



Social Protection and COVID19 Response Project (ESPECRP)

(P173582)

Labor Management Procedures

(LMP)

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1. INTRODUCTION

This Labor Management Procedure (LMP) has been prepared for the Emergency Social Protection Enhancement and COVID-19 Response Project (ESPECRP), which will ensure compliance with Environmental and Social Standard on Labor and Working Conditions (ESS2) of the World Bank's Environmental and Social Framework (ESF) and the national legislation and regulations of the Government of Yemen. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues. The LMP sets out general guidance relevant to different forms of labor but also issues and concerns that relate to COVID-19 considerations.

2. OVERVIEW OF LABOR USE ON THE PROJECT

ESS2 categorizes the workers into direct workers, contracted workers, community workers. This Labor Management Procedure (LMP) applies to all project workers as defined in ESS2:

- **Direct workers-** The project will be managed and supervised by UNDP. Implementing partners (SFD, PWP and SMEPs, SMED) staff are considered also as direct workers. In addition, personnel contracted directly by the IPs such as consultants are also be considered as direct workers. Workers under Sub-components 1.2 and 2.3. are also considered direct workers.

The UNDP team is proposed to consist of the following personnel:

- Project Manager
- Project coordinator
- Monitoring and evaluation Specialist
- IT Specialist
- Communication and Visibility Specialist
- International Safeguard Specialist
- Environmental and Social Safeguard Specialist
- National Gender and Social Safeguards Specialist
- National Occupational Health and Safety Specialist
- Project Assistant

PWP The direct workers will include staff & consultant staff:

- PWP Director
- 7 Main Area Staff
- Technical Advisor
- Legally Advisor
- 5 Procurement Staff
- 3 Investment Planning Staff

- 8 Financial Unit Staff
- 2 Internal Auditor Staff
- 3 Monitoring and Evaluation Staff
- 3 Safeguard Staff
- 6 Technical Unit Staff
- 2 HR Staff
- 3 IT Staff
- 2 Social Communication and Media Staff
- 6 Logistic Staff
- 6 Audience Hall Staff
- 40 Sub areas Staff

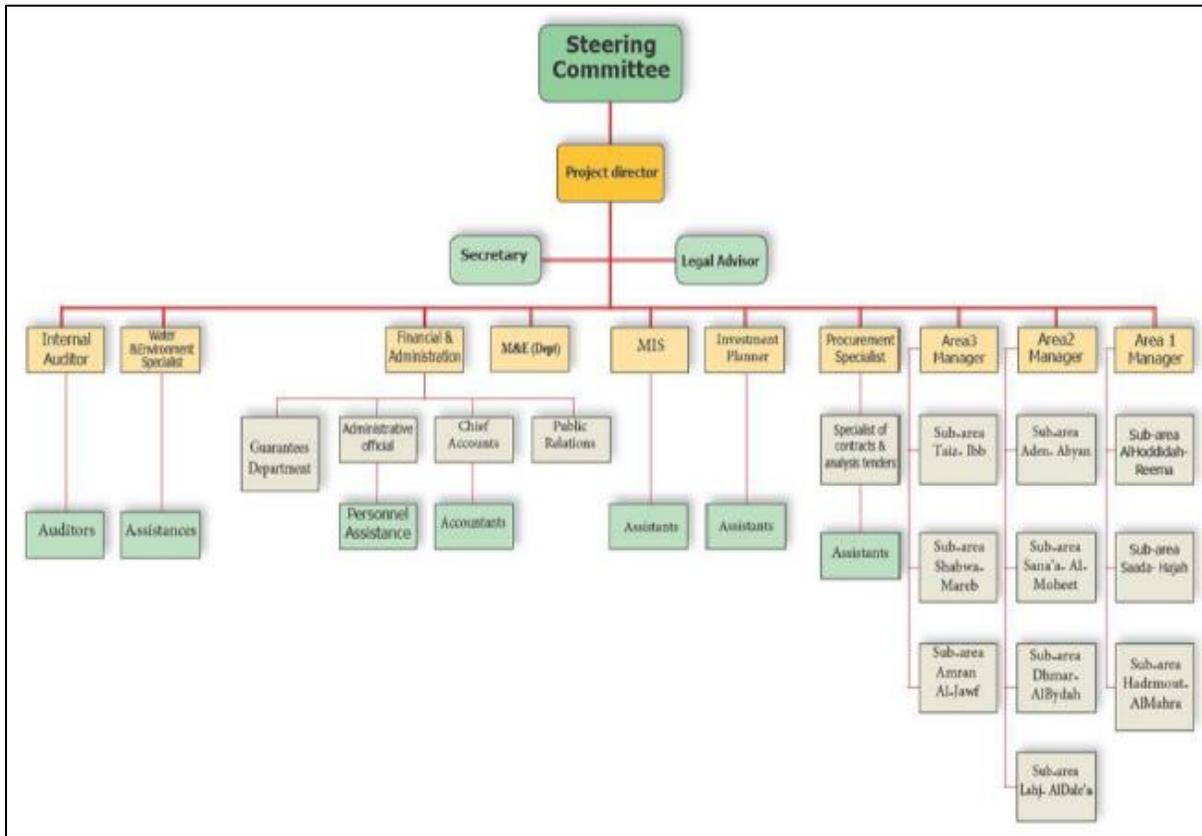


Figure 1: PWP Project Organization Structure

SFD direct workers will include all staff & consultant staff:

Social Fund for Development (SFD) Project Organizational Structure:

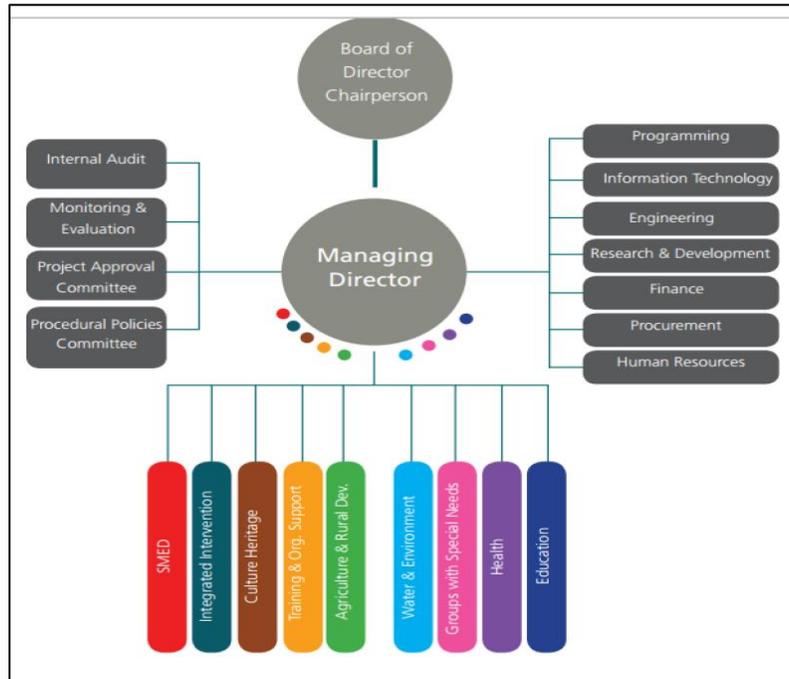


Figure 2: SFD Project Organization Structure

SMEPS: The direct workers will include all staff & consultant staff:

SMEPS Project Organization Structure:

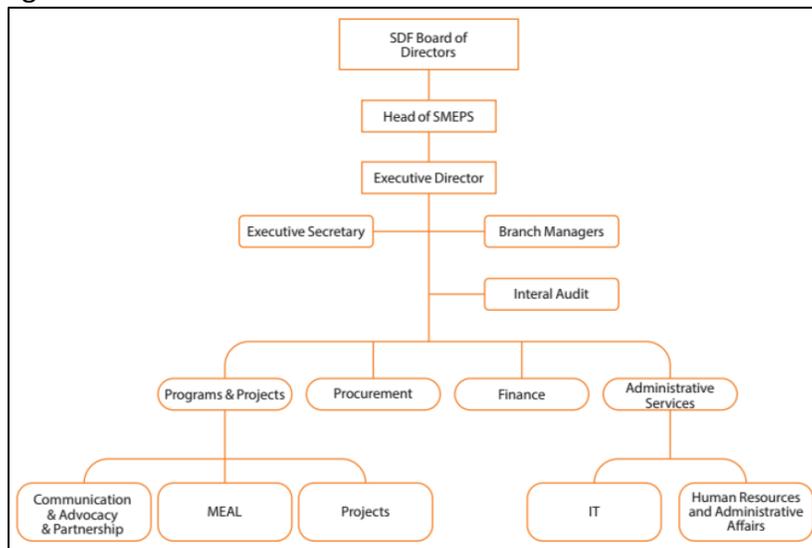


Figure 3: SMEPS Project Organization Structure

- **Contracted workers-** Contracted workers include the contractors who in turn employs workers/ labor based on daily wages to perform (i) skilled field-related works, (ii) IT-related works, (iii) training-related works. Community contractors is a mechanism implemented by SFD and PWP in performing developmental projects with the participation of local communities, this method includes conducting or managing contracts for the implementation of works and services with community contractors and other service providers such as builders, car drivers and professionals in order to complete a specific project. Therefore, the eligibility conditions for community contractors are less demanding (e.g., no condition of two years' experience and financial capability) and the liability is shared between them and the IP, particularly in conducting safeguard training and awareness, recruiting technical staff, enforcing safeguards measures, and providing insurance of workers.
- **Community workers-** Include Labor / Workers recruited by the contractor from within the communities. To meet the objectives of the ESPECRP of providing temporary employment and economic opportunities for vulnerable communities, the contractor should recruit at least 50% of the workers from the local community.
- **Primary supply workers-** The project would not engage primary supply workers, as community contractors would source materials for sub-projects, such as gravels for stone pavement.

Characteristics of Project Workers:

All workers for the ESPECRP will be recruited locally. Contractors will be encouraged to recruit local workers including female workers to the most extent possible. Female workers will be assigned to tasks appropriate with their capabilities. Contractors will ensure that labor meet the minimum approved age i.e. not less than 18 years for light work not involving any potential risks or hazards and above 18 years for others.

Timing of Labor Requirements:

For each community asset, consultants will be recruited at the design stage. contractors, supervision and workers will all be recruited at the beginning of the subproject. Skilled workers will be hired, when required, according to the nature of the works. The number of workers needed for each activity will be determined prior to implementation.

3. ASSESSMENT OF POTENTIAL LABOR RISKS

Project Components:

The Emergency Social Protection Enhancement and COVID-19 Response Project (ESPECRP) builds on the ongoing IDA financed Emergency Crisis Response Project (ECRP) to deliver support to

vulnerable Yemenis affected by conflict, COVID-19 and climate-related shocks. The project development objective is to provide cash transfers, temporary employment, and increased access to basic services and economic opportunities to vulnerable populations affected by COVID-19 and the ongoing conflict.

The Project will mainly target food insecure households and focus on interventions that are most effective at addressing food insecurity. Given the short-term food security needs, most of the Project funds are expected to be used to provide cash transfers (CTs) to vulnerable households. This includes unconditional cash transfers to Social Welfare Fund (SWF) beneficiaries as well as cash top ups and complementary services for SWF families that are most at risk of malnutrition. For vulnerable people that are able to work, the Project will continue to engage with communities to provide temporary employment opportunities to build valuable community assets, prioritizing community projects that contribute to food security, climate resilience and anchoring gender sensitive interventions. And in an effort to address food insecurity more sustainably, the Project will continue to provide economic opportunities to vulnerable populations through support to Small and Micro Enterprises (SMEs), with an emphasis on food market resilience and market-based mechanisms. Similar to the ECRP, Project interventions will include COVID-19-sensitive measures.

The project will cover Three main components for a duration of three years. Below are the components that will be managed by UNDP

Component 1: Cash transfers

- Subcomponent 1.2: Cash for Nutrition
 - Implemented by SFD
 - Managed by UNDP

Component 2: Labor intensive works and economic opportunities

- Subcomponent 2.1: Cash for Work
 - Implemented by SFD
 - Managed by UNDP
- Subcomponent 2.2: Community Assets
 - Implemented by PWP
 - Managed by UNDP
- Subcomponent 2.3: Economic opportunities and food market resilience
 - Implemented by SFD
 - Managed by UNDP

Component 3: Project management, monitoring and evaluation

- It includes direct and indirect costs; capacity building of SFD and PWP, TPM and evaluation

I- Impacts related to the Social risks, cover:

- (a) impacts relating to mistargeting and the lack of transparency and discrimination marginalised groups; and corruption in selection of the project recipients;

- (b) Effects of gender blindness, gender based violence, sexual abuse and exploitation typically associated with catastrophic events;
- (c) Negative impacts related to discrimination against women and children elderly and persons with disabilities during project beneficiarie selection;
- (d) impacts related to lack of children protection and children work due to high need of money among poor families; and
- (e) Impacts related to conflict eruption and social disputes due to lack of consideration to the different stakeholders' needs and interests and mishandling water ownership, use and property rights.

II- Environmental risks, incorporating:

- (a) Impacts of overuse, mismanagment deterioroation to soils and land resource;
- (b) Impacts related to solid waste produced by workers (trash and plastic bags) accumulating and polluting the environment.

III- Occupational and community Health and Safety risks, including:

- a) Community health and safety impacts relating to project activities during the implementation, COVID-19 and cholera infections impacts related to possible contamination of existing water sources;
- b) impacts related to occupational health and safety for community such as excavation risks, cutting, breaking, quarrying, and transferring of stones...etc.;
- c) impacts related to destruction of public services infrastructure.

Key Labor Risks Include:

Child Labor and Forced Labor

Subprojects will be implemented by local workers. Ensuring that the terms and conditions for these workers are in accordance with the requirements of national law and in compliance of this LMP, in particular child and forced labor.

Moreover, the deteriorating economic conditions present the risk that child and/or forced labor may be used in programming activities. As the construction activities will involve hazardous work, persons under the age of 18 will not be employed by the project unless to perform light duties. Similarly, no child, forced, involuntary or unpaid labor will be used in any works activities directly associated with the project.

Labor influx

In some cases, worker unavailability or lack of technical skills and capacity among local community will require the implementing partner/ contractor to bring skilled labor from outside the project area. This influx is compounded by an influx of other people ("followers") who follow the incoming workforce with the aim of selling them goods and services, or in pursuit of job or business opportunities. The rapid migration to and settlement of workers and followers in the project area is called labor influx, the influx of workers and followers can lead to adverse social

and environmental impacts on local communities, especially if the communities are rural, remote or small. Such adverse impacts may include increased demand and competition for local social and health services, as well as for goods and services, which can lead to price hikes and crowding out of local consumers, increased volume of traffic and higher risk of accidents, increased demands on the ecosystem and natural resources, social conflicts within and between communities, increased risk of spread of communicable diseases, and increased rates of illicit behavior and crime.

Depending on the size and the skill level of the local workforce, a share of the workers required for the project will be recruited locally. This is generally easier for unskilled workers, while more specialized staff (typically required in smaller numbers) frequently will be hired from elsewhere. UNDP, PWP, SFD will ensure Transparent local community engagement and participation during initial project decision-making and continue routinely throughout the life of the project through GRMs to ensure effective Information disclosure, community involvement.

Gender-based Violence (GBV)/Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH):

With persistent gender gaps existing even prior to the conflict (i.e., in education, legal restrictions on mobility and decision-making, barriers to female participation in the labor force and in political life, and few opportunities for voice, paid work and entrepreneurial activity), women are more vulnerable to the economic, social and security challenges that result from the conflict and should thus be proactively reached for access to cash to improve their purchasing power for food and basic necessities. The stark gender gaps are influenced by and set within the context of conservative and strict gender norms. The project includes specific actions and design parameters to ensure the inclusion and participation of women. Such design parameters will ensure women are provided an equal opportunity to benefit from the employment opportunities (for example, targeting female-headed households, allowing flexibility in work hours, and providing on-site childcare). Consideration for IDPs, women and youth as specific vulnerable groups are included in the targeting as well as type of intervention.

Investing in persons with disability is central to poverty reduction and achieving the sustainable development goals.

The project will ensure that gender sensitive interventions are mainstreamed across all project components, creating pathways for employment and participation in society and playing a key role in building resilience to shocks, improving livelihoods and mitigating social constraints. This is relevant in the current country context as empowering women's full productive potential can yield enormous dividends in reducing GBV, gender gaps in education, employment and access to services. A GBV assessment will be undertaken for the project prior to implementation to have a sense of potential GBV, Sexual Exploitation and Abuse (SEA)/SH. The assessment will be conducted to cover activities under components 1 and 2 since there will be interaction between male workers and female beneficiaries and labourers provided by contractors. The project will prepare a Gender Action Plan.

Community Health and Safety:

Implementing partners (SFD, PWP) and members of community organizations, would be interacting with communities to inform them about the subprojects and support them to prepare the applications. These interactions would increase the risk of exposure to the virus for these workers and the risk for the communities, especially if proper hygiene, safety precautions and social distancing measures are not adhered to. Therefore, activities that bring groups of people together must be avoided, unless absolutely necessary, and only then with precautions.

In addition, communities may be negatively impacted by project activities: noise, waste, traffic, lighting, excavation and so forth. This may result in negative actions towards project operations such as road closures and the prevention of workers or suppliers from entering the worksite. It is imperative that implementing partners implement control measures to avoid and minimize the impacts of the project on communities.

Occupational Health and Safety (OHS):

Community workers are members of the community who are recruited by the contractor as skilled or unskilled workers to work in the providing the community asset. For unskilled and untrained local population, risk remains that some accidents may occur that lead to injuries. hazards will depend on the type of subproject works to be implemented.

Many workers and community members will be exposed to occupational health and safety hazards, including but not limited to:

- Excavations hazards
- Construction works such as working at heights or in confined spaces
- Exposure to chemicals (as paints, solvents, lubricants, and fuels, pesticides, chemical fertilizers)
- Traffic accidents
- Lifting of heavy objects
- Exposure to construction airborne agents (dust, silica and asbestos)
- Ergonomic hazards during construction
- Security Incidents such as: armed attacks, hostage taking or kidnapping, unlawful detention, explosions, violent unrest/disputes between the implementing partner and local authorities and communities.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

The Republic of Yemen has drafted policies and established institutions and responsibilities for Labor management, joined international conventions and developed sector legislation and procedures. Key among these are:

Gender

- Yemen ratified the Convention on Elimination of all Forms of Discriminations Against Women (CEDAW) in 1984, and prepared a National Strategy for Women Development in 1997, which was updated in 2015. Implementation of CEDAW is delegated to relevant ministries and authorities (Decree 55/2009). Based on amendments proposed by the

Women National Committee, 24 laws were amended to ensure building gender balance in accordance with the convention.

- The Labor Law (Law 5/1995) states that women are equal to man in all aspects without any discrimination, and that equality should be maintained between women and men workers in recruitment, promotion, wages, training, social insurance. It also regulates work time for pregnant women.

Labor

- The Labor Law regulates the rights and wages of workers, their protection, occupational health, and safety. In addition, the Social Insurance Law regulates retirement compensation.

Child Labor

- Yemen has ratified ILO Convention Number 138 on Minimum Age for Admission to Employment (Law 7/2001). The Convention establishes a minimum age for admission to employment.
- Yemen has also ratified the ILO Convention 182 on the Worst Forms of Child Labor. It refers to child labor as work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school, by obliging them to leave school prematurely; or by requiring them to attempt to combine school attendance with excessively long and heavy work.

4.1 Terms and Conditions

Employment Agreement:

All employers are required to enter into an employment agreement in writing with their employees. The duration of a Yemeni worker's contract shall be considered unlimited unless otherwise specified by agreement between the two parties. Upon signing a contract of employment, a worker may be subject to a probationary period not exceeding six months with the same employer, to be stipulated in the contract. It shall be forbidden to employ a worker on probation more than once for the same job.

Minors:

The law considers a minor to be a person under the age of 15. It shall be forbidden to employ a young person (any male or female person under 15 years of age). Article 7 of Ministerial Order No. 11 of 2013 (52), state that the minimum age for Hazardous Work is 18 years old. Nevertheless, Minors under the age of 18 are prohibited from engaging in any kind of employment in the project.

Women's employment:

Women shall be equal with men in relation to all conditions of employment and employment rights, duties and relationships, without any discrimination. Women shall also be equal with men in employment, promotion, wages, training and rehabilitation and social insurance. The requirements of job or occupational specifications shall not be considered as discrimination.

It shall be forbidden to assign a woman to overtime work as from the sixth month of her pregnancy and during the first six months following her return to work after maternity leave.

Working Hours:

Official working hours shall not exceed eight hours per day or 48 hours per week. Weekly hours of work shall be distributed over six working days followed by one day of rest with full pay. No employee shall be required to work more than 6 (six) consecutive days a week (on a day that is normally a day off or has been agreed as a day off), without being provided with twenty-four consecutive hours of leave. Official working hours during the month of Ramadhan shall not exceed six hours per day or 36 hours per week.

Dismissal:

Employees have a right not to be dismissed unfairly, without cause. The Act provides a list of disciplinary measures that can be taken reasonably against an employee due to misconduct and which must ordinarily be exhausted before any dismissal. It shall be forbidden for an employer to terminate a contract of employment in the following cases:

- During any of the worker's leave.
- During the investigation of a dispute between the employer and the worker, provided that such investigation shall not exceed four months, unless the worker commits another violation which requires his dismissal.
- During the worker's detention by the competent authorities in connection with his work, pending a final decision in the matter.

Wages and deductions:

The minimum wage payable to a worker shall not be less than the minimum wage paid by the state administration. The average daily minimum wage of a worker remunerated on the basis of production piece rates shall not be less than the daily minimum wage specified for the occupation or industry concerned. The daily wages of workers not paid on a monthly, weekly or daily basis shall be calculated on the basis of the average wages earned by their counterparts for days effectively worked for the same employer over the past year or during their period of service if less than one year. Employees may be fined for absenteeism from work during official working hours, such fine to be deducted from his/her wages and to be commensurate to the time absent from work. No other fines shall be imposed by the employer on account of absenteeism.

Overtime Work:

Employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Wages for overtime work shall be calculated according to the following rates:

- One-and-a-half hours' basic wages per hour of overtime on normal working days.
- Two hours' basic wages per hour of overtime at night, on the day of weekly rest, and on official holidays and leave, in addition to entitlement to standard wages for such holidays.

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

Employers shall observe the following rules:

- Workplace health and safety conditions shall be maintained in conformity with occupational safety and health requirements.
- Workplaces shall be properly ventilated and adequately lighted during working hours in accordance with the standards established by the authorities responsible for occupational safety and health.
- The necessary precautions shall be taken to protect workers from such damage to their health as may be caused by gas, dust, smoke or any other emissions or waste likely to be discharged by the industry.
- The necessary precautions shall be taken to protect workers against the hazards of equipment and machinery and the hazards of conveyors and handling, including any risks of collapse.
- The necessary precautions shall be taken against natural hazards and damage, including health, humidity and cold.
- The necessary precautions shall be taken against the hazards of excessive light, noise, and any risk of explosion.
- Easily accessible lavatories and washrooms shall be provided, and separate lavatories and washrooms shall be provided for women workers if women are employed on the premises.
- An adequate and easily accessible supply of drinking water shall be provided for the worker's use.
- The necessary precautions shall be taken to deal with fires and provide fire-fighting equipment, including emergency exits, which shall be maintained in working order at all times.
- Industrial accidents and occupational diseases shall be recorded in a register and notified to the competent authorities and statistics on industrial accidents and occupational diseases shall be kept for submission upon request.

Employers shall take the necessary precautions to protect workers and ensure their safety against such hazards as may arise from their work and the machinery in use. The employer shall not deduct any amount from their wages in consideration of:

- The provision of protective devices, equipment and clothing to protect workers from exposure to occupational injuries and diseases;
- Any allowances granted to workers for working in conditions harmful to their health, or any meals provided to them in compliance with occupational safety and health requirements.
- Expenses incurred on account of workers' medical examinations, regular or otherwise, as necessitated by occupational safety and health requirements.
- The provision of first aid equipment at the workplace.

Employees are required to:

- Maintain safe practices at work to avoid danger to the safety and wellbeing of the employee and co-workers, which may be caused by inattentiveness to safety and security measures.
- Assist the employer and co-workers in maintenance of measures designed to ensure health and safety in the workplace.
- Use safety equipment and protective gear as instructed in accordance with the training and education provided for use of such equipment and gear.
- Report to the employer any damage, loss of or destruction of protective gear or safety equipment.
- Inform the employer or his designated supervisor immediately of the occurrence of any incident, which the employee believes may cause danger and which the employee is unable to resolve.
- Inform the employer or his designated supervisor of any accidents or damage sustained at work or related to work.

6. POLICIES AND PROCEDURES FOR MANAGEMENT OF LABOR ISSUES:

This section sets out the mitigation measures that will be adopted by the project to address the risks mentioned in previous section, including those relating to specific risks to workers posed by COVID-19.

6.1 Terms of Employment

Wages and Deductions:

The minimum wage payable to a worker shall be as follows:

- Direct Labor for the IP's staff and Consultants remuneration is in accordance with the contracts of employment. The monthly remuneration will be set to be in line with level of responsibilities.
- Contracted workers based on daily wages paid by the contractor to be in line with the current market rates paid for skilled, semi-skilled or unskilled labor. The daily rates could differ from one governorate to another; hence, it should be equivalent to the wages paid in the specific location.
- Community workers will be paid similar to the contracted workers in case of PWP, and as per LIWP operations manual in case of SFD . The approach in SFD's cash for works is a self-targeting mechanism which means the daily conditional cash amounts for each laborer (beneficiary) is lower than the market rate.

Overtime Work:

Direct workers overtime rates are stipulated in the implementing partners internal policy which goes in line with national law regulations. Contracted workers and community workers will be paid based on delivery of specific assignments within a defined time, hence overtime is not

relevant. Nevertheless, employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Working hours, whether normal or overtime shall not exceed 12 hours per day.

Gender and Social Inclusion

To the extent possible, the ESPECRP will promote gender equality and the empowerment of women and seek to reduce gender inequalities in access to and control over resources and the benefits of development.

- Sub-projects will ensure that both women and men are able to participate meaningfully and equitably, have equitable access to project resources, and receive comparable social and economic benefits.
- Sub-projects will not discriminate against women or girls or reinforce gender-based discrimination and/or inequalities.
- Sub-projects will ensure precautionary measures are in place to prevent potential exposure of beneficiaries, workers, and affected people to sexual exploitation and abuse.
- Sub-projects will ensure precautionary and control measures are in place to prevent potential exposure of beneficiaries, workers, and affected people to health and safety hazards.

6.2 COVID-19 specific Occupational Health and Safety

These provisions will apply for: **Direct workers, contracted workers, and community workers.**

- The health conditions of the workers will be assessed prior to engaging them in the Project, and sick workers will be refused entry to the office premises
- Entry/exit to site or the workplace will be minimized, and measures will be put in place to limit contact between workers and the community/public.
- Trainings for workers on hygiene and other preventative measures will be carried out, and a communication strategy for regular updates on COVID-19.
- Adjustments will be made to work practices to reduce the number of workers and increase social distancing.
- Procedure to follow if a worker becomes sick (following WHO guidelines), will be instituted and followed.
- Adequate supplies of PPE (masks); hand washing facility, soap and/or alcohol-based sanitizer, will be made available at the office premises/worksites.

While preparing the site-specific plans involving labor, the following guidance materials will be used:

- WHO IPC interim guidance: For guidance on infection prevention and control (IPC) strategies for use when COVID-19 is suspected.
- WHO interim guidance on use of PPE for COVID-19: For rational use of PPE
- WHO guidance getting your workplace ready for COVID-19: For workplace-related advice
- WHO interim guidance: For guidance on water, sanitation and health care waste relevant

to viruses, including COVID-19.

In addition, implementing partners will be required under the Environmental and Social Management Plan (ESMP) to ensure workers will use basic safety gears, receive basic safety training and other preventive actions as provided in the Project's Environmental and Social Management Framework (ESMF). Nevertheless, implementing partners will have to:

- Ensure that an appropriate level of management and resources are in place to comply with the occupational health and safety requirements,
- Provide visible commitment and leadership to occupational health and safety,
- Identify and evaluates risks and normalizes the activities (rules, instructions, and procedures),
- Analyze all incidents and accidents,
- Evaluate the indicators of OHS performance,
- Carry out the internal audits of OHS MS,
- Evaluate the OHS training requirements,
- Carry out the medical follow-up of the workers after incidents.

6.3 Age of employment

These provisions will apply for: **Direct workers, contracted workers, and community workers.**

Minors under the age of 18 are prohibited from engaging in any kind of employment. Hence documentary evidence (passport, identity card or birth certificate) of all workers prior to involving them on activities of the project, shall be verified.

6.4 Community Workers

Community workers are members of the community who are recruited by the contractor as skilled or unskilled workers to work in the providing the community asset. As the ESPECRP objectives include providing temporary employment and economic opportunities for the vulnerable communities, the Project defined a minimum of 50% of labor to be recruited from the local communities. These workers are recruited by the contractor based on Daily Wages as per the current local market rates. Implementing partners will ensure workers are provided the necessary Insurances, OHS Measures, Emergency Response Plans for accidents to ensure their protection. The Contractor is encouraged to recruit women labor from the community to the extent possible for work and timings that are suitable for female workers. The contractor will not perform any sort of discrimination in recruiting workers from the local communities and will include IDPs and marginalized groups if any within the communities.

7. RESPONSIBLE STAFF

The ESPECRP will be implemented jointly by the United Nations Development Program (UNDP) and the United Nations Children's Fund (UNICEF) in partnership with two national implementing partners – the Social Fund for Development (SFD) and the Public Works Projects (PWP) for their respective components. The project will include four main components, namely: (Component 1)

Cash Transfers, including (a) Unconditional cash transfers to SWF beneficiaries; (b) Cash for Nutrition (CfN); (Component 2) Labor Intensive Works and Economic Opportunities, including (a) Cash for Work; (b) Community Assets; (c) Economic Opportunities and Food Market Resilience; (Component 3) Project Management, Monitoring, Evaluation and Capacity Building of National Institutions; and (Component 4) Contingency Emergency Response.

The project covers the districts of the 22 governates that have high levels of distress index and most poor communities, women and children with malnourished and non-SWF beneficiary households. For the Unconditional Cash Transfer subcomponent, implemented by UNICEF, the project uses the pre conflict beneficiary list of the SWF CT program.

- **Engagement and management of project workers**

UNDP will supervise and support the implementing partners (SFD, PWP) to carry-out project specific tasks. The implementing partners management is responsible for employing project workers, and to ensure that all labor measures taken at sites where sub-project activities are implemented. UNDP and its implementing partners are responsible to:

- Apply this labor management procedure to direct workers,
- Update this Procedure when necessary in the course of preparation, development and implementation of the Project,
- Ensure that this labor management procedure is applied to community workers,
- Maintain records of recruitment and employment process of direct workers,
- Monitor that occupational health and safety standards are met at workplaces in line with national occupational health and safety legislation,
- Monitor training of the project workers on OHS,
- Develop, and implement workers' grievance mechanism and address the grievance received from the direct, contracted and sub-contracted workers, and community workers.
- Sign a Code of Conduct with all workers.

- **Engagement and management of contractors/subcontractors**

Implementing partners staff in their capacity at head office and branch offices will be responsible for engagement and management of contractors. The field staff are assisted by Supervisory Consultants, and technical engineer, and safeguards focal point in branch for the management of contractors and workers, ensuring compliance and monitoring of activities and providing labor instructions on safety and security. Contractors will be responsible for the following:

- Comply with OHS mitigation measures included in the ESMF and this labor management procedure. These measures will apply to contracted and sub-contracted workers,
- Maintain records of recruitment and employment process of contracted and community workers,
- Clearly communicate job tasks and employment conditions to contracted and community workers,

- Have a system for regular review and reporting on labor, and occupational safety and health performance,
 - Deliver regular induction (including social induction) and HSE training to employees.
- **Occupational health and safety (OHS)**
The implementing partners OHS Focal Point at Head Office is responsible for ensuring compliance with all OHS measures. The monitoring in the field is through the Branch Office managers, Branch Office safeguards focal point and individual site focal point for daily monitoring.
 - **Training of workers:**
The implementing partners OHS Focal Point assisted by the Branch Office and Site focal points are all in-charge of training workers on OHS through formal training as well as Toolbox Training and SEA/SH awareness.
 - **Addressing worker grievances**
Workers' complaints will be resolved mainly in the field by the supervisor consultants, technical engineer through the GM procedure, branch office managers and, when necessary, raised to senior management for ensuring fair solution is reached.

8. GRIEVANCE MECHANISM (GM)

UNDP is committed to address complaints through a dedicated Grievance Mechanism (GM) that supports the project-affected people and UNDP's partners and others to collaboratively address grievance, risks complaints and disagreements related to social, environmental and OHS impacts and standards. UNDP with its partners adhere to follow-up and respond immediately to any urgent complaints, if possible. However, the maximum agreed time limit by SFD and PWP is between 15-30 days. The project partners (UNDP, SFD, PWP, TPM and WB) will discuss a common Management Information System (MIS) that allow to analysis and improve the grievance, complaints, accidents and reporting mechanisms, with high confidentiality and anonymity considerations. The project partners have designated staff with expertise in safeguard, gender, GBV and confidentiality, in addition to the Third Monitor Party (TPM) conducts its quarterly report from the local communities and beneficiaries.

UNDP with its implementing partners have designated gender and GBV focal points to follow-up and monitor the project impacts and safeguard the community and affected groups from gender discrimination and GBV risks.

A complaint in the GM ensures stakeholders can express dissatisfaction about the standard or quality of the Responsible Party's activities. Additionally, it allows identification of any negative and lack of actions taken by either of the Responsible Party or their partners that directly or indirectly cause distress to the affected beneficiary or any other party. The project GRM is managed by PWP and SFD, who have grievance mechanisms in place. UNDP will work with PWP and SFD to assess the effectiveness of existing GRMs and work to address capacity, accessibility, transparency, gaps, etc. The GRM will not impede access to judicial or administrative remedies as may be relevant or applicable and will be readily accessible to all stakeholders at no cost and without retribution. Complainants may also opt to use judicial procedures or arbitration.

The SRM provides a way for UNDP to address these situations systematically, predictably and transparently.

UNDP's SRM is intended to:

- Improve environmental and social outcomes for local communities and other stakeholders affected by UNDP projects;
- Enhance UNDP's ability to manage risks related to its Social and Environmental Standards, in order to avoid or mitigate social and environmental impacts;
- Ensure that UNDP responds to the concerns of project stakeholders with regards to social and environmental risks and impacts;
- Ensure feedback and operational learning from the SRM, by integrating SRM requests, responses and results into UNDP's results-based management, quality assurance processes;
- Submission monthly report on GM by the two responsible parties to UNDP and the issues of complaints and duration of HCM are monitored by UNDP and TPM;
- Reflect and advance best practices among social and environmental grievance resolution processes to be a regular, integrated part of project management; and
- UNDP will hire TPM to develop a MIS system and on hotline calling centre to receive any complaints in addition to responsible partners MIS systems.

8.1 Project-Level Grievance Mechanism

During the design, construction and implementation of any sub-project, a person or group of people may perceive or experience potential harm, directly or indirectly due to the project activities. The grievances that may arise can be related to social issues such as eligibility criteria and entitlements, disruption of services, temporary or permanent loss of livelihoods and other social and cultural issues. Grievances may also be related to environmental issues such as excessive dust generation, damages to infrastructure due to construction related vibrations or transportation of raw material, noise, traffic congestions, decrease in quality or quantity of private/ public surface/ ground water resources during irrigation rehabilitation, damage to home gardens and agricultural lands, etc.

Should such a situation arise, there must be a mechanism through which affected parties can resolve such issues in a cordial manner with the project personnel in an efficient, unbiased, transparent, timely and cost-effective manner. To achieve this objective, a Grievance Mechanism has been included in the ESMF and SEP for this project.

The Grievance Mechanism:

- a. provides a legitimate process that allows for trust to be built between stakeholder groups and assures stakeholders that their concerns will be assessed in a fair and transparent manner;
- b. allows simple and streamlined access to the Grievance Mechanism for all stakeholders and provide adequate assistance for those that may have faced barriers in the past to be able to raise their concerns;
- c. provides clear and known procedures for each stage of the Grievance Mechanism process, and provides clarity on the types of outcomes available to individuals and groups;

- d. ensures equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is fair, informed and respectful to a concern, complaints and/or grievances;
- e. provides a transparent approach, by keeping any aggrieved individual/group informed of the progress of their complaint, the information that was used when assessing their complaint and information about the mechanisms that will be used to address it; and
- f. enables continuous learning and improvements to the Grievance Mechanism. Through continued assessment, the learnings may reduce potential complaints and grievances.

The GM will be gender- and age-inclusive and responsive and address potential access barriers to women, the elderly, the disabled, youth and other potentially marginalized groups as appropriate to the Project. The GM will not impede access to judicial or administrative remedies as may be relevant or applicable and will be readily accessible to all stakeholders at no cost and without retribution.

Information about the Grievance Mechanism and how to make a complaint and/or grievance must be communicated during the stakeholder engagement process and placed at prominent places for the information of the key stakeholders.

The implementing partners may have a separate reporting system for GM issues. However, community workers (workers for PWP and SFD sub-projects) will use the project GRM. The contracted workers of community contractors would also use the project GRM. MSME workers and women trainers and beneficiaries will use SFD GRM.

All complaints and/or grievances regarding social and environmental issues can be received either orally (to the field staff), by phone, in complaints box or in writing to the UNDP, PWP or SFD. A key part of the grievance mechanism is the requirement for the Project Management Team and construction contractor to maintain a register of complaints and/or grievances received at the respective project site offices, this includes grievances from workers. The following information will be recorded:

- a. time, date and nature of enquiry, concern, complaints and/or grievances;
- b. type of communication (e.g. telephone, letter, personal contact);
- c. names contact address and contact number.
- d. anonymous complaints are also registered, investigated and solved
- e. response and review undertaken as a result of the enquiry, concern, complaints and/or grievances; and
- f. actions taken and name of the person taking action.

The project GM is managed by PWP and SFD, who have a grievance mechanism in place. UNDP will work with the Responsible Parties to assess the effectiveness of existing GM and work to address capacity, accessibility, transparency, gaps, etc.

8.2 Redress the Grievance and Informing the Persons

UNDP/SFD/PWP aim to redress the grievances in a short period of time. The grievances of each person shall be evaluated with a fair and objective and approach. In all circumstances, the grievances are followed until all appropriate remedies are tried. The person will be provided with information about the resolution and asked for feedback. Also, anonymous grievances will be addressed in the Project. The grievances related to exploitation of female workers, including

sexual harassment and abuse, GBV at the workplace and unfair treatment will be prioritized to take actions.

The Project Manager, Field Coordinator, Safeguard Specialist and Communication Specialist, as appropriate, shall be responsible for taking appropriate action in cases in which there is reason to believe that any right has been violated. The appropriate designated authorities will be informed about investigations into cases of Gender-based Violence, and of the action taken as a result of such investigations. All grievances and feedbacks will be handled with a fair and objective approach. Transparency and accessibility are also two main concerns of this redress mechanism. In addition, the number, frequency, topics of grievances and feedbacks will be analyzed and reported periodically to the related units and administrative level. Based on these detailed reports, the most frequently addressed issues are identified, and improvement activities are initiated.

9. Contractor Management

Several services will be provided within the project to achieve project goals and to manage the project activities as appropriate. These services are software development, IT infrastructure development, server and database management, preparing training implementation plan and training documents, online training module development, investment planning, field works such as controlling workers on site, etc.

In the selection process of contractors, various criteria will be specified in tender documents such as previous works completed, previous experience, qualification of contractor's human resources, compliance in health and safety issues, precautions taken on child labor and forced labor employment. The measures to manage the contractor will be added in the contractor clauses in the bidding documents to ensure the legality. The clauses will include the mitigation measures for potential labor risks, the rights and wages of workers, terms and conditions of employment, insurance for workers and third party, gender rights, and grievance management procedures, safety requirements such as emergency plans including agreement with hospitals, contractor's safety supervision staff and PPEs provision. According to the selection criteria, the ones who comply the best will be selected as contractors.

The above-mentioned eligibility conditions and liability clauses are applied in case of national/traditional contractors while some of these cannot be applied to the community contractors – a secondary implementation modality by both SFD and PWP.

Community contractors means a mechanism implemented by SFD and PWP in performing developmental projects with the participation of local communities, this method includes conducting or managing contracts for the implementation of works and services with community contractors and other service providers such as builders, car drivers and professionals in order to complete a specific project. Therefore, the eligibility conditions for community contractors are less demanding (e.g., no condition of two years' experience and financial capability) and the liability is shared between them and the IP, particularly in conducting safeguard training and

awareness, recruiting technical staff, enforcing safeguards measures, and providing insurance of workers.

During the implementation phase of the services, the UNDP, SFD, PWP will organize planned and unplanned visits to contractors' offices and/or place where work is being performed. In these visits the progress achieved, health and safety-related issues and child and forced labor employment status will be observed. The site reports will include the KPIs for contractor management and the outputs will be reflected in the monthly reports. In case of non-compliance by the contractors, corrective actions will be taken.