expected to issue employment contracts for the workers. It is estimated that the Project would engage about 320 contracted workers throughout the life of the project. About 10 percent of the workers are expected to be skilled workers who may largely be migrants from other parts of Ghana and possibly from another country as their skills may not be readily available within the local communities. This category of workers may need temporary homes in project communities and/or return to their homes in nearby communities after working hours. Unskilled labour is expected to constitute about 90 percent of the

workforce who are residents within the local community and will return to their homes after work. It is expected that at least 20 percent of the contract workers will be women.

- c. **Community Workers:** The Project envisages the use of community workers in the implementation of the community driven sub-projects at the community level. This type of labour will be provided on a voluntary basis or on payment, if applicable, following an individual or community agreement with the Project. The agreement will specify the activities that have been agreed between PIU and community workers, terms and conditions on which community labour will be engaged, amount and method of payment, various avenues through which community workers can raise grievances in relation to the subproject etc. This is to promote a sense of ownership of the interventions. The application of the provisions of ESS 2 will be proportionate to the nature, activities and risks and impacts of the sub-project activity in question. The PIU will ensure that the health and safety of community workers and use of child labour, forced labour, child trafficking are assessed and addressed. About 1500 community workers are envisaged to be engaged throughout the life of the project and about 80 percent are expected to be women from the local communities.
- d. **Primary Supply Workers:** The Project envisages to engage local suppliers to supply goods and materials for the implementation of some of the subproject activities. Primary supply contracts will comply with the requirements on prohibition on use of child/forced labour, sexual exploitation and abuse and sexual harassment and compliance with occupational health and safety measure and non-discrimination clauses. It is expected that about 50 primary supply workers will be engaged throughout the life of the project and 10 percent are expected to be women.

2.2 Number of Project Workers

Though, the exact number of workers to be engaged in the Project is currently unknown, it is estimated based on experience gained from the similar projects undertaken in Ghana and in the region. Table 1 provides speculative estimates of project workers.

Table 1: Estimated number of Project Workers to be engaged under the Project

No.	Category of Project Workers	Estimated number of males to be engaged	Estimated number of females to be engaged	Estimated total number to be engaged
1	Direct Workers	7	3	10
2	Contracted Workers			
2a	Service Providers: Supervising and Consultants for Subproject preparation and other studies (e.g. Feasibility Studies, ESAs,/ESMPs, Resettlement Action Plans, capacity building, Procurement and Financial Audits, E&S Audits etc.)	45	5	50
2b	Civil Works Contractors (Construction Workers)	256	64	320

No.	Category of Project Workers	Estimated number of males to be engaged	Estimated number of females to be engaged	Estimated total number to be engaged
3	Community Workers	300	1200	1500
4	Primary Supply Workers	45	5	50
	Total	601	1269	1870

2.3 Timing of Labour Requirements

The deployment of contracted workers and community workers, particularly skilled and unskilled labour will be directly linked to when those subproject activities will commence. It is expected that Direct workers will be engaged throughout the life of the project. Contractor workers, community workers and primary supply workers will be engaged at various stages of project implementation when the activities are expected to commence. The anticipated deployment period, location and duration are provided in Table 2.

Table 2: Deployment period, location and duration

No.	Category of Project Workers	Location	Estimated Duration	Skills level
1	Direct Workers	PIU at MESTI	5 years	Skilled labour including Project Director/Project Managers, Engineers, Planners, other Technical Specialists
2	Contracted Workers			
2a	Service Providers: Supervising and Consultants for Subproject preparation and other studies (e.g., Feasibility Studies, ESAs/ESMPs, Resettlement Action Plans, capacity building, Procurement and Financial Audits, E&S Audits etc.)	Respective Consultants' corporate office	Varied: duration ranging from 3 months to 36 months	Varied skilled and Unskilled labour (Project Managers, OHS specialists, Supervisors, artisans and labourers)
2b	Civil Works Contractors (Construction Workers)	Respective subproject locations	12 months to 36 months	Varied skilled and Unskilled labour (Project Managers, OHS specialists, Supervisors, artisans and labourers)
3	Community Workers	Project beneficiary communities	12 months to 36 months	Varied skilled and unskilled labour (including community facilitators, OHS specialists, Supervisors, artisans)
4	Primary Supply Workers	Respective Supplier office	1 month to 6 months	Managerial and executive

2.4 Assessment of Key Potential Labour Risks

2.4.1. Civil Works Activities Envisaged under the Program

Civil works activities under this project will comprise the most commonly used construction activities e.g. site clearing activities, excavation, dredging works, levelling, groins, construction of seawalls, restoration of mangroves establishment of materials yards/sheds, workers' temporary camps as required. Other activities include procurement and transportation of construction materials to work sites, construction of dykes, retaining walls, drains, erosion control works along approved locations, developing vegetation cover at approved sites/locations as per the contract agreement.

2.4.2. Key Labour Risks

Key labour risks that would be associated with the project at the construction stage include:

- The conduct of hazardous work
- Exposure to physical, chemical and biological hazards during construction activities such as use of heavy machinery, use of hazardous materials;
- Heavy equipment and machinery use and movement around them whilst at work,
-
- Travel and working on steep and treacherous terrain,
- Exposure to chemicals (such as paints, solvents, lubricants, and fuel),
- Lifting of heavy structures,
- Working at height,
- Accidents result in serious injuries or fatalities.
- Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), communicable and other infectious diseases including HIV/AIDS, STDs COVID-19
- Discrimination on the bases of gender, sex, political affiliation in the recruitment process etc.
- Floods, fire outbreaks and other natural disasters where project interventions will be constructed.
- Unclear terms and conditions of employment (particularly for unskilled
- Excavations hazards,
- Lack or inadequate facilities for pregnant women and lactating mothers to facilitate their productivity,
- Exposure to construction airborne agents (dust, silica, etc.),
- Ergonomic hazards during construction,
- Environmental hazards (snakes, wasps, bees, etc.),
- Welding hazards (fumes, burns and radiation),
- Cuts, trips and fall hazards,
- Exposure to noise and dust
- Lack or inadequate or inappropriate use of personnel protective gear and or safety accessories for workers
- Labour influx, presence of migrants or seasonal workers,
- Absence of a grievance mechanism for labour to seek redressal of their grievances/issues
-
- Lack of or inadequate or non-responsive emergency response mechanism for the rescue of workers during emergencies such as caving in of constructed structures
- Incidents of child labour or forced labour
- Denial of workers' rights to form workers' unions organizations, arbitrary dismissals

construction workers and Community Workers), discrimination and denial of equal opportunity in hiring and promotions, incentives provision, training opportunities because of gender, race, disability, political affiliation etc.

etc. particularly for unskilled construction workers/labour and the absence of a grievance mechanism for workers to seek redress of their grievances/issues are some additional risks identified

Ensuring effective management of OHS issues for contract workers by contractor is critical to the implementation of the project. Together with this LMP, the OHS Implementation plan as part of the C-ESMPs will eliminate adverse labour and OHS related risks or reduce them to acceptable levels. Environment, Social, Health and Safety (ESHS) requirements specified in the World Bank SPD and performance requirements shall be in all bid documents of contract packages. Cost provisions for implementation of ESHS requirements will be built into the item rates, to allow contractors to comply with the requirements in a fair and objective manner. In addition, 2 percent of contract amount will be earmarked as ESHS performance security in the bidding documents. This is to allow potential bidders (contractors) to be fully aware of the ESHS performance requirements and accordingly price at the bidding stage.

Influx of migrant workers may become vectors for transmission of COVID-19 and STDs to nearby communities. Migrant workers may also create conflict by inadvertently breaching community cultural norms. The Contractors will be required to ensure that their workers adhere to the prevailing national COVID-19 protocols and standard operating procedures as well as community norms at all construction sites.

3. Overview of The Applicable Ghana Labour Regulations

The 1992 Constitution of Ghana

Section 16 of the 1992 Constitution of Ghana makes provisions to protect against slavery and forced labour; Section 17(2) ensures equality and freedom from discrimination on grounds of gender, race, colour, ethnic origin, religion, creed or social or economic status. Other relevant provision under this chapter includes the right to form or join a trade union; economic rights, including the right to work under satisfactory, safe and healthy conditions and to receive equal pay for equal work; women's rights, including paid leave during maternity; provision of childcare facilities; and promotion of special incentives for PWD to engage in business and for businesses that employ PWD in significant numbers. Section 35 (6) of the Constitution enjoins the State to take appropriate measures to achieve reasonable regional and gender balance in recruitment and appointment to public offices. Section 36(6) lays down the economic objectives, including that the State afford equality of economic opportunity to all citizens, in particular taking all necessary steps to ensure full integration of women into the mainstream of Ghana's economic development. Its subsection (10) safeguards the health, safety and welfare of all persons in employment; and its subsection (11) requires the State to "encourage the participation of workers in the decision-making process at the workplace".

The Labour Act, 2003 (651)

The Ghana Labour Act is the primary law that regulates employment relationships in Ghana. The Act identifies three categories of workers in Ghana (i) permanent workers, (ii) temporary workers and (iii) casual workers. Section 78 defines "temporary worker" as a worker who is employed for a continuous period of not less than one month and is not a permanent worker or employed for a work that is seasonal in character; and "casual

worker” as a worker engaged on a work which is seasonal or intermittent and not for a continuous period of more than six months and whose remuneration is calculated on a daily basis.

Section 74 provides special conditions relating to the employment of casual workers. The Section spells out that:

- (1) A contract of employment of a casual worker need not be in writing.
- (2) A casual worker shall (a) be given equal pay for work of equal value for each day worked in that organization; (b) have access to any necessary medical facility made available to the workers generally by the employer; (c) be entitled to be paid for overtime work by his or her employer in accordance with section 35 of the Act; and (d) be paid full minimum remuneration for each day on which the worker attends work, whether or not the weather prevents the worker from carrying on his or her normal work and whether it is possible or not, to arrange alternative work for the worker on such a day.

Section 75 also provides for the employment of a Temporary worker. The Act states that:

- (1) a temporary worker who is employed by the same employer for a continuous period of six months and more shall be treated under this Part as a permanent worker.
- (2) Without prejudice to the terms and conditions of employment mutually agreed to by the parties, the provisions of this Act in respect of minimum wage, hours of work, rest period, paid public holidays, night work and sick leave are applicable to a contract of employment with a temporary worker.

The Act further provides for the employment of persons with disabilities, women, young persons, prohibition of forced labour, voluntary community work, conditions for termination of contracts, workers remuneration (including equal pay for equal work), hours of work and rest periods, measures to prevent unfair labour practices among others. The Act makes it obligatory for the employer to ensure the health, safety, and welfare of persons at the workplace by minimizing the causes of hazards inherent in the working environment. Employers are required to ensure careful and safe use, handling, storage and transport of articles and substances; and provide the necessary information, instructions, training, and supervision as needed. It further requires employers to take measures to prevent contamination of the workplaces and protect the workers from toxic gases, noxious substances, vapours, dust, fumes, mists and other substances or materials hazardous to safety or health.

The Act requires employers to provide separate, sufficient, and suitable toilet and washing facilities and adequate facilities for the storage, changing, drying, and cleansing from contamination of clothing for male and female workers. An adequate supply of clean drinking water must be available at the workplace. In accordance with the provisions of the Labour Act 2003, the employer must provide protective equipment, instruction, training, and supervision according to the age, literacy level at no cost to the employee to ensure the health and safety at work. Under the Act, it is required that employees use the safety appliances, fire-fighting equipment and personal protective equipment provided by the employer in compliance with the employer’s instructions (Labour Act, 2003 Act 651, Article 118:3). The Act also makes provision for settlement of industrial disputes.

Occupational Safety and Health Policy of Ghana (OSHP), 2014

The Occupational Safety and Health Policy (draft 2004) seeks to prevent accidents and injuries arising out of, or linked with, or occurring in the course of work, by minimizing as far as reasonably practicable, the cause of the hazards in the working environment and the risk to which employees and the public may be exposed. The OSHP is derived from the provisions of the International Labour Organisation (ILO) Conventions Nos. 155

and 161 and highlights specific strategies, activities promotion and awareness creation which ensure that workers engaged at the construction and operation stages of the project are protected.

Fair Wages and Salaries Commission Act, 2007 (Act 737)

The Fair Wages and Salaries Commission (FWSC) was established under the FWSC Act, 2007 (Act 737). The Commission is mandated under section 2 of Act 737 to ensure fair, transparent, and systematic implementation of the Government public service pay policy and develop and advise Government, and ensure that decisions are implemented, on matters related to: salaries, wages, grading, classification job analysis and job evaluation, performance management and indicators, and allowances and benefits (with the ultimate objective of consolidation of allowances and benefits) and undertake negotiations where compensation is financed from public funds.

The Factories, Offices and Shops Act, 1970 (Act 328).

The Factories, Offices and Shops Act of 1970 (Act 328), as amended by the Factories Offices and Shops (Amendment) Law 1983 PNDCL 66, the Factories Offices and Shops (Amendment) Law 1991 PNDCL 275 s.1 (a), and the Ghana National Fire Service Act, 1997 (Act 537) requires all proponents to register every factory/workplace with the Chief Inspector of Factories Inspectorate Department. The Act requires all factories, offices, and shops to, among others to notify the Chief Inspector of accidents, dangerous occurrences and industrial diseases, post in a prominent position in every factory the prescribed abstract of the Act and other notices and documentations to safeguard the health and safety of workers.

Workmen's Compensation Law 1987 (PNDC 187)

This Act recasts the law in relation to compensation awarded to workers for personal injuries arising out of and during one's employment. It governs, inter alia, the employer's liability in such cases, the distribution of compensation in the event of the worker's death, degrees of partial incapacity, determination of claims, remedies against the employer and third parties, protection of compensation against attachment or assignment, payment of medical expenses and provision of medical aid, and occupational diseases (with 13 such diseases listed in an attached schedule).

National Employment Policy (NEP), 2014

The overall objective of the NEP is to adopt an inter-sectoral and integrated approach toward achieving full, decent, productive, and freely chosen employment for all Ghanaians who are able and willing to work, thereby improving the living conditions within the framework of equity, security, and dignity. The primary focus of the NEP is to address the unemployment situation, and deal with decent work deficits, targeting, in particular, vulnerable groups, the youth, women, and persons with disabilities (PWDs). The policy focuses on employment components such as entrepreneurial development, private sector competitiveness, linking agriculture to the other sectors of the economy, research and innovation, vocational and technical skills development, productivity improvement, harnessing opportunities in labour migration, and the green economy, among others.

National Labour-Intensive Public Works (LIPW) Policy, 2016

Access to employment opportunities, gradual increase in income, and stability in economic and social securities of the economically active poor and the vulnerable are the key performance indicators of the LIPW Policy. The LIPW Policy is intended to reduce Ghana's over reliance on external financial flows for investment projects, provide public infrastructure and income earning opportunities for local economic development by relying on the available abundant low-skilled unemployed labour pool rather than sophisticated equipment. The Policy, however, recognises that not all public goods and services can be delivered entirely using labour-intensive techniques. The method is intended to be applied only where feasible, in the delivery of selected public goods.

National Workplace HIV/AIDS Policy, 2004

The National Workplace HIV/AIDS Policy formulated in 2004 aims at providing broad national guidelines to direct the formulation of workplace policies and programmes. The policy provides the framework for Ghana's strategy to reduce the spread, and mitigate the impact, of HIV/AIDS on the workforce. The objectives of the policy are to provide protection from discrimination in the workplace to people living with HIV/AIDS, prevent the spread of HIV/AIDS among workers, and provide care, support, and counselling to those infected and affected.

Employment of Persons with Disabilities

Section 47 of the Labour Act mandates an employer who employs a person with disability to notify the nearest Centre of the employment and where the employer fails to do so, the Chief Labour Officer shall direct the employer to comply. Section 48 mandate the employer to include in the contract of employment with a person with disability the particulars of the job or post, the working hours, amount of remuneration, transport facilities, and any special privileges which that person shall be accorded by virtue of the employment.

The National Disability Act, 2006 (Act 715) covers key thematic provisions such as rights, accessibility, and employment of Persons with Disabilities (PWDs), amongst others. Section 10 of the Act states: (1) the Government shall grant a person who employs a person with disability an annual tax rebate of the taxable income in respect of each person with disability employed as shall be prescribed in Regulations made under this Act.

Employment of Young Persons

The Children's Act 1998, Act 560 defines a child as a person below the age of 18 years. In addition, Section 58 of the Labour Act 2003 prohibits the employment of young persons in hazardous work. The Act states that a young person shall not be engaged in any type of employment or work likely to expose the person to physical or moral hazard. The Project will not engage any child below 18 years to undertake any aspect of the works.

Prohibition of Forced Labour

Labour Act (2003) prohibits the use of forced labour. Section 116 of the Act states that no employer shall require a person to perform any form of forced labour and it is an offence for an employer to exact or cause to be exacted, or permit to be exacted, for his or her benefit forced labour from any worker. Any employer who is found culpable shall be fined by the state.

Brief Overview of Labour Legislation and : Occupational Health and Safety and regulatory agencies

The Labour Law of Ghana provides OHS regulations around safety trainings, hygiene rules, provision and protective equipment, exposure to imminent hazards among others. The law mandates the employer to ensure that every worker and ensure the safety and absence of risks to health of a worker in connection with use, handling, storage and transport of articles and substances. The employer is required to:

- provide the necessary information, instructions, training and supervision having regard to the age, literacy level and other circumstances of the worker to ensure, so far as is reasonably practicable, the health and safety at work of those other workers engaged on the particular work;
- take steps to prevent contamination of the workplaces by, and protect the workers from, toxic gases, noxious substances, vapours, dust, fumes, mists and other substances or materials likely to cause risk to safety or health;
- supply and maintain at no cost to the worker adequate safety appliances, suitable fire-fighting equipment, personal protective equipment, and instruct the workers in the use of the appliances or equipment;
- provide separate, sufficient and suitable toilet and washing facilities and adequate facilities for the storage, changing, drying and cleansing from contamination of clothing for male and female workers;
- provide adequate supply of clean drinking water at the work-place;
- prevent accidents and injury to health arising out of, connected with, or occurring in the course of, work by minimizing the causes of hazards inherent in the working environment. Any employer who, without reasonable excuse, fails to discharge any of these obligations shall be fined by the state.

Local and National Agencies Responsible for Overseeing Labour Legislation

Ministry of Employment and Labour Relations

The Ministry of Employment and Labour Relations (MELR) was established by Executive Instrument (EI 28) in January 2017 in line with Sections 11 and 13 of the Civil Service Act, 1993 (PNDC Law 327). The Ministry is the lead policy agency of government in terms of employment and labour related issues, developing sector plans, coordinating sector specific interventions, promoting harmonious labour relations and workplace safety, promoting the elimination of child labour, monitoring and evaluating the implementation of policies, programmes and projects for accelerated employment creation for national development. The Ministry also has a mandate to safeguard the basic rights and interests of workers and, to that end, promote respect for relevant

International Labour Standards, including those on Forced Labour, Freedom of Association, the Right to Organise and Bargain Collectively, the Principle of Non-Discrimination and Equality of Treatment and Opportunities; and elimination of the worst forms of Child Labour; ensure fair and equitable wages and salaries for employees in all sectors of the economy; ensure occupational safety and health for all workers in both the formal and informal sectors among others.

The World Bank ESS2: Labour and Working Conditions

ESS 2 requires the Borrower to promote sound worker-management relationships to enhance the development benefits of a project. ESS2 applies to project workers, including full-time, part-time, temporary, seasonal and migrant workers. ESS2 will not apply to government workers as government workers working in connection with the project, whether full-time or part-time, will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. ESS 2 requires the Borrower to develop and implement written labour management procedures to manage working conditions and management of worker relationships in accordance with the requirements of national law and ESS2¹. Project workers will be provided with information and clear and understandable documentation regarding their terms and conditions of employment. The information and documentation will set out their rights under national labour and employment laws (including any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, and those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.

¹ [ESFFramework.pdf \(worldbank.org\)](#)

4. Key Gaps Between National Legislation and ESS 2

Table 3 presents the key gaps between national laws and ESS 2 and gap filling measures.

Table 3: Key Gaps Between National Legislation and ESS 2

Scope/Objective	Description of Bank Standard	Description of Government of Ghana Regulation	Gaps Identified	Gap Bridging Actions
<p>To promote safety and health at work, fair treatment, non-discrimination and equal opportunity of project workers including vulnerable workers such as women, persons with disabilities, and children.</p> <p>To prevent the use of all forms of forced labour and child labour.</p> <p>To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.</p> <p>To provide project workers with accessible means to raise workplace concerns.</p>	<p>ESS2 promotes the fair treatment, non-discrimination and provision of equal opportunities for workers engaged on projects it supports. It strongly encourages the protection of all project workers, including vulnerable groups such as women, persons with disabilities, children (of working age) and migrant workers, contracted workers and primary supply workers, as appropriate. It provides certain requirements that the project must meet in terms of working conditions, protection of the workforce (especially the prevention of all forms of forced and child labour), and provision of a grievance mechanism that addresses concerns on the project promptly and uses a transparent process that provides timely feedback to those concerned.</p> <p>Under ESS 2, workplace processes will be put in place for project workers to report work situations that they believe are not safe or healthy and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health. Project workers who</p>	<p>• The Labour Act 2003 (Act 651) provides for the rights and duties of employers and workers; legal or illegal strike; guarantees trade unions the freedom of associations and establishes Labour Commission to mediate and act in respect of all labour issues. Under Part XV (Occupational Health Safety and Environment), the Act explicitly indicates that it is the duty of an employer to ensure the worker works under satisfactory, safe and healthy conditions.</p> <p>The Workmen's Compensation Law 1987 (PNDC 187) seeks to address the necessary compensations needed to be awarded to workers for</p>	<p>Although the Commission makes provision for anticipated labour-related complaints and redress, beneficiaries' access (distance and processes) to the commission at the district-level may be a challenge.</p> <p>The law does not explicitly mandate workers to remove themselves from such unsafe working places and is also silent on they not being victimised if they should do so.</p>	<ul style="list-style-type: none"> • The project will adopt and enhance an existing transparent GM which addresses concerns promptly. • It has also developed labour management procedures, e.g. working conditions, occupational health and safety, child labour, etc. which will guide project implementers in managing labour-related issues. For instance, in order to avoid child labour, the acceptable age of workers' project workers will be 18 years and the Ghana 2010 risks assessment technique of child labour monitoring (CLM) will also be observed to ensure that labour management procedures in respect of child labour is respected. (<p>This Labour management procedure has been prepared to enable the Project to adequately takes care of ESS 2 provisions.</p>

Scope/Objective	Description of Bank Standard	Description of Government of Ghana Regulation	Gaps Identified	Gap Bridging Actions
<p>OHS Hazard identification and right of employees to remove themselves from such workplaces without being punished.</p> <p>Determination of workers' wages</p>	<p>remove themselves from such situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removal.</p> <p>ESS2 promotes equal pay for equal work devoid of discrimination. It supports the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law and requires projects to provide a means for workers to raise workplace concerns.</p>	<p>personal injuries arising out of and in the course of their employment.</p> <p>Section 78 of the Factories, Offices and Shop Act 1970 (Act 328), details the duties of persons employed. It is not part of the duties of persons employed to remove themselves from such unsafe working places and also silent on they not being retaliated against.</p> <p>Government workers' salaries are determined by the Fair Wages and Salaries Commission under Act 737. The Labour Act, 2003 (Act 651) consider communal work done on voluntary basis as voluntary and does not attract wages. The MELR mandate also includes ensuring fair and equitable wages and salaries for employees in all sectors of the economy including informal workers</p>	<p>The Act 737 does not explicitly mandate the Fair Wages and Salaries Commission to determine the compensation of artisans/labourers and community workers. Currently, there is no law to regulate informal sector wage structure other than use of the prevailing market rate.</p>	<p>Workers will be sensitized on the LMP and their rights to remove themselves from unsafe workplaces and will not be retaliated against if they do so in line with the LMP/ESS 2 provisions.</p> <p>Government workers will remain under the terms and conditions of government wage structure. Consultants pay will be negotiated and agreed in their contract prior to commencement of assignment. Community labour under this project will be provided on voluntary basis or on payment if applicable following an individual or community agreement with the Project on the compensation. Artisans and other informal workers will be paid based on the government of Ghana mandated</p>

Scope/Objective	Description of Bank Standard	Description of Government of Ghana Regulation	Gaps Identified	Gap Bridging Actions
				minimum wage.

5. Project's Policies and Procedures to Manage Key Potential Labour Risks including Child Labor

5.1. Management of OHS Risk

The Project OHS measures are linked to relevant sections of Ghana's Labour Act, 2003 (Act 651) and the World Bank's ESS2. The following general health and safety conditions will be followed throughout implementation:

- Workers to be engaged for a period of six months and more shall be served with a written contract.
- The Contract will provide, at a minimum, information concerning the number of hours of work, wage rate, duration of the Contract, employee's role (title), etc.

All subprojects where significant environmental and social risks are identified, will have a site-specific Environmental and Social Management Plan (ESMP) and contractors will be required to prepare C-ESMP including OHS plan and hire qualified OHS personnel to implement OHS plans. Employers including contractors and sub-contractors will be required to implement the following measures, among others:

- Ensure the safety and absence of risks to health in connection with use, handling, storage and transport of materials and substances;
- Provide the necessary information, instructions, training and supervision having regard to the age, literacy level and other circumstances of the worker to ensure, so far as is reasonably practicable, the health and safety at work of those other workers engaged in the particular work;
- Take steps to prevent contamination of the workplaces by, and protect the workers from, toxic gases, noxious substances, vapours, dust, fumes, mists and other substances or materials likely to cause risk to safety or health;
- Supply and maintain at no cost to the worker, adequate safety appliances, suitable fire-fighting equipment, personal protective equipment, and instruct the workers in the use of the appliances or equipment;
- Provide separate, sufficient and suitable toilet and washing facilities and adequate facilities for the storage, changing, drying and cleansing from contamination of clothing for male and female workers;
- Provide adequate supply of clean drinking water at the work-place;
- Prevent use of child labour and forced labour at subproject sites;
- Prevent accidents and injury to health arising out of, connected with, or occurring in the course of, work by minimizing the causes of hazards inherent in the working environment. It is the obligation of every worker to use the safety appliances, firefighting equipment and personal protective equipment provided by the employer in compliance with the employer's instructions.
- Provide First Aid kits at all sites and training to selected members of the workforce to administer first aid at site.
- Provide regular awareness creation on HIV/AIDS, COVID-19, health and safety to workers as part of the awareness raising measures in the contractors ESMPs.
- Comply with applicable statutory requirements such as provision of adequate workmen compensation insurance to workers

- Provide a description of all important areas including Emergence Assembly Point at the site; in addition to signages at appropriate places, providing information on precautions and appropriate actions to be taken to avoid accidents including mandatory use of protective gears.

5.2. Community Work/Labour Management

The Project will apply relevant provisions of ESS2 in a manner that reflects and is proportionate to the nature and scope of the Project; the specific project activities in which the community workers are engaged; and the nature of the potential risks and impacts to the community workers. Accordingly, a Community Labour Management Procedure will be prepared by the Project that will have the following provisions will be prepared and adopted:

- a) Establish terms and conditions, including amount and method of payment, for each category of community workers;
- b) Establish a procedure for health and safety risk assessment to identify any OHS risks that may arise from the proposed tasks.
- c) Prepare an OHS risk management plan for the task with relevant avoidance and mitigation measures to be taken, which may include, inter alia, provision of workplace safety equipment; provision of workplace first aid facilities; ensuring that community members are not required to undertake hazardous tasks such as operating vehicles and equipment without appropriate training; and ensuring that a trained supervisor is present when any potentially hazardous task is undertaken;
- d) For all community work tasks, identify actions to be taken in an emergency, including provision for transport of casualties to an accident and emergency facility;
- e) For all community work tasks, identify a focal point responsible for health and safety during the community task, who will receive appropriate training and who will maintain a register of any health and safety related incidents that arise;
- f) Prohibit potentially dangerous types of construction work including operating any type of ride-on construction equipment; construction work above ground level; construction work in excavations greater than shoulder depth; handling hazardous materials; and
- g) Prohibit participation of children below the age of 18 in community work tasks.

The Community Labour Management Procedure will include grievance mechanisms for resolution of complaints by community workers. The mechanism will be proportionate to the risk of the subproject and will include different channels for community workers to submit complaints, including verbal and written channels for submitting complaints, telephone, text messages etc. The GM will also include timelines for resolution of complaints, feedback mechanism and escalation processes using transparent processes.

5.3. Emergency Preparedness and Response Procedures

Emergencies at workplaces often results from natural and man-made hazards, typically in the form of fire, explosions, falls, leaks or spills. The project will require contractors to prepare an emergency preparedness and response plan as part of the contractor's Environment and Social Management Plan (C-ESMP). All active construction sites shall have emergency assembly points and fire escape routes and workers shall be trained on emergency evacuation from the site in case of fire, floods or any other natural disasters. Emergency drills shall be conducted by the contractor on a regular basis and shall have adequate spill kits for control of oil spills and leaks on site.

5.4. Prohibition of Forced Labour

The Project shall comply with national laws and regulations and ESS 2 requirements on forced labour. The PIU will require contractors to prepare Labour Management Plan for each sub-project. The LMP has include measures to prohibit the use of forced labour and monitoring indicators to ensure adherence. The contractor will conduct awareness raising among their workers and all relevant stakeholders e.g., subcontractors regarding prohibition of forced labour under this project.

5.5. Prohibition of SEA/SH

A large percentage of contracted workers (about 80 percent) are expected to be males and unskilled labour. The Project requires Project workers to maintain acceptable standards of behaviour with project affected parties and communities. As a result, contractors will be required are to ensure their workers and their subcontractors sign the contractor workers code of conduct including measures that prohibits sexual exploitation and abuse/sexual harassment (SEA/SH). Sample Code of Conduct (CoC) for Service Providers and Contractor Workers are attached as Annex 2. Contractors CoC will include sanctions for non-compliance, including noncompliance with specific policies related to sexual exploitation and abuse and sexual harassment (SEA/SH) e.g. referral to law enforcement agencies and termination of contract. Contractors are expected to read the CoC in a language understood by workers who cannot read prior to signing. Signing of the CoC will indicate that Contractor Workers 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.

In addition, Contractors and subcontractors will be required to evaluate SEA/SH risks at each site and prepare SEA/SH Action Plan proportional to the risk as part of their C-ESMP and undertake actions to mitigate potential risks related to on-site safety and SEA/SH including the actions provided in Table 4 below:

Table 4: Actions for Contractor for On-site Safety and SEA/SH Risk Mitigation

No.	Action	Proposed Timelines
1	Provide separate, safe and easily accessible sanitary 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 and labelled)	Throughout construction period
2	Ensure Codes of Conduct are clearly understood and signed by those with a physical presence at the project site;	Upon joining
3	Display signages to constantly inform workers on SEA/SH no tolerance	Throughout construction period
4	Train contractor workers on the behaviour obligations under the CoCs and disseminate CoCs (including visual illustrations) and discuss with employees and local communities.	Periodic as agreed in the C-ESMP

No.	Action	Proposed Timelines
5	Train contractor staff on toolbox training	Throughout construction period
6	Appoint a focal person with the primary responsibility for SEA/SH prevention and response	Throughout construction period
7	Display signages on sex no tolerance for age under 18	Throughout project cycle

5.6. Accident and Incident Reporting

The ESF requires that incidents and accidents are promptly reported to the World Bank. The Project shall require contractors to notify the project of any incident or accident related to any of the subproject activities which has, or is likely to have, a significant adverse effect on the environment, project communities, the public or workers, including but not limited to community agitation, death due to injury at site or harm and incidents such as fire injuries, physical violence, Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), and communicable diseases and infections. A template for the incident reporting is given in Annex 1. The project shall require contractors to:

- Promptly notify the World Bank of any incident or accident related to the Project, which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury.
- Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and/or supervising firm, as appropriate.
- Subsequently, at the World Bank's request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence.

6. Age of Employment

The minimum age for admission of a workers to employment in this project shall be 18 years. No person below the age of 18 years shall be engaged in any type of employment under this project. The Project will comply with national laws and regulations on employment of children and ESS 2 requirements to prevent the use of child labour. Under no circumstance shall a child under 18 years of age be engaged by the PIU, Contractors, or sub-contractors to undertake any aspect of the Project activities for wages or voluntary labour. The risk of child labour will be mitigated through age verification of workers using legally recognized national documents such birth certificate, Passport, National Identity Card, medical or school records. Further, awareness raising sessions will be conducted regularly in the communities to sensitize on prohibition and negative impacts of child labour.

7. Terms and Conditions of Work/Employment

The Labour Act enjoins employers to give its employees a written contract of employment, which shall express in clear terms the rights and obligations of the parties. Under this Project, all contractors shall be required to provide its employees a written contract with terms and conditions of employment. Some of the salient condition of work including the following:

- **Hours of Work.** Section 33 of the Labour Act, 2003 (Act 651) states that “the hours of work of a worker shall be a maximum of eight hours a day or forty hours a week except in cases expressly provided for in this Act”. Section 37, however, gives the Minister (of Employment) authority to prescribe shorter hours of work for workers in jobs declared to be manual labour and in jobs likely to be injurious to health. It further states that work for which shorter hours are prescribed under section (1) shall be deemed to be equivalent to work done on the basis of eight hours a day for the purposes of all rights which may flow from the employment. Section 35 provides for paid overtime by stating that where a worker in an undertaking works after the hours of work fixed by the rules of the undertaking, the additional hours done shall be regarded as overtime work. This project will adhere to the Labour Act requirements for hours of work and paid overtime would not be compulsory.
- **Wage Payment.** Workers will be paid based on the government of Ghana mandated minimum wage determined by the Fair Wages and Salaries Commission. No worker can be paid less than this mandatory minimum rate of pay under the project.

Rest Periods: Section 40 (a) of the Labour Act requires employers to grant workers at least 30 minutes break in the course of work where the normal hours of work are continuous. The break forms part of the normal hours of work.

Right to Privacy: All contractors or employers shall be required to comply with the requirements of the National Data Protection Act and international best practices to safeguard workers’ right to privacy. Hence, any personal information or data gathered on workers would be used for the intended purpose only and for which the worker must be made aware thereof. Personal information about a worker must be collected directly from the worker unless he/she consents, in writing, to the third- party release of the information.

8. Workers Grievance Mechanism

The project will require contractors to set up workers’ grievance mechanism to allow workers to raise workplace concerns and to receive prompt resolution. Contractors will be required to inform the workers of the grievance mechanism at the time of recruitment and make it easily accessible to them. The GRM will have due representation of the Supervising Engineers/Consultant, Contractor, Workers and women representative. The GRM for the Workers will be set up during mobilisation phase of the contractor. The mechanism will be proportionate to the risk of the subproject and will include different channels for workers to submit complaints, including letters, email, placing of complaint box at site, telephone, text messages and options for anonymous complaints. The GM will also include timelines for resolution of complaints, feedback mechanism and escalation processes using transparent processes. The workers’ grievance redress mechanism will also include measures to allow for anonymous complaints to be raised and addressed as well as measures for confidential grievance reporting on SEA/SH.

9. Contractor Management

Contractors who will undertake any aspects of the works under this Project will be selected on competitive basis. The Environment, Social, Health and Safety (ESHS) requirements of the Project have been specified and incorporated as special conditions and performance requirements in the World Bank Standard Bidding Documents (April 2021). Part of the clauses and conditions under the contractor contracts will be those on Environmental, Social, Health and Safety (ESHS) obligations as well as sanctions for noncompliance. The project will ensure that contractors and subcontractors engaged are reputable and legitimate organizations with appropriate labour management procedures. In addition, the project will incorporate these requirements in contractual agreements with contractors.

Contractors will be required to develop ESMPs (C-ESMP) to manage subproject ESHS risks and impacts. The C-ESMP will be reviewed and approved by the PIU prior to commencement of civil works and thereafter, reviewed on quarterly basis and updated as needed during project implementation.

Contractors will be required to monitor, keep records and report on terms and conditions related to labour management. The contractor must provide workers with evidence of all payments made, including tax deductions, social security contributions and benefits or other entitlements. The application of this requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to MESTI and the World Bank.

Contractors' labour management records and reports that may be reviewed would include the following:

- **Labour conditions:** records of workers engaged under the Project, including contracts, hours worked, or arrangements between contracted workers and subcontractors, remuneration and deductions (including overtime), collective bargaining agreements;
- **Safety:** records relating to safety inspections, including first aid cases, high potential near misses, fatalities and incidents, and implementation of corrective actions;
- **Workers:** number of workers, gender, age with evidence that no child labour is involved, and skill level (skilled, unskilled, supervisory, management);
- **Training:** records of training provided for contracted workers including dates, numbers of trainees, and topics e.g. occupational health and safety risks and preventive measures;
- **Worker grievance:** records relating to grievances received, occurrence and submission, action taken, and resolution (if any). These records should have their corresponding dates; and
- **Regulatory compliance:** records relating to incidents of non-compliance with national law, and ESS 2, adherence to applicable contractor workers code of conduct.

10. Monitoring Mechanism and Reporting On The LMP

The implementation of the LMP will be monitored as part of the project monitoring system to track the performance. The following relevant data shall be generated:

- **Worker Database:** A database of all workers employed indicating, at minimum, the name, age, sex, disability, location, next of kin/emergency contact; skill category, roles and responsibilities, disability (if any), etc.
- **Contractor Database:** A database of all contractors on the Project will be created to provide records of scope contract including location, scope of work, size of workforce, etc.
- **Supply Chain Database** This will contain information on the key suppliers and their worker profile to monitor the primary supply chain and record the results of risk assessments.

11. Responsible Staff

The table below provides information on the roles and responsibilities of the PIU, individuals and contractors within the project

Table 5: Responsible Staff/Functions

Category of Project Workers	Responsible Staff/Functions	Category or Scope of Engagement and other duties
Direct Workers	Project Director of PIU	<ul style="list-style-type: none"> • Engagement and management of Direct Workers • Engagement and management of contractors/subcontractors • Strengthening the capacity of relevant stakeholders to ensure adequate implementation of the LMP based on the requirements of the Ghana Labour Act and ESS2 requirements outlined in the LMP. monitoring role and ensure periodical labour and working conditions, environmental social audits and facilitate in conducting training for staff that will oversee the implementation of the LMP at project/community level.
	E&S Specialists of PIU	<ul style="list-style-type: none"> • Ensure adequate implementation of the LMP. • Ensure LMP requirements are included in the bidding documents • Ensure a stand-alone document or a part of the site specific Environmental and Social Management Plan (ESMP) of the subproject. • Responsible for training of workers on safety measures to avoid workplace accident, filling of forms required, prepare quarterly monitoring reports

Category of Project Workers	Responsible Staff/Functions	Category or Scope of Engagement and other duties
Service Providers	E&S Specialists of Supervising Consultants	Implementation of the LMP measures and monitoring Oversee the implementation of OHS, SEA/SH, COVID-19 prevention, GRM and other requirements of the Labour Act and ESS 2 outlined in this LMP and Contractors LMPs
	OHS Specialists of Contractors/ Subcontractors	Implementation of the health and safety measures in this LMP and monitoring
Community Workers	Project Director and E&S Specialists of PIU	<ul style="list-style-type: none"> • Implementation of community activities agreed with the Project in a transparent and accountable manner. • Support E&S focal points in project communities to monitor implementation of OHS requirements at project sites and community workers use safety gears during execution of works.
Primary Supply Workers	Project Director of PIU	<ul style="list-style-type: none"> • Under no circumstances, the primary suppliers and their workers working under the project will engage child labour and forced labour (all forms) including bonded labour (working against an impossible debt), excessive restrictions for freedom of movement, inordinately long notice periods • In case there are significant risk of serious safety issues related to primary supply workers, introduce procedures and mitigation measures to address such safety issues

Annexes

Annex 1: Incident Reporting Form and Types of Incidents to be Reported

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

Fatalities must be reported promptly, with initial reporting submitted within 24 hours to the World Bank.

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

Minor Incidents

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

Serious Incidents

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

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

Severe Incidents

Environmental	Social	Health & Safety
Hydrocarbon or chemical spills, or release of other hazardous substances into the environment, causing widespread impacts, and/or requiring large-scale remediation	Forced evictions or resettlement of communities without due process or compensation	Any fatality Permanent disability
Poaching or hunting and trafficking of threatened or endangered species	Abuses of community members (including vulnerable groups e.g., women, children, youth, elderly, disabled/sick, LGBT) by site security forces or other Project workers, including but not limited to GBV	Outbreak of life-threatening communicable disease

Environmental	Social	Health & Safety
Sediment, pesticide, or herbicide runoff causing permanent damage to waterways	Significant damage to nationally protected areas or to UNESCO World Heritage sites	Criminal and political attacks at worksite
Destruction of internationally recognized critical habitat	Human trafficking and child labour	Forced labour by Project's Works Contractor
Major river contamination causing decimation of fish population or other aquatic resources	Violent community protests against the Project	Works Contractor is unresponsive regarding ongoing worksite risks of bodily injury
	Significant impacts on Indigenous Peoples' land/natural resources and/or culture and there is no evidence of consultation, broad community support, mitigation of harm and/or culturally appropriate benefit-sharing	Persistent non-compliance and/or inability or unwillingness to remedy non-compliance that could result in bodily injury or harm Murders, kidnappings, manslaughter and assaults, while criminal matters and not safeguards incidents per se, have occurred in Bank Projects and should be treated as severe incidents. These incidents would be referred to local authorities with notification to WB Security

Annex 2: Sample Service providers and Contractor Workers Code of Conduct

Annex 2A: Code of Conduct for Service Provider's Personnel in World Bank Standard Procurement Document

Note to the Employer:

The following minimum requirements shall not be modified. The Employer may add additional requirements to address identified issues, informed by relevant environmental and social assessment.

Delete this Box prior to issuance of the bidding documents.

Note to the Bidder:

The minimum content of the Code of Conduct form as set out by the Employer shall not be substantially modified. However, the Bidder may add requirements as appropriate, including to take into account Contract-specific issues/risks.

The Bidder shall initial and submit the Code of Conduct form as part of its bid.

CODE OF CONDUCT FOR SERVICE PROVIDER'S PERSONNEL

We are the Service Provider, [enter name of Service Provider]. We have signed a contract with [enter name of Employer] for [enter description of the Services]. The Services will be carried out at [enter the locations in the Employer's country where the Services are required, as applicable]. Our contract requires us to implement measures to address *environmental and social risks* [**Note to Employer:** depending on the nature of the contract and assessed risks, this may be replaced with social risks], related to the Services.

This Code of Conduct is part of our measures to deal with environmental and social risks [**Note to Employer:** depending on the nature of the contract and assessed risks, this may be replaced with social risks] related to the Services.

All personnel that we utilize in the execution of the Services, including the staff, labour and other employees of us and each Subcontractor, and any other personnel assisting us in the execution of the Services, are referred to as Service Provider's Personnel.

This Code of Conduct identifies the behaviour that we require from the Service Provider's Personnel employed for the execution of the Services at the locations in the Employer's country where the Services are provided.

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

REQUIRED CONDUCT

Service Provider's Personnel employed for the execution of the Services at the locations in the Employer's country where the Services are provided shall:

1. carry out his/her duties competently and diligently;
2. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Service Provider's Personnel and any other person;
3. maintain a safe working environment including by:
 - a. ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b. wearing required personal protective equipment;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. following applicable emergency operating procedures.
4. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
5. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
6. not engage in any form of sexual harassment including unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature with other Service Provider's or Employer's Personnel;
7. not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;
8. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
9. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
10. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, and Sexual Exploitation and Abuse, and Sexual Harassment (SH);
11. report violations of this Code of Conduct; and
12. not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of applicable grievance mechanism for Service Provider's Personnel or the project's Grievance Redress Mechanism.

RAISING CONCERNS

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

1. Contact [*enter name of the individual, with relevant experience, designated by the Service provider to handle these matters*] in writing at this address [] or by telephone at [] or in person at []; or
2. Call [] to reach the Service Provider's hotline (*if any*) and leave a message.

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

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

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

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

FOR SERVICE PROVIDER'S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [*enter name of Service Provider's contact person(s) with relevant experience*] requesting an explanation.

Name of Service Provider's Personnel: [insert name]

Signature:

Date: (day month year): _____

Countersignature of authorized representative of the Service Provider:

Signature: _____

Date: (day month year): _____

Annex 2B: Code of Conduct for Contractor’s Personnel

Note to the Employer:

The following minimum requirements shall not be modified. *The Employer may add additional requirements to address identified issues, informed by relevant environmental and social assessment.*

The types of issues identified could include risks associated with: labour influx, spread of communicable diseases, and Sexual Exploitation and Abuse (SEA) etc.

Delete this Box prior to issuance of the RFP documents.

Note to the Proposer:

The minimum content of the Code of Conduct form as set out by the Employer shall not be substantially modified. However, the Proposer may add requirements as appropriate, including to take into account Contract-specific issues/risks.

The Proposer shall initial and submit the Code of Conduct form as part of its proposal.

CODE OF CONDUCT FOR CONTRACTOR’S PERSONNEL

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

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

This Code of Conduct identifies the behaviour that we require from all Contractor’s Personnel.

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

REQUIRED CONDUCT

Contractor’s Personnel shall:

13. carry out his/her duties competently and diligently;

14. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
15. maintain a safe working environment including by:
 - a. ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b. wearing required personal protective equipment;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. following applicable emergency operating procedures.
16. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
17. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
18. not engage in any form of Sexual Harassment, which means unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
19. not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;
20. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
21. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
22. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
23. report violations of this Code of Conduct; and
24. not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism.

RAISING CONCERNS

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

3. Contact *[enter name of the Contractor's Social Expert with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases, or if such person is not required under the Contract, another individual designated by*

the Contractor to handle these matters] in writing at this address [] or by telephone at [] or in person at [];
or

4. Call [] to reach the Contractor’s hotline (*if any*) and leave a message.

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

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

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

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

FOR CONTRACTOR’S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [*enter name of Contractor’s contact person with relevant experience*] requesting an explanation.

Name of Contractor’s Personnel: [insert name]

Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Contractor:

Signature: _____

BEHAVIORS CONSTITUTING SEXUAL EXPLOITATION AND ABUSE (SEA) AND BEHAVIORS CONSTITUTING SEXUAL HARASSMENT (SH)

The following non-exhaustive list is intended to illustrate types of prohibited behaviors.

(1) **Examples of sexual exploitation and abuse** include, but are not limited to:

- A Contractor’s Personnel tells a member of the community that he/she can get them jobs related to the work site (e.g., cooking and cleaning) in exchange for sex.
- A Contractor’s Personnel that is connecting electricity input to households says that he can connect women headed households to the grid in exchange for sex.
- A Contractor’s Personnel rapes, or otherwise sexually assaults a member of the community.
- A Contractor’s Personnel denies a person access to the Site unless he/she performs a sexual favor.

- A Contractor’s Personnel tells a person applying for employment under the Contract that he/she will only hire him/her if he/she has sex with him/her.
- A Contractor’s Personnel refuses to pay for services rendered if sexual favours are not granted.

(2) Examples of sexual harassment in a work context

- Contractor’s Personnel comment on the appearance of another Contractor’s Personnel (either positive or negative) and sexual desirability.
- When a Contractor’s Personnel complains about comments made by another Contractor’s Personnel on his/her appearance, the other Contractor’s Personnel comment that he/she is “asking for it” because of how he/she dresses.
- Unwelcome touching of a Contractor’s or Employer’s Personnel by another Contractor’s Personnel.
- A Contractor’s Personnel tells another Contractor’s Personnel that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself.

Annex 3: Proposed Outline of Labour Management Plan

1. Introduction and Background
 - a. Subproject Description
 - b. Scope of work
 - c. Objectives of the Labour Management Plan
 2. Labour Requirement of the Subproject
 - a. Categories of workers to be engaged
 - b. Number of workers required
 - c. Timing of Labour Requirements
 - d. Assessment of Potential Labour Risks
 3. Applicable Labour Laws and Regulations
 4. Project Policies and Procedures to Manage Potential Labour Risks
 5. Terms and conditions of Work/Employment
 6. Contractor OHS Plan and Implementation Arrangements
 7. Contractor’s Emergency Preparedness and Response Plan
 8. Measures to Prevent use of Child Labour and Forced Labour
 - a. Age verification procedures
 9. Measures to Prevent SEA/SH
 10. Incident and Accident Reporting
 11. Workers Grievance Mechanism
 12. OHS Monitoring and Reporting Mechanisms
 13. Responsible Staff
 14. Training and Awareness Raising
- Annexes
- Workers Code of Conduct
 - Incident Tracker
 - Complaint Form