



**MINISTRY OF ENERGY AND WATER RESOURCES (MoEWR)**

**Accelerating Sustainable and Clean Energy Access Transformation (ASCENT)**

**(P181341)**

**Labour Management Procedures (LMP)**

**Revised Draft**

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## ABBREVIATIONS

ASCENT	Accelerating Sustainable and Clean Energy Access Transformation
BESS	Battery Energy Storage Systems
CoC	Code of Conduct
COVID - 19	Corona Virus Diseases 2019
CSOs	Civil Society Organizations
E&S	Environmental and Social
EHS	Environmental, Health, and Safety
EHSGs	Environmental, Health and Safety Guidelines
ESF	Environmental and Social Framework
ESI	Electricity Supply Industry
ESMF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
ESP	Electricity Service Provider
ESS	Environmental and Social Standard
FGS	Federal Government of Somalia
FM	Financial Management
FMS	Federal Member State
GBV	Gender – based Violence
GHG	Green House Gasses
GIIP	Good International Industry Practice
GRM	Grievance Redress Mechanisms
ID	Identification
IDPs	Internally Displaced Persons
ILO	International Labour Organization
IPs	Indigenous Peoples
LMP	Labor Management Procedures
MoEWR	Ministry Energy and Water Resources
MOLSA	Federal Labor Ministry and Social Affairs
O&M	operation and maintenance
OE	Owner’s Engineer
OHS	Occupational Health and Safety

PC	Project Coordinator
PIU	Project Implementation Unit
POM	Project Operations Manual
PWD	Persons With Disabilities
SEA	Sexual Exploitation and Abuse
SEAP	Somalia Electricity Access Project
SecMF	Security Management Framework
SecMP	Security Management Plan
SESRP	Somalia Electricity Sector Recovery Project
SHEA	Sexual Harassment, Exploitation and Abuse
SHS	Solar Home System
UNHCR	United Nation High Commissioner for Refugees
TA	Technical Assistants
TVET	Technical and Vocational Education and Training
WB	World Bank
WBG	World Bank Group
WHO	World Health Organization

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## EXECUTIVE SUMMARY

This Labor Management Procedure (LMP) has been developed to identify and manage risks associated with labor and working conditions under the Accelerating Sustainable and Clean Energy Access Transformation in SOMALIA (ASCENT) Project. ASCENT Project implements Component 2 of Somalia Electricity Sector Recovery Project (SESRP)-(P173088). As such, the Project will be implemented by the Project Implementation Unit (PIU) established at the Ministry of Energy and Water Resources (MoEWR), in close coordination with the private Energy Service Providers (ESPs).

This LMP identifies labor requirements in line with applicable laws, standards and sets out the procedures for addressing labor conditions and risks associated with the ASCENT Project in line with the relevant World Bank's Environmental and Social Standards (ESSs) on Labor and Working Conditions (ESS2) and Community Health and Safety (ESS4).

The LMP is developed at this stage of the Project since it is known that project activities will be implemented where ESPs are based within the capital areas of Mogadishu under component 1 and within urban centers with sizeable load requirements outside the capital Mogadishu as may be determined by the government under component 2. However, the specific sites for the Project intervention are not yet identified at this stage. The site-specific details will be identified and determined when the relevant feasibility studies as well as environmental and social studies are conducted during the detail design phase. An overview of labor use and characterization on the project has been provided. The key labor and worker-related risks and impacts associated with Project activities may include the Sexual Exploitation and abuse and Sexual Harassment (SEA/SH) risks, associated with workers as well as community health and safety, and the risks associated with labor impact. The World Bank has rated the overall environment and social risk of the project as **Substantial Risk**, which indicates a likelihood of adverse impacts associated with Project implementation.

The **Substantial risk** rating indicates that the risks are required to be well understood and expected to have potential impact as they would require appropriate possible efforts to be avoided, minimized or managed through procedures, including procedures set out in this LMP. Compliance obligations have also been documented which will serve as supplemental policies that will guide the implementation of this LMP including national laws, international laws, and in particular, the World Bank ESS2 and ESS4.

Foreign workers will require work permits, which will allow them to work in Somalia. All workers will be 18 years old or above. This will be a requirement in all contracts with civil works contractors.

The LMP sets out policies and procedures governing the following:

- Occupational Health and Safety (OHS), which is also extensively covered in the Environmental and Social Management Framework (ESMF), a separate document;
- Responsible staff;
- Policies and procedures;
- Age of employment;
- Terms and conditions;
- Grievance mechanism;
- Contractor management; and
- Primary supply workers.



Roles and responsibilities for implementing the LMP has also been documented in line with the project structure for implementing the ASCENT Project. The LMP recognizes the need for establishing a grievance redress mechanism for workers and a procedure has been provided to guide development of site-specific labor management plans by contractors.

The LMP will be applied to all types of workers that will be employed by the ASCENT's PIU, contractors, sub-contractors and labor supply contracting agencies. Guided by this LMP, contractors will be required to develop and implement subproject specific Occupational Health and Safety Management Plan (OHSMP) which will form part of the bidding documents.

# 1 BACKGROUND AND CONTEXT

## 1.1 Overview

The Federal Government of Somalia (FGS) is preparing Accelerating Sustainable and Clean Energy Access Transformation in SOMALIA (ASCENT) to be financed by International Development Association (IDA) to the tune of US\$100 million.

ASCENT Project seeks to increase access to renewable energy through private sector participation in Somalia, which aligns with the ASCENT Multi-Programmatic Approach (MPA) Program Development Objective (PrDO) of accelerating access to sustainable, reliable and clean energy in Eastern and Southern Africa. The Project will rely on the existing institutional and implementation arrangements established under the ongoing Somali Electricity Sector Recovery Project (SESRP) - (P173088). In fact, ASCENT Project seeks to implement SESRP's component 2 (Hybridization and battery storage systems for mini grids).

The Project will be implemented by the Project Implementation Unit (PIU) established at the Ministry of Energy and Water Resources (MoEWR), in close coordination with the Private Energy Service Providers (ESPs).

## 1.2 Somalia Employment Profile

The ILO estimated Somalia employment to population ratios for Somalia at 41%. The labor force participation rate was estimated at 65.9% and 37.6% among males and females, respectively. Amongst the youth, male youth aged 30-34 years had the highest labor force participation rate of 83.3% compared to females (44.0%). Among the adults, male adults aged 45-49 years and 35-39 years had the highest labor force participation rates at 86.6% and 86.4%, respectively. This was about twice the labor force participation rates for females in the same age cohorts<sup>1</sup>. Also, the urban population had the lowest labor force participation rate at 40.1% compared to 56.7% for the rural areas. The labor force participation rate among the nomadic community was estimated at 68.7% compared to 44.9% for the Internally Displaced Persons (IDPs).

In overall terms, Somalia suffers from high unemployment and under-employment. The country has relatively highly vulnerable unemployment estimated at 59%, and a considerable unemployment rates for persons with upper primary level of education at 20.9% and those with secondary level of education an unemployment rate of 34.6%. Also, 41% of the employed in Somalia are in elementary occupations. The largest proportion of employed persons are elementary occupations (41%) followed by professional (15%), Skilled agricultural, forestry and fishery workers (10%) and craft and related trades workers (9%).

## 1.3 Project Description

### 1.3.1 Project Development Objective (PDO)

The PDO is to increase access to sustainable and clean energy through private sector participation in Somalia.

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<sup>1</sup> See [https://sominvest.gov.so/key-sectors/human-capital/#:~:text=The%20ILO%20estimated%20Somalia%20employment,compared%20to%20females%20\(44.0%25\).](https://sominvest.gov.so/key-sectors/human-capital/#:~:text=The%20ILO%20estimated%20Somalia%20employment,compared%20to%20females%20(44.0%25).)

### 1.1.2 PDO Level Indicators

- Increased number of people with access to energy (million); and
- Increased climate mitigation and adaptation benefit (GHG ER tCO<sub>2</sub>e).

### 1.1.3 Project Components

The project activities are mainly focused on reducing the cost of electricity and high dependency on expensive imported diesel-based generation in addition to strengthening the existing distribution network to reduce system losses (both technical and commercial) which will contribute to increased electricity access and low-cost supply which is critical for improved sales and profits of businesses, cost reduction, and job expansion. The proposed project targets the major load centers, to support the country's post-conflict economic recovery to spur increased productive use of electricity and job creation. The proposed project is complemented by the ongoing SESRP and the proposed Horn of Africa Regional Power System Transformation Project (HoA-RPSTP-P179036). The project has three main components:

#### **1.3.1.1 Component 1: Distributed Renewable Energy with Solar PV and BESS in the capital city of Mogadishu and other major load centers in the FMS**

This is proposed to include design, supply and installation of a total of about 30-50MW solar PV grid connected generation plants with BESS in the Mogadishu capital area. About 30-50 MW will be distributed across multiple sites and will feed into mini grids. The integration of renewable energy sources and energy storage solutions are to improve the overall performance of the existing mini grids thereby reducing reliance on fossil fuels and increasing the reliability and affordability of electricity supply. The installed equipment will be operated and maintained by the private sector operators (ESPs) with the project funds that will be used to buy-down capital costs to lower the costs of supply. Based on the discussions, it is estimated that the project will contribute to lowering the cost (current average estimated at about US\$60 per KWh) to about US\$35-45 per KWh.

#### **1.3.1.2 Component 2: Electricity Distribution Network Rehabilitation and Reinforcement of the mini grids serving the Mogadishu capital city area and other FMS major load centers**

The activities under this component are aimed at supporting to reduce network losses (both technical and commercial) and increase the network's capacity to connect new customers. It will also include activities to address last mile connection barriers to access especially for the low-income households. The activities under this component are proposed to include: (a) supply of equipment and materials for the distribution network Medium Voltage (MV) and Low Voltage (LV), metering equipment and service connections and (b) installation services including detailed line surveys. The scope of this component will be informed by the ongoing distribution network options analysis. Component 1 will in future be potentially supported by funds from the Somalia portion of GCF funding under SRMI including (a) Transaction Advisory Services and Technical Assistance (TA) and (b) Risk mitigation instrument for mini grid to leverage ESPs private capital<sup>2</sup>.

#### **1.3.1.3 Component 3: Sector Capacity and Institution Enhancement and Project Implementation Support**

The activities are proposed to enhance and build on the ongoing SESRP activities that among others include: (a) policy and regulatory development; (b) sector planning and feasibility studies for renewable energy projects; (c) ESP and capacity and business support services; (d) implementation of

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<sup>2</sup> The GCF SRMI couldn't be processed due to Recipient's inability to take up the US\$ 18.5 million GCF grants (which includes a US\$ 15 million reimbursable grant) proposed to support the Project at the instant time, and pending resolution of internal constraints, the Recipient will request for the GCF grants to be processed as additional financing.

the project's Gender Action Plan which included gender capacity building for ESPs; and (e) project implementation support including for environment and social (E&S) safeguards. Key activities will among others include preparation studies for national electrification plan, with identification of actions to enhance the enabling environment for private sector investments. Sector enhancement activities will include support to operationalize the ESI, sector planning and operational capacity. The component will also support activities to build the capacity of the FMS who have a key role in the country's energy sector development. The capacity needs assessment for the FMS is underway and will inform the priority areas for capacity building support. A detailed capacity enhancement plan will be developed to ensure the staff of the MoEWR, FMS and other stakeholder institutions are trained to undertake core sector activities and thus reduce the continued reliance on consultants.

#### **1.1.4 Project Beneficiaries**

The main beneficiaries are about 1.8 million Somali people who will gain affordable, reliable and sustainable access to electricity services and associated benefits from increased jobs and economic opportunities. Beneficiaries also include the sector institutions such as the federal MoEWR, FMS, ESPs and private sector DRE and other government agencies that will be supported by the project, as well as the newly created workforce in the renewable energy/energy access fields, particularly women, having benefitted from ASCENT skill development engagements. Associated improvements in the efficiency, transparency, and accountability of the sector operations will not only shore up the sector's performance but also enhance the image and credibility of the institutions and thus build support for sustained operations.

## 2 LABOR MANAGEMENT PROCEDURES (LMP) OBJECTIVE AND SCOPE

### 2.1 LMP Objective

The objective of preparing an LMP is to identify and manage risks associated with labor and working conditions under the ASCENT Project. The LMP identifies labor requirements in line with applicable laws, standards and sets out the procedures for addressing labor conditions and risks associated with the ASCENT in line with the World Bank Environmental and Social Standard 2 (ESS 2).

### 2.2 LMP Scope

This LMP also provides an overview and characterization of labour use on the project. The LMP has assessed the potential labour risks associated with the project based on type of work and workers and documented appropriate mitigation measures.

Roles and responsibilities for implementing the LMP has also been documented in line with the project structure for implementing the ASCENT Project. The LMP recognizes the need for establishing a grievance redress mechanism (GRM) for workers and a procedure has been provided to guide development of site-specific labour management plans by contractors.

The compliance obligations have also been documented which will serve as supplemental policies that will guide the implementation of this LMP including national laws, international laws, and in particular, the World Bank ESS2.

The LMP sets out policies and procedures governing the following:

- Application of the national labour legal frameworks and ESS 2 on the Project;
- Overview of labor use on the Project;
- Responsible staff;
- Policies and procedures;
- Age of employment;
- Terms and conditions;
- Grievance mechanism;
- Contract management;
- Primary supply workers;
- Assessment of Key Potential Labor Risks;
- Brief overview of labor legislation: terms and conditions;
- Brief overview of labor legislation: occupational health and safety (OHS);
- Overview of OHS procedures; and
- Code of Conduct (CoC) for all staff and project workers.

### 2.3 Project Workers Categorization

ESS 2 categorizes project workers into: direct workers; contracted workers; community workers; and primary supply workers. The labor category of direct workers will be government civil servants (mainly those that belong to the MoEWR and the federal, regional and district levels and staff from other relevant government ministries, departments and agencies deployed to provide requisite technical support to the Project. Both the civil servants and consultants shall be governed by the Labour Code of 1972. Consultants will be governed by a set of mutually agreed contracts. The consultants will be part of the established PIU.

### 2.3.1 Direct Workers

Stakeholders working in connection with the project, who may include external consultants directly hired by the Ministry as well as staff directly seconded by the respective ministries at both national and federal and regional level offices who will support the activities at different levels and with varied time commitments. The Project will engage the following types of workers as “direct workers”:

- a) **PIU** – A PIU has been set up within the MoEWR to manage the Project. It has a dedicated Project Coordinator with overall responsibility for the effective functioning of the Project. Staff for cross-cutting functions (for example, procurement specialist, project finance specialist, safeguards officers, M&E) are also in place. The timing of labor requirements is from Project preparation to the completion of the Project;
- b) **Civil Servants** – Some Federal, State government civil servants will be working in connection to the project, which will include Federal Ministry (MoEWR) and district police that provide security services. They will remain subject to the terms and conditions of their existing public sector employment, which are governed by Somalia’s Provisional Constitution (2012) and Civil Service Law (Law Number 11) that covers permanent civil servants but does not apply to local government employees and to members of the armed forces or the police and corrections corps. There will be no legal transfer of their employment or engagement to the project. The Constitution and the Civil Service Code prohibit child labor and forced labor. The government civil servants involved in the project will wear appropriate Personal Protective Equipment (PPE) to limit and safeguard them from exposure to OHS risks under the project;
- c) **Consultants** – The PIU will be supported by external consultants who will: (i) offer transaction advisory services in developing bankable Decentralized Renewable Energy (DRE)/mini grid transactions to attract private investors including developing the right risk mitigation instrument; (ii) develop E&S instruments and technical studies needed for the DRE/solar mini-grid projects with battery storage; and (iii) develop a risk mitigation instrument for mini grid;
- d) Other workers under this category include the Owner’s Engineer (OE) and their staff and Civil Society Organization (CSOs); and
- e) **Temporary staff** – The project will hire temporary workers as casuals including the hired drivers (the number of employees will be determined on need-basis).

### 2.3.2 Contracted Workers

There will be contractor workers engaged in the construction of the solar photovoltaic (SPV) power plants and rehabilitation of electricity distribution networks.

### 2.3.3 Primary Supply Workers

Procurement will be done for solar equipment, batteries, and other transmission. There will also be supplies specific for each specific component 1 and 2. It is notable that procurement will be carried out by the PIU or possibly directly by the World Bank (if need arises). Where appropriate, specific requirements on child labor, forced labor, and work safety issues should be included in all purchasing orders and contracts with suppliers throughout Project implementation phase. The number and type of primary suppliers will be determined during Project implementation. The timing of labor use of primary supply workers will cover Project construction phase.

### 3 OVERVIEW OF LABOR USE ON THE PROJECT

This section describes the estimated numbers of project workers to be involved, characteristics in the broader sense, timing and sequencing of labor requirements, anticipated contracting structure including, types and numbers, based on available information.

#### 3.1 Number of Project Workers

The project shall employ at least 500 workers (direct and contracted) during the project preparation, construction and operational phases.

#### 3.2 Composition/Characteristics of Project Workers

The composition /characteristics of project workers will include the local workers from the specific project areas, and national or international migrants for the technical specific works not readily available in the area. Special consideration will be given to female workers during the recruitment. In addition, measures will be put in place to ensure non-discriminatory and inclusive hiring.

#### 3.3 Timing of Labor Requirements

The timing and sequencing of labor requirements for the Project will be as follows: 10 % of the proposed labor shall be used during the planning phase; 60 % of proposed number of workers will be recruited during the construction phase (construction of SPV power plants and connection to distribution networks); and the remaining 30 % of the workers will be recruited during the operational phase of the Project.

Direct workers include all the workforce directly employed by the PIU: they include E&S safeguards specialists, GBV specialist, OHS specialist, M&E specialist, Gender Officer as the gender focal point, consultant's engineers, temporal staff and Field supervisors/Field staff, and civil servants seconded for work by the FGS and FMS seconded to support the project and the consultants that have direct employment agreements with the MOEWR.

**Contracted Workers:** The Project will use the services of both direct and contracted workers. The contracted workers will compose the bulk of the labor workforce (70%) to be used in the Project; they include the contractors who will do actual construction and rehabilitation works at the proposed 11 major load centers. The PIU will be responsible for recruiting the contractors through the Procurement Unit; with specific contractual obligation to be overnighted by the subject specialty at PIU.

Foreign workers will require work permits, which will allow them to work in FGS.

Table 3-1 gives the overview of the breakdown for indicative labor use in the project.

**Table 3-1 Overview of Indicative Labor Use in the Project**

Type of project workers	Characteristics of project workers	Timing of labor requirements	Indicative number of workers
<p>Direct workers</p> <p>PIU - (E&amp;S safeguards specialists, GBV specialist, OHS specialist, EHS specialist, M&amp;E specialist, GBV Specialist and the Gender Officer as the gender focal point.</p> <p>Consultants</p> <p>Engineers, temporal staff and Field supervisors/Field staff/</p>	<p>PIU: National consultants,</p> <p>Consultants: international and national experts</p> <p>Engineers, Surveyors, Social and Environment safeguards and Field workers: National</p>	<p>PIU: from project preparation until project completion</p> <p>Consultants: from project preparation until project completion</p> <p>Engineers Fieldworkers: during project implementation</p>	<p>PIU: approx. 20 consultants</p> <p>Field staff: 50-300</p>
<p>Civil Servants</p>	<p>Workers from the Ministries, local governments supporting the project.</p>	<p>Support from project preparation until project completion</p>	<p>Approximately 40</p>
<p>Contracted workers</p> <p>Skilled workers engaged by the primary contractors.</p> <p>Skilled workers engaged by sub-contractor.</p> <p>Unskilled workers</p>	<p>Skilled workers of the primary contractor: mostly national technical permanent staff.</p> <p>Skilled workers engaged by the subcontractor: national or international operators of heavy machines.</p> <p>Unskilled workers: local host community members, female workers, IDPs and persons with disabilities.</p>	<p>The timing of labor requirement will fluctuate, dependent on the construction stages, which will be determined by individual contractors at the contract award stage.</p>	<p>The contracted works (skilled or unskilled) required during the execution of the project activities will be identified later once the exact sub-projects and locations are determined. For each sub-project, approximately 20-30 workers may be hired. Approximately 400-500 for the entire project.</p>



Type of project workers	Characteristics of project workers	Timing of labor requirements	Indicative number of workers
ESP contracted workers	Workers who will operate both solar subprojects and the distribution/transmission line subprojects	Project implementation	Approximately 100.
Primary supply workers <b>Workers engaged by primary suppliers</b>	They are most likely to be local workers to deliver construction materials like sand.	Project implementation	The primary supply workers will be identified during the project implementation stage.
<b>Community workers</b>	Not applicable	Not applicable	Not applicable

## 4 ASSESSMENT OF KEY POTENTIAL LABOR RISKS

### 4.1 Proposed Project Activities

Table 4-1 provides a summary of Project component and corresponding activities to give a highlight of the associated potential E&S risks and impacts.

*Table 4-1 ASCENT Project Components and Activities*

Component	Activity
<b>Component 1: Distributed Renewable Energy (DRE) with Solar PV (SPV) and Battery Energy Storage Systems (BESS) in the capital city of Mogadishu and other major load centers in the Federal Members States (FMS).</b>	Design, supply and installation of a total of about 30-50MW solar PV grid connected generation plants with BESS in the Mogadishu capital area. About 30-50 MW will be distributed across multiple sites and will feed into mini grids. The integration of renewable energy sources and energy storage solutions are to improve the overall performance of the existing mini grids thereby reducing reliance on fossil fuels and increasing the reliability and affordability of electricity supply.
<b>Component 2: Electricity Distribution Network Rehabilitation and Reinforcement of the mini grids serving the Mogadishu capital city area and other FMS major load centers.</b>	<ul style="list-style-type: none"> <li>• supply of equipment and materials for the distribution network Medium Voltage (MV) and Low Voltage (LV), metering equipment and service connections; and</li> <li>• installation services including detailed line surveys.</li> </ul>
<b>Component 3: Sector Capacity and Institution Enhancement and Project Implementation Support</b>	<ul style="list-style-type: none"> <li>• Policy and Regulatory development;</li> <li>• Sector Planning and Feasibility Studies for Renewable Energy Projects;</li> <li>• ESP and MOEWR Capacity and Business Support Services;</li> <li>• Implementation of the Gender Action Plan;</li> <li>• Project Implementation Support including for environment and social safeguards.</li> </ul>

### 4.2 Key Labor Risks

The key labor risks which may be associated with the project (see, for example, those identified in ESS2 and the GN). These could include, for example:

**Table 4-2 Key Labor Risks, Sources, and Mitigation**

Key labor risk	Source of risk	Mitigation
<b>SEA/SH</b>	Sexual harassment, exploitation and abuse: there are several concerns on the potential for GBV, increased risk of abuse and exploitation for vulnerable women workers, increased risk of sexual exploitation and violence of persons involved in the labor related activities. Thus, all staff and contracted workers should sign a CoC outlining expected standards of behavior in this regard and attend an awareness session on the same including the consequences of such actions.	<ul style="list-style-type: none"> <li>• Implement the Project Gender-Based Violence Action Plan (GBVAP).</li> <li>• Conduct sensitization on SEA/SH and GBV services to project workers and project affected stakeholders.</li> <li>• Require project workers to sign a code of conduct (CoC), as a condition of employment for the project and before signing on to work on the project, with key prohibitions on SEA/SH.</li> <li>• Implement safe and confidential grievance channels that are easily accessible to all stakeholders will also be provided for all Project stakeholders to enable them report on SEA/SH incidents.</li> <li>• The project will undertake GBV risk assessment and mapping of GBV services.</li> <li>• Periodically update GBV assessment of potential risks that may arise in relation to primary suppliers.</li> <li>• Application of WB GBV Guidance Notes in work procedures and interactions, especially those addressing social aspects.</li> <li>• Special GRM for GBV/SEA/SH cases will be set up.</li> </ul>
<b>Child labor</b>	<p>The need to earn an income may force underage children to seek employment at construction sites as casual laborers in preparing areas where solar panel will be mounted, and electricity distribution networks rehabilitated and reinforced.</p> <p>Child labor may also be prevalent among the primary suppliers of the components and materials for solar panels.</p>	Contractors need to verify the age of the workers using the national identity card, or selection based on the contractor’s previous profile, maintain ID copies at worksites, do periodic labor inspection, etc.

Key labor risk	Source of risk	Mitigation
<b>Forced labor</b>	Forced labor in form of debt bondage and trafficking for little or no pay. The victims are the most vulnerable – women and girls forced into prostitution, migrants trapped in debt bondage, and sweatshop or farm workers kept there by clearly illegal tactics and paid little or nothing. Forced labor is likely.	<ul style="list-style-type: none"> <li>• The Project will not allow any form of forced, child labor, slavery, servitude, trafficking and all applicable ESS2 provisions.</li> <li>• All contractors will be held liable for the implementation of this LMP, with the PIU having overall responsibility to monitor its implementation.</li> <li>• Apply enhanced due diligence for evaluation of forced labor risks in the solar supply chain.</li> <li>• Bidders will be required to provide a Forced Labor Performance Declaration (covering past performance), and a Forced Labor Declaration (covering future commitments to prevent, monitor and report on any forced labor).</li> <li>• The employment of project workers will be based on the principle of fair treatment.</li> <li>• The project management will hold sensitization meetings on forced labour and conflict resolution mechanisms.</li> <li>• Subproject Environmental and Social Management Plans (ESMPs) will clearly forbid the use of forced labor.</li> </ul>
<b>Security risks</b>	Security remains a paramount concern in urban centers due to the ongoing insurgency by Al-Shabaab and other armed groups, or internal communities' conflicts. This poses a threat to the security of workers and property throughout the project life cycle.	<ul style="list-style-type: none"> <li>• Security Risk Management Plan prepared for SESRP will be updated to cover activities under the project before the commencement of sub project activities.</li> <li>• Put in place security and safety provisions to ensure the security of personnel and community members, and to conduct worker training on appropriate behavior during the implementation of the project.</li> <li>• In addition to flexibility with regard to the selection of the project sites subject to the security situation, the project implementation will consider contingency plans and require the contractors to put in place standard operating procedures to undertake the project activities in case of restricted sites' access.</li> <li>• The PIU will work closely with the Ministry of Interior to ensure worker security.</li> <li>• Project teams will seek security approval and clearances from the project</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p>coordinator.</p> <ul style="list-style-type: none"> <li>• Project teams will be periodically subjected to security awareness campaigns.</li> <li>• Project teams will have alternative communication devices, such as two-way radios or satellite phones in areas with limited or no cellular network coverage.</li> <li>• Use local leaders as part of the project implementation committee members.</li> </ul>
<p><b>Occupational health and safety (OHS) risks</b></p>	<p>OHS issues related to component 1’s facilities design and operation</p>	<p><b>Integrity of Workplace Structures</b></p> <p>Permanent and recurrent places of work should be designed and equipped to protect OHS:</p> <ul style="list-style-type: none"> <li>• Surfaces, structures and installations should be easy to clean and maintain, and not allow for accumulation of hazardous compounds.</li> <li>• Buildings should be structurally safe, provide appropriate protection against the climate, and have acceptable light and noise conditions.</li> <li>• Fire resistant, noise-absorbing materials should, to the extent feasible, be used for cladding on ceilings and walls.</li> <li>• Floors should be level, even, and non-skid.</li> </ul> <p><b>Severe Weather and Facility Shutdown</b></p> <ul style="list-style-type: none"> <li>• Work place structures should be designed and constructed to withstand the expected elements for Somali and have an area designated for safe refuge, if appropriate.</li> <li>• Standard Operating Procedures (SOPs) should be developed for project or process shut-down, including an evacuation plan. Drills to practice the procedure and plan should also be undertaken annually.</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p data-bbox="1048 258 1294 284"><b>Workspace and Exit</b></p> <ul data-bbox="1048 316 2045 721" style="list-style-type: none"> <li data-bbox="1048 316 2045 427">• The space provided for each worker, and in total, should be adequate for safe execution of all activities, including transport and interim storage of materials and products.</li> <li data-bbox="1048 443 2045 635">• Passages to emergency exits should be unobstructed at all times. Exits should be clearly marked to be visible in total darkness. The number and capacity of emergency exits should be sufficient for safe and orderly evacuation of the greatest number of people present at any time, and there should be a minimum two exits from any work area.</li> <li data-bbox="1048 651 2045 721">• Facilities also should be designed and built taking into account the needs of disabled persons.</li> </ul> <p data-bbox="1048 769 1249 794"><b>Fire Precautions</b></p> <p data-bbox="1048 826 2045 938">The workplace should be designed to prevent the start of fires through the implementation of fire codes applicable to industrial settings. Other essential measures include:</p> <ul data-bbox="1048 970 2045 1289" style="list-style-type: none"> <li data-bbox="1048 970 2045 1161">• Equipping facilities with fire detectors, alarm systems, and fire-fighting equipment. The equipment should be maintained in good working order and be readily accessible. It should be adequate for the dimensions and use of the premises, equipment installed, physical and chemical properties of substances present, and the maximum number of people present.</li> <li data-bbox="1048 1177 2045 1241">• Provision of manual firefighting equipment that is easily accessible and simple to use.</li> <li data-bbox="1048 1257 2045 1289">• Fire and emergency alarm systems that are both audible and visible.</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p><b>Lavatories and Showers</b></p> <ul style="list-style-type: none"> <li>• Adequate lavatory facilities (toilets and washing areas) should be provided for the number of people expected to work in the facility and allowances made for segregated facilities, or for indicating whether the toilet facility is “In Use” or “Vacant”. Toilet facilities should also be provided with adequate supplies of hot and cold running water, soap, and hand drying devices.</li> <li>• Where workers may be exposed to substances poisonous by ingestion and skin contamination may occur, facilities for showering and changing into and out of street and work clothes should be provided.</li> </ul> <p><b>Potable Water Supply</b></p> <ul style="list-style-type: none"> <li>• Adequate supplies of potable drinking water should be provided from a fountain with an upward jet or with a sanitary means of collecting the water for the purposes of drinking.</li> <li>• Water supplied to areas of food preparation or for the purpose of personal hygiene (washing or bathing) should meet drinking water quality standards.</li> </ul> <p><b>Clean Eating Area</b></p> <p>Where there is potential for exposure to substances poisonous by ingestion, suitable arrangements are to be made for provision of clean eating areas where workers are not exposed to the hazardous or noxious substances</p> <p><b>Lighting</b></p> <ul style="list-style-type: none"> <li>• Workplaces should, to the degree feasible, receive natural light and be supplemented with sufficient artificial illumination to promote workers’ safety and health, and enable safe equipment operation. Supplemental ‘task lighting’</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p>may be required where specific visual acuity requirements should be met.</p> <ul style="list-style-type: none"> <li>• Emergency lighting of adequate intensity should be installed and automatically activated upon failure of the principal artificial light source to ensure safe shut-down, evacuation, etc.</li> </ul> <p><b>Safe Access</b></p> <ul style="list-style-type: none"> <li>• Passageways for pedestrians and vehicles within and outside buildings should be segregated and provide for easy, safe, and appropriate access.</li> <li>• Equipment and installations requiring servicing, inspection, and/or cleaning should have unobstructed, unrestricted, and ready access.</li> <li>• Hand, knee and foot railings should be installed on stairs, fixed ladders, platforms, permanent and interim floor openings, loading bays, ramps, etc.</li> <li>• Openings should be sealed by gates or removable chains.</li> <li>• Covers should, if feasible, be installed to protect against falling items.</li> <li>• Measures to prevent unauthorized access to dangerous areas should be in place.</li> </ul> <p><b>First Aid</b></p> <ul style="list-style-type: none"> <li>• ESPs should ensure that qualified first-aid can be always provided. Appropriately equipped first-aid stations should be easily accessible throughout the place of work.</li> <li>• Eye-wash stations and/or emergency showers should be provided close to all workstations where immediate flushing with water is the recommended first-aid response.</li> <li>• Remote sites should have written emergency procedures in place for dealing with cases of trauma or serious illness up to the point at which patient care can be transferred to an appropriate medical facility.</li> </ul>



Key labor risk	Source of risk	Mitigation
		<p><b>Work Environment Temperature</b></p> <p>The temperature in work, rest room and other welfare facilities should, during service hours, be maintained at a level appropriate for the purpose of the facility.</p>
	<p>OHS issues during component 1 and 2 construction activities.</p>	<ul style="list-style-type: none"> <li>• Train workers on OHS risks and awareness to minimize the risks.</li> <li>• OHS measures should be designed and implemented to address: (a) identification of potential hazards to project workers; (b) provision of preventive and protective measures, including elimination of hazardous conditions or substances; (c) training of project workers and maintenance of training records; (d) documentation and reporting of occupational accidents, diseases and incidents; (e) emergency prevention and preparedness and response arrangements to emergency situations; and (f) remedies for adverse impacts such as occupational injuries, disability and disease.</li> <li>• Contractors will be required to prepare and implement Occupational Health &amp; Safety Plans (OHSP) following the World Bank Group General Environment, Health, and Safety (EHS) Guidelines as well as the EHS Guidelines for Electric Power Transmission and Distribution, adopt a code of conduct for all workers and establish GRM (accessible for direct and contracted workers) before commencement of the civil works.</li> <li>• A workers' GRM will be put in place specifically to manage the various employers (contractors, national and private agencies)/workers related grievances, including but not limited to: misconduct, wages, overtime, injuries/accidents, worker relations with neighboring communities, SEA/SH incidents against or by project workers, etc.</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p data-bbox="1055 260 1256 284"><b>Live Power Lines</b></p> <ul style="list-style-type: none"> <li data-bbox="1055 320 2045 384">• Only allowing trained and certified workers to install, maintain, or repair electrical equipment;</li> <li data-bbox="1055 400 2045 464">• Deactivating and properly grounding live power distribution lines before work is performed on, or in proximity, to the lines;</li> <li data-bbox="1055 480 2045 624">• Ensuring that live-wire work is conducted by trained workers with strict adherence to specific safety and insulation standards. Qualified or trained employees working on transmission or distribution systems should be able to achieve the following: <ul style="list-style-type: none"> <li data-bbox="1151 632 1939 663">○ Distinguish live parts from other parts of the electrical system;</li> <li data-bbox="1151 671 1621 703">○ Determine the voltage of live parts;</li> <li data-bbox="1151 711 2045 775">○ Understand the minimum approach distances outlined for specific live line voltages;</li> <li data-bbox="1151 783 2045 847">○ Ensure proper use of special safety equipment and procedures when working near or on exposed energized parts of an electrical system.</li> </ul> </li> <li data-bbox="1055 863 2045 927">• Workers should not approach an exposed energized or conductive part even if properly trained unless: <ul style="list-style-type: none"> <li data-bbox="1151 943 2045 1007">○ The worker is properly insulated from the energized part with gloves or other approved insulation; or,</li> <li data-bbox="1151 1023 2045 1086">○ The energized part is properly insulated from the worker and any other conductive object; or,</li> <li data-bbox="1151 1102 2045 1166">○ The worker is properly isolated and insulated from any other conductive object (live-line work).</li> </ul> </li> <li data-bbox="1055 1182 2045 1278">• Where maintenance and operation is required within minimum setback distances, specific training, safety measures, personal safety devices, and other precautions should be defined in a health and safety plan; <ul style="list-style-type: none"> <li data-bbox="1099 1302 2045 1366">• Workers not directly associated with power transmission and distribution activities who are operating around power lines or power substations</li> </ul> </li> </ul>

Key labor risk	Source of risk	Mitigation
		<p>should adhere to local legislation, standards, and guidelines relating to minimum approach distances for excavations, tools, vehicles, pruning, and other activities; and</p> <ul style="list-style-type: none"> <li>• Minimum hot stick distances may only be reduced provided that the distance remaining is greater than the distance between the energized part and a grounded surface.</li> </ul> <p><b>Working at height on poles and structures</b></p> <ul style="list-style-type: none"> <li>• Testing structures for integrity prior to undertaking work;</li> <li>• Implementation of a fall protection program that includes training in climbing techniques and use of fall protection measures; inspection, maintenance, and replacement of fall protection equipment; and rescue of fall-arrested workers, among others;</li> <li>• Establishment of criteria for use of 100 percent fall protection (typically when working over 2 meters above the working surface, but sometimes extended to 7 meters, depending on the activity). The fall protection system should be appropriate for the tower structure and necessary movements, including ascent, descent, and moving from point to point;</li> <li>• Installation of fixtures on tower components to facilitate the use of fall protection systems;</li> <li>• Provision of an adequate work-positioning device system for workers. Connectors on positioning systems should be compatible with the tower components to which they are attached;</li> <li>• Hoisting equipment should be properly rated and maintained, and hoist operators properly trained;</li> <li>• Safety belts should be of not less than 16 millimeters (mm) (5/8 inch) two-in-one nylon or material of equivalent strength. Rope safety belts should be replaced before signs of aging or fraying of fibers become evident;</li> </ul>

Key labor risk	Source of risk	Mitigation
		<ul style="list-style-type: none"> <li>• When operating power tools at height, workers should use a second (backup) safety strap;</li> <li>• Signs and other obstructions should be removed from poles or structures prior to undertaking work;</li> <li>• An approved tool bag should be used for raising or lowering tools or materials to workers on structures.</li> </ul> <p><b>Electric and magnetic fields</b></p> <p>Occupational EMF exposure should be prevented or minimized through the preparation and implementation of an EMF safety program including the following components:</p> <ul style="list-style-type: none"> <li>• Identification of potential exposure levels in the workplace, including surveys of exposure levels in new projects and the use of personal monitors during working activities;</li> <li>• Training of workers in the identification of occupational EMF levels and hazards;</li> <li>• Establishment and identification of safety zones to differentiate between work areas with expected elevated EMF levels compared to those acceptable for public exposure, limiting access to properly trained workers;</li> <li>• Implementation of action plans to address potential or confirmed exposure levels that exceed reference occupational exposure levels developed by international organizations such as the International Commission on Non-Ionizing Radiation Protection (ICNIRP), and the Institute of Electrical and Electronics Engineers (IEEE). Personal exposure monitoring equipment should be set to warn of exposure levels that are below occupational exposure reference levels (e.g., 50 percent). Action plans to address occupational exposure may include limiting exposure time through work rotation, increasing</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p>the distance between the source and the worker, when feasible, or the use of shielding materials.</p> <p><b>Exposure to chemicals</b></p> <ul style="list-style-type: none"> <li>• Pesticides <ul style="list-style-type: none"> <li>○ Train personnel to apply pesticides and ensure that personnel have received the necessary certifications,<sup>37</sup> or equivalent training where such certifications are not required;</li> <li>○ Respect post-treatment intervals to avoid operator exposure during reentry to crops with residues of pesticides;</li> <li>○ Ensure hygiene practices are followed (in accordance to FAO and PMP) to avoid exposure of family members to pesticides residues.</li> </ul> </li> <li>• Polychlorinated Biphenyls (PCBs) <ul style="list-style-type: none"> <li>○ Replacement of the hazardous substance with a less hazardous substitute;</li> <li>○ Implementation of engineering and administrative control measures to avoid or minimize the release of hazardous substances into the work environment keeping the level of exposure below internationally established or recognized limits; and</li> <li>○ Keeping the number of employees exposed, or likely to become exposed, to a minimum;</li> <li>○ Communicating chemical hazards to workers through labeling and marking according to national and internationally recognized requirements and standards, including the International Chemical Safety Cards (ICSC), Materials Safety Data Sheets (MSDS), or equivalent. Any means of written communication should be in an easily understood language and be readily available to exposed workers and first-aid personnel; and</li> </ul> </li> </ul>

Key labor risk	Source of risk	Mitigation
		<ul style="list-style-type: none"> <li>○ Training workers in the use of the available information (such as MSDSs), safe work practices, and appropriate use of PPE</li> </ul> <p><b>Motor vehicle safety</b></p> <ul style="list-style-type: none"> <li>● Adoption of best transport safety practices across all aspects of project operations with the goal of preventing traffic accidents and minimizing injuries suffered by project personnel and the public. Measures should include: <ul style="list-style-type: none"> <li>○ Emphasizing safety aspects among drivers;</li> <li>○ Improving driving skills and requiring licensing of drivers;</li> <li>○ Adopting limits for trip duration and arranging driver rosters to avoid overtiredness;</li> <li>○ Avoiding dangerous routes and times of day to reduce the risk of accidents;</li> <li>○ Use of speed control devices (governors) on trucks, and remote monitoring of driver actions;</li> </ul> </li> <li>● Regular maintenance of vehicles and use of manufacturer approved parts to minimize potentially serious accidents caused by equipment malfunction or premature failure.</li> </ul> <p>Where the project may contribute to a significant increase in traffic along existing roads, or where road transport is a significant component of a project, recommended measures include:</p> <ul style="list-style-type: none"> <li>● Minimizing pedestrian interaction with construction vehicles;</li> <li>● Collaboration with local communities and responsible authorities to improve signage, visibility and overall safety of roads, particularly along stretches located near schools or other locations where children may be present. Collaborating with local communities on education about traffic and pedestrian safety (e.g., school education campaigns);</li> </ul>

Key labor risk	Source of risk	Mitigation
		<ul style="list-style-type: none"> <li>• Coordination with emergency responders to ensure that appropriate first aid is provided in the event of accidents;</li> <li>• Using locally sourced materials, whenever possible, to minimize transport distances. Locating associated facilities such as worker camps close to project sites and arranging worker bus transport to minimizing external traffic; and</li> <li>• Employing safe traffic control measures, including road signs and flag persons to warn of dangerous conditions.</li> </ul> <p><b>Working Environment Temperature</b></p> <ul style="list-style-type: none"> <li>• Monitoring weather forecasts for outdoor work to provide advance warning of extreme weather and scheduling work accordingly;</li> <li>• Adjustment of work and rest periods according to temperature stress management procedures provided by ACGIH, depending on the temperature and workloads;</li> <li>• Providing temporary shelters to protect against the elements during working activities or for use as rest areas;</li> <li>• Use of protective clothing; and</li> <li>• Providing easy access to adequate hydration such as drinking water or electrolyte drinks and avoiding consumption of alcoholic beverages.</li> </ul> <p><b>Ergonomics, Repetitive Motion, Manual Handling</b></p> <ul style="list-style-type: none"> <li>• Facility and workstation design with 5th to 95th percentile operational and maintenance workers in mind;</li> <li>• Use of mechanical assists to eliminate or reduce exertions required to lift materials, hold tools and work objects, and requiring multi-person lifts if weights exceed thresholds;</li> <li>• Selecting and designing tools that reduce force requirements and holding times, and improve postures;</li> </ul>

Key labor risk	Source of risk	Mitigation
		<ul style="list-style-type: none"> <li>• Providing user adjustable workstations;</li> <li>• Incorporating rest and stretch breaks into work processes and conducting job rotation.</li> <li>• Implementing quality control and maintenance programs that reduce unnecessary forces and exertions; and</li> <li>• Taking into consideration additional special conditions such as left-handed persons.</li> </ul>
	<p>OHS issues during component 1 and 2 operation activities.</p>	<ul style="list-style-type: none"> <li>• Training of workers on OHS risks and awareness to minimize the risks.</li> <li>• OHS measures will be designed and implemented to address: (a) identification of potential hazards to project workers; (b) provision of preventive and protective measures, including elimination of hazardous conditions or substances; (c) training of project workers and maintenance of training records; (d) documentation and reporting of occupational accidents, diseases and incidents; (e) emergency prevention and preparedness and response arrangements to emergency situations; and (f) remedies for adverse impacts such as occupational injuries, disability and disease.</li> <li>• Contractors will be required to prepare and implement Occupational Health &amp; Safety Plans (OHSP) following the World Bank Group General Environment, Health, and Safety (EHS) Guidelines as well as the EHS Guidelines for Electric Power Transmission and Distribution, adopt a code of conduct for all workers and establish GRM (accessible for direct and contracted workers) before commencement of the civil works.</li> <li>• A workers' GRM will be put in place specifically to manage the various employers (contractors, national and private agencies)/workers related grievances, including but not limited to: misconduct, wages, overtime, injuries/accidents, worker relations with neighboring communities, SEA/SH incidents against or by project workers, etc.</li> </ul>



Key labor risk	Source of risk	Mitigation
		<p>In addition to: Live Power Lines; Working at height on poles and structures; Electric and magnetic fields; Exposure to chemicals; Motor vehicle safety; Working Environment Temperature; Ergonomics, Repetitive Motion; and Manual Handling; The following OHS risks are also likely during operation phase of the project:</p> <p><b>Exposure to physical hazards from use of heavy equipment and cranes</b></p> <ul style="list-style-type: none"> <li>• Injury or death can occur from being trapped, entangled, or struck by machinery parts due to unexpected starting of equipment or unobvious movement during operations. Recommended protective measures include:</li> <li>• Designing machines to eliminate trap hazards and ensuring that extremities are kept out of harm’s way under normal operating conditions. Examples of proper design considerations include two-hand operated machines to prevent amputations, or the availability of emergency stops dedicated to the machine and placed in strategic locations. Where a machine or equipment has an exposed moving part or exposed pinch point that may endanger the safety of any worker, the machine or equipment should be equipped with, and protected by, a guard or other device that prevents access to the moving part or pinch point. Guards should be designed and installed in conformance with appropriate machine safety standards<sup>3</sup>.</li> <li>• Turning off, disconnecting, isolating, and de-energizing (Locked Out and Tagged Out) machinery with exposed or guarded moving parts, or in which energy can be stored (e.g., compressed air, electrical components) during servicing or maintenance, in conformance with a standard such as CSA Z460 Lockout or equivalent ISO or ANSI standard.</li> </ul>

<sup>3</sup> For example: CSA Z432.04 Safe Guarding of Machinery, CSA Z434 Robot Safety, ISO 11161 Safety of Machinery – Integrated Manufacturing Systems or ISO 14121 Safety of Machinery – Principals of Risk Management or equivalent ANSI standard.

Key labor risk	Source of risk	Mitigation
		<ul style="list-style-type: none"> <li>• Designing and installing equipment, where feasible, to enable routine service, such as lubrication, without removal of the guarding devices or mechanisms.</li> </ul> <p><b>Noise</b></p> <ul style="list-style-type: none"> <li>• No employee should be exposed to a noise level greater than 85 dB(A) for a duration of more than 8 hours per day without hearing protection. In addition, no unprotected ear should be exposed to a peak sound pressure level (instantaneous) of more than 140 dB(C).</li> <li>• The use of hearing protection should be enforced actively when the equivalent sound level over 8 hours reaches 85 dB(A), the peak sound levels reach 140 dB(C), or the average maximum sound level reaches 110dB(A). Hearing protective devices provided should be capable of reducing sound levels at the ear to at least 85 dB(A).</li> <li>• Although hearing protection is preferred for any period of noise exposure more than 85 dB(A), an equivalent level of protection can be obtained, but less easily managed, by limiting the duration of noise exposure. For every 3 dB(A) increase in sound levels, the 'allowed' exposure period or duration should be reduced by 50 percent.<sup>65</sup></li> <li>• Prior to the issuance of hearing protective devices as the final control mechanism, use of acoustic insulating materials, isolation of the noise source, and other engineering controls should be investigated and implemented, where feasible</li> <li>• Periodic medical hearing checks should be performed on workers exposed to high noise levels.</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p><b>Fire and Explosions</b></p> <p>Fires and or explosions resulting from ignition of flammable materials or gases can lead to loss of property as well as possible injury or fatalities to project workers. Prevention and control strategies include:</p> <ul style="list-style-type: none"> <li>• Storing flammables away from ignition sources and oxidizing materials. Further, flammables storage area should be: <ul style="list-style-type: none"> <li>○ Remote from entry and exit points into buildings.</li> <li>○ Away from facility ventilation intakes or vents.</li> <li>○ Have natural or passive floor and ceiling level ventilation and explosion venting.</li> <li>○ Use spark-proof fixtures.</li> <li>○ Be equipped with fire extinguishing devices and self-closing doors and constructed of materials made to withstand flame impingement for a moderate period.</li> </ul> </li> <li>• Providing bonding and grounding of, and between, containers and additional mechanical floor level ventilation if materials are being, or could be, dispensed in the storage area.</li> <li>• Where the flammable material is mainly comprised of dust, providing electrical grounding, spark detection, and, if needed, quenching systems.</li> <li>• Defining and labeling fire hazards areas to warn of special rules (e.g., prohibition in use of smoking materials, cellular phones, or other potential spark generating equipment)</li> <li>• Providing specific worker training in handling of flammable materials, and in fire prevention or suppression.</li> </ul> <p><b>Work in confined spaces</b></p> <p>Confined spaces can occur in enclosed or open structures or locations. Serious injury or fatality can result from inadequate preparation to enter a confined space</p>

Key labor risk	Source of risk	Mitigation
		<p>or in attempting a rescue from a confined space. Recommended management approaches include:</p> <ul style="list-style-type: none"> <li>• Engineering measures should be implemented to eliminate, to the degree feasible, the existence and adverse character of confined spaces;</li> <li>• Permit-required confined spaces should be provided with permanent safety measures for venting, monitoring, and rescue operations, to the extent possible. The area adjoining an access to a confined space should provide ample room for emergency and rescue operations;</li> <li>• Access hatches should accommodate 90% of the worker population with adjustments for tools and protective clothing. The most current ISO and EN standards should be consulted for design specifications;</li> <li>• Prior to entry into a permit-required confined space: <ul style="list-style-type: none"> <li>○ Process or feed lines into the space should be disconnected or drained, and blanked and locked-out;</li> <li>○ Mechanical equipment in the space should be disconnected, de-energized, locked-out, and braced, as appropriate;</li> <li>○ The atmosphere within the confined space should be tested to assure the oxygen content is between 19.5 percent and 23 percent, and that the presence of any flammable gas or vapor does not exceed 25 percent of its respective Lower Explosive Limit (LEL); and</li> <li>○ If the atmospheric conditions are not met, the confined space should be ventilated until the target safe atmosphere is achieved, or entry is only to be undertaken with appropriate and additional PPE.</li> </ul> </li> <li>• Safety precautions should include Self Contained Breathing Apparatus (SCBA), lifelines, and safety watch workers stationed outside the confined space, with rescue and first aid equipment readily available;</li> <li>• Before workers are required to enter a permit-required confined space, adequate and appropriate training in confined space hazard control, atmospheric testing, use of the necessary PPE, as well as the serviceability and</li> </ul>

Key labor risk	Source of risk	Mitigation
		<p>integrity of the PPE should be verified. Further, adequate and appropriate rescue and / or recovery plans and equipment should be in place before the worker enters the confined space.</p> <p><b>Lone and Isolated Workers</b></p> <p>A lone and isolated worker is a worker out of verbal and line of sight communication with a supervisor, other workers, or other persons capable of providing aid and assistance, for continuous periods exceeding one hour. The worker is therefore at increased risk should an accident or injury occur.</p> <ul style="list-style-type: none"> <li>• Where workers may be required to perform work under lone or isolated circumstances, Standard Operating Procedures (SOPs) should be developed and implemented to ensure all PPE and safety measures are in place before the worker starts work. SOPs should establish, at a minimum, verbal contact with the worker at least once every hour, and ensure the worker has a capability for summoning emergency aid; and</li> <li>• If the worker is potentially exposed to highly toxic or corrosive chemicals, emergency eyewash and shower facilities should be equipped with audible and visible alarms to summon aid whenever the eyewash or shower is activated by the worker and without intervention by the worker.</li> </ul> <p><b>Emergency Response Plans</b></p> <p>ESPs shall prepare and implement an emergency response plan, during a critical events including natural disasters, severe weather, pandemics and infectious diseases, facility emergencies, acts of workplace violence, civil disturbances, IT events, operational events, and corporate/crisis communication events to ensure employees' safety and minimize the impact on critical operations. All-hazards</p>

Key labor risk	Source of risk	Mitigation
		<p>approach to risk assessment will be used to ensure all bases are covered and preparedness for all kinds of threats.</p>
<b>Discrimination</b>	<p>Discrimination in relation to recruitment and employment of project workers is a potential risk. Such discrimination includes potential inappropriate treatment or harassment of Project workers related to gender, age, disability, ethnicity, sexual identity/orientation, or religion; potential exclusion or preferences with respect to recruitment, hiring, termination of employment, working conditions, or terms of employment made based on personal characteristics unrelated to inherent work requirements; in training and development provision.</p>	<ul style="list-style-type: none"> <li>• The employment of project workers will be based on the principle of equal opportunity and fair treatment.</li> <li>• Inclusive consultations and focus groups particularly to ensure participation of women and other vulnerable groups.</li> <li>• No discrimination with respect to any aspects of the employment relationship.</li> <li>• Project management will hold sensitization meetings on resources planning and conflict resolution mechanisms.</li> <li>• The contracts with third parties will include non-exclusion requirements as part of the monitoring system.</li> </ul>
<b>Violation of workers' right</b>	<p>The violation of workers' rights could occur through inadequate compensation of consultants and contracted workers to be engaged, requirement for direct and contracted staff to work for long working hours and denial of holidays or leave requests.</p>	<ul style="list-style-type: none"> <li>• All workers (including those of the contractor and subcontractors) will, as part of their induction, receive training on worker rights in line with ESS2 and ILO core Conventions to ensure that positive benefits around understanding labour rights are enhanced.</li> <li>• All workers (including those of the contractor and subcontractors) will have contracts which clearly state the terms and conditions of their employment and their legal rights.</li> </ul>
<b>Labor disputes over terms and conditions of employment</b>	<p>The likely cause for labor disputes includes demand for limited employment opportunities, labor wages/rates and delays of payment, discrimination in labor recruitment,</p>	<ul style="list-style-type: none"> <li>• Project management will prepare the Grievance Redress Mechanism (GRM) to address labor grievances.</li> <li>• Constitute the Grievance Redress Committees (GRC)s.</li> <li>• Awareness creation for the workers on their rights and obligation.</li> </ul>

Key labor risk	Source of risk	Mitigation
	<p>disagreement over working conditions (particularly overtime payments and adequate rest breaks), and health and safety concerns about the work environment. Further, there is a risk that employers may retaliate against workers for demanding legitimate working conditions, or raising concerns regarding unsafe or unhealthy work situations, unfairness at work, or any grievances raised, and such situations could lead to labor unrest and work stoppage.</p>	<ul style="list-style-type: none"> <li>• Supervise of labor activities by government entities.</li> </ul>
<p><b>Disease transmission</b></p>	<p>Spread of HIV/AIDS and increase of STI/STDs in the area.</p>	<ul style="list-style-type: none"> <li>• ESIA's and the SMPs will include measures to prevent the spread of disease and minimize outbreaks.</li> <li>• Carry out periodic HIV/AIDS awareness programs for workers and the beneficiary community.</li> <li>• Distribution of condoms to workers and neighboring communities.</li> <li>• The project team should use the services of local area HIV/AIDS service providers to undertake community outreaches.</li> <li>• Carryout voluntary HIV/AIDS testing.</li> </ul>

## 5 BRIEF OVERVIEW LEGAL AND INSTITUTIONAL FRAMEWORKS OF LABOR

### 5.1 Overview of Somalia's National Labor Code

The Provisional Constitution of the Federal Republic of Somalia (adopted in August 2012) provides the legislative framework for labor issues. The Labor Code<sup>4</sup> of Somalia (Law Number 65, adopted in 1972) is the specific labor law governing all aspects of labor and working conditions, which covers the contract of employment, terms and condition, remuneration, occupational health and safety, trade unions and labor authorities. The provisions of the Labour Code apply to all employers and employees in all project areas. The Labour Code is applicable to all types of workforce of the project. The Labour Code is broadly consistent with the ESS2, while there is a significant gap in the enforcement aspect of the legislation (see Section III on the institutional framework). The public service or public institutions are in addition governed by the Civil Service Law (Law Number 11).

Below is the list of relevant provisions of the Labour Code regarding terms and conditions of work:

- Content of individual contract of employment (Article 46 of the Labor Code)
  - Subject to the provision of this Code or regulations made hereunder, a written individual contract of employment shall specify the following: (a) name and father's name of workers; (b) address, occupation, age and sex of workers; (c) employer's name and address; (d) nature and duration of contract; (e) hours and place of work; (f) remuneration payable to the worker; and (g) procedures for suspension or termination of contract.
    - The Law for the Somali Civil Servants No.11, Article 86: Work Contract
    - Any person to be employed for Government service shall enter an agreement of contract with the institution that takes the person which its period shall be based on the institution's need but can however be renewed.
- Notice for termination of contract (Article 50 of the Labor Code)
  - Either of the contracting parties may terminate a contract of employment by giving written notice as under:
    - Not less than ten days in the case of manual workers;
    - Not less than 30 days in the case of non-manual workers:

Provided that no notice need be given in case the duration of contract does not exceed one month.

The Law for the Somali Civil Servants No.11. Article 22: Termination of Person under Service Trial

The head of the Department together with the labor commission can terminate from work a new employee within the period of his/her service trial if firmly proved that hi/her work performance in the effective and shall have no right.

Minimum wages (Article 72 of the Labor Code).

- Taking into consideration the economic and social conditions of the country (and in

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<sup>4</sup> The Labor Code is in the review process with support from ILO. The revised draft Labor Code was agreed and adopted in February 2019 by representatives from various ministries of the Federal Government of Somalia, all Federal Member States, employers, workers, and academia. The Federal Ministry of Labour could not predict the likely timeframe for the Parliamentary approval and advised that the existing Labour Code (1972) shall continue to be applicable until revised code becomes the law. Consultation with both State's Labour Ministries also have confirmed that they follow the national Labour Code in administration of labor matters in their States.



consistence with the provisions of article 71), the minimum wages for any category of workers may be determined by decree of the President of the Republic, on the proposal of the Minister, having heard the Central Labour Commission, and with the approval of the Council of Secretaries.

- The Law for the Somali Civil Servants No.11. Article 85. Arrangements of Government Workers Basic Salaries. The basic salaries for the Civil servants of the Government shall be arranged, determined and set up by special Committee composed of members from the ministry of labor and Development of workers, the central Bank and the National Civil Servant commission of the Government.

#### Hours of work (Article 85, 86 of the Labor Code).

- The normal hours of work of a worker shall not exceed eight a day or 48 a week.
- Hours worked more than the normal hours of work shall not exceed 12 a week and shall entitle a worker to a proportionate increase in remuneration, which shall in no case be less than 25 per cent of the normal remuneration.

#### Weekly rest (Article 96 of the Labor Code)

- Every worker shall be entitled to one day's rest each week, which should normally fall on Friday. It shall consist of at least 24 consecutive hours each week.
- Workers shall also be entitled to a rest day on public holidays recognized as such by the State.

#### Annual leave (Article 97 of the Labor Code)

- Workers shall be entitled to 15 days' leave with pay for every year of continuous service.
- An entitlement to leave with pay shall normally be acquired after a full year of continuous service.

Fringe benefits (Article 73 of the Labor Code) – Any employer shall provide (a) accommodation when a worker is required to be away from his normal residence; (b) free food to workers, or subsistence allowance in place thereof; (c) free transport to and from the place of work, when a worker is required to work in a town or locality away from his normal residence.

Deductions from remuneration (Article 82 of the Labor Code) – No deductions other than those prescribed by the Code or regulations made hereunder or any other law or collective labor agreement shall be made from a worker's remuneration, except for repayment of advances received from the employer and evidenced in writing.

Death benefit (Article 53 of the Labor Code) – In case of death of a worker during his contract of employment, the employer shall pay to his heirs an amount not less than 15 days' remuneration as death benefit for funeral services.

Expecting and nursing mothers (Article 91 of the Labor Code) – A woman worker shall be entitled, on presentation of a medical certificate indicating the expected date of her confinement, to 14 weeks' maternity leave with half pay, of which at least six weeks shall be taken after her confinement, provided that she has been employed by the employer for at least six months without any interruption on her part except for properly certified illness.

Nursing breaks (Article 92 of the Labor Code) – A woman worker who is nursing her own child shall be entitled, for a maximum of a year after the date of birth of the child, to two daily breaks of one hour each. The breaks shall be counted as working hours and remunerated accordingly.

## **5.2 Worker's Organizations**

Below is the list of provisions of Labour Code regarding worker's organizations:

### **5.2.1 Organization and Purpose (Trade Unions) (Article 9 and 10)**

- The organization of labor unions shall be free.
- Persons engaged in the same occupation, trade or industry, or related occupations, trades or industries may establish a trade union.
- Every person is free to join a trade union within the framework of his occupation.
- A trade union shall be established by a notarial act. It shall have a minimum of 50 members.

### **5.2.2 Freedom of Association (Article 15)**

- It shall not be lawful to engage in any act of discrimination or any act restricting the right of freedom of association and more particularly to:
  - Make the employment of a worker subject to the condition that he shall not join a labor union or shall relinquish trade union membership;
  - Cause the dismissal of or prejudice a worker in any other way by reason of trade union membership or because of participation in trade union activities.
- It shall also be unlawful for any employer to engage in any act of interference, including financial interference, in the establishment or functioning of a labor union.

### **5.2.3 Rights of Trade Union (Article 25)**

A trade union shall have the rights to enter into individual contracts or collective agreements respecting conditions of work, to vindicate and enforce the rights prescribed therein and to take any legal actions arising out of such contracts or based on the law.

## **5.3 The World Bank Environmental and Social Standards: ESS2**

The World Bank's stipulations related to labor are outlined in its ESS Standard (ESS2). This helps the Borrowers in promoting sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. Key objectives of the ESS 2 are to:

- Promote safety and health at work;
- Promote the fair treatment, nondiscrimination 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 this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labor and child labor;
- Support the principles of freedom of association and collective bargaining of project workers; in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers. Where government civil servants are working in connection with the project, whether full-time or parttime, they 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. ESS2 will not apply to government civil servants; except for the provisions of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety).

Working conditions and management of worker relationships. The Borrower will develop and implement written labor management procedures applicable to the project. These procedures will set out the way in which project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures will address the way in which this ESS will apply to different categories of project workers including direct workers, and the way in which the Borrower will require third parties to manage their workers.

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as 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.

For more details on the WB Environmental and Social Standards, please follow the below links: [www.worldbank.org/en/projects-operations/environmental-and-socialframework/brief/environmentaland-social-standards](http://www.worldbank.org/en/projects-operations/environmental-and-socialframework/brief/environmentaland-social-standards) and <http://projects-beta.vsemirnyjbank.org/ru/projects-operations/environmental-and-socialframework/brief/environmental-and-social-standards>.

#### 5.4 Key Gaps between National Legislation And World Bank ESS2

Table 3 below gives the summary of World Bank Requirements and Key Gaps with FGS Legal Requirements:

**Table 5-1: Summary of World Bank Requirements and Key Gaps with Somalia Legal Requirements**

ESS & Topic	Major WB requirements	Key requirements / gaps in FGS legal framework	Principles to be followed by the Project
<b>Working conditions and management of labor relations</b>	<ul style="list-style-type: none"> <li>• Written labor management procedures</li> <li>• Terms and conditions of employment</li> <li>• Nondiscrimination and equal opportunity</li> <li>• Worker’s organizations</li> <li>• Elaborate Labor Management Plans</li> </ul>	<p>Written employment contract required, including procedures and employment conditions.</p> <p>No provision for Labor Management Plans.</p>	LMP developed for the project. Terms and conditions in the LMP are consistent with national law.

ESS & Topic	Major WB requirements	Key requirements / gaps in FGS legal framework	Principles to be followed by the Project
	including Contractor's ESMP warranted		
<b>Grievance mechanism</b>	GRM should be in place for direct and contracted workers	No project specific GRM is warranted.  However, it is allowed to apply to: a) conciliation commission; b) Labor Inspection under the Ministry of Employment and Labor Relations; and c) court.	Prepare GRM for workers (Direct workers) as per this LMP. Contractors will develop C-LMP including provision to establish and maintain GRM for their employees.
<b>Occupational Health and Safety</b>	<ul style="list-style-type: none"> <li>• Detailed Procedure required for every project.</li> <li>• Requirements to protect workers, train workers, document incidents, emergency preparation, addressing issues; and</li> <li>• Monitor OSH performance</li> </ul>	No detailed procedure specific to every project.  Requirements to protect workers, train workers, document incidents, emergency preparation.	Prepare site specific OHS Plan for the project,  Prepare Training Plan for workers, document incidents, and emergency preparation for the site
<b>Category of workers</b>	Specifies these following categories of workers: direct workers; contracted workers; community workers; and primary supply workers.	No reference to Community and Primary Supply Workers	No community workers will be involved in the Project.  Screening and monitoring measures will be introduced for primary suppliers as per this LMP.

ESS & Topic	Major WB requirements	Key requirements / gaps in FGS legal framework	Principles to be followed by the Project
<b>Minimum age of workers</b>	Persons 14-18 are prohibited from work considered hazardous, that will interfere with their education or be harmful to their health or development (physical, mental, spiritual, moral, or social).	Employment permissible for 12 plus age, but for nonhazardous work, with limited hours, and guardian permission.	ESS2 will be followed.  No direct and contracted workers under 18 will be recruited.
<b>Protecting the work force</b>	Child labor prohibition Forced labor prohibition	Child labor prohibited.  No forced labor is allowed.	LMP has been prepared with clear guidance on no use of child and forced labor

Note that the LMP is a living document that will be updated during implementation. The borrower will ensure that the above-mentioned gap will be covered by the project contractors. Each Contractor and the implementing entity will have to follow this LMP and introduce their own Grievance Redress Mechanism. Contractors will not hire persons aged under 18 for working in the project activities. In addition, the social risk and GBV risk for the project is considered high, adequate mitigation measures shall be considered during project implementation including the preparation of the GBV/SEA/ Action Plan.

## 5.5 ILO Fundamental Conventions Ratified by Somalia

Somalia has been a member of the International Labour Organization (ILO) since 1960. The country has ratified 7 out of 8 fundamental conventions of ILO, including the following:

Forced Labour Convention (1930/no. 29). The key objective of the Convention is to suppress the use of forced labor in all its forms. It defines forced labor as ‘all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily’. The Convention has been in force in Somalia since 1960.

The Freedom of Association and Protection of the Right to Organize Convention (1948) No 87: Article 3 (1) Workers' and employers' organizations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organize their administration and activities and to formulate their programs. Somalia ratified the Convention in 2014.

The Right to Organize and Collective Bargaining Convention, 1949 (No. 98): Article 1 Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency. Somalia ratified the Convention in 2014.

Convention concerning Forced or Compulsory Labour (ILO No. 29): Article I Each Member of the International Labour Organization, which ratifies this Convention, undertakes to suppress the use of forced or compulsory labor in all its forms within the shortest possible period. Article 5 1. No

concession granted to private individuals, companies or associations shall involve any form of forced or compulsory labor for the production or the collection of products which such private individuals, companies or associations utilize or in which they trade. The Convention has been in force in Somalia since Nov 18th, 1960.

Convention on the Rights of the Child: The Convention on the Rights of the Child from 1989 is the most comprehensive compilation of international legal standards for the protection of the human rights of children. It acknowledges children as individuals with rights and responsibilities according to their age and development, as well as members of a family or community. This includes non-discrimination, the best interest of the child, the right to life, survival and development and the right to participation. Somalia ratified the Convention in 2015.

Constitution of the International Labor Organization: The constitutional principle is that universal and lasting peace can be established if it is based on social justice. The ILO has generated such hallmarks of industrial society as the eight-hour workday, maternity protection, child labor laws, and a range of other principles. Somalia has been a member of the ILO since 1960.

ILO Convention 182 on Worst Forms of Child Labor. Ratification of this Convention makes a country commit itself to taking immediate action to prohibit and eliminate the worst forms of child labor. Some predefined worst forms of child labor include sale of a child, trafficking of children, forced or compulsory labor, commercial exploitation of children, prostitution or the production of pornography, and work by its nature that is likely to harm the health, safety and morals of children. The Convention was ratified by Somalia in 2014.

## **5.6 Institutional Framework for Labor**

The Federal Labor Ministry and Social Affairs (MOLSA) is responsible for labor policy and regulatory frameworks at the Federal level. Currently, there are 160-170 staff at the federal level, but there is no clear job assignment and distribution of roles and responsibilities. The State Labor Ministry in each State oversees implementation of the labor code, including the labor inspection. While 5 States have labor ministries, only Puntland has three labor inspectors under the minister. Others have no functioning labor inspection. While the new government established under the new Provisional Constitution is still nascent, there are significant gaps<sup>5</sup> in the implementation of the Labour Code.

The Department of Legal and Labor Relation under the FGS Ministry of Labor and Social Affairs is responsible for the implementation of the labor Laws. It has five sections, namely: Child Labor, Foreign Employment, Trade Union and Industrial Relation, Recruiter`s License/Permit and Labor Migration.

Below is the list of relevant provisions of the Labour Code on the institutional arrangements of labor authorities:

### Central Labor Authority (Article 106)

- The FGS Ministry of Labor is the Central Labour Authority for the purposes of implementing the labor Code.
- The Central Labour Authority, through the Legal and Labor Relations Department, shall ensure compliance with the provisions of this Code.

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<sup>5</sup> The ILO is supporting the government in developing capacity of the MOLSA, Labor Ministries of Federal Member States and labor partners (Employers and Workers) for effective implementation of Labour Code.

- The Head of the Labour Department shall have the rank of Central Labour Inspector.

District labor inspectorates (Article 107) – A district labor inspectorate shall have jurisdiction in the district and shall have its office in the district headquarters concerned. It shall be headed by an official having the rank of district labor inspector who shall be appointed by the Secretary.

Duties of district labor inspectors (Article 108) – The district labor inspector shall ensure strict compliance with the provisions of this Code or regulations made hereunder; and mediate in labor disputes falling within his competence.

**Power of inspectors (Article 110).**

The Central Labour Inspector and district labor inspector shall have the power to:

- enter freely without previous notice at any hour of the day or night any workplace liable to inspection; to carry out any examination, test or inquiry to satisfy themselves that the provisions of this Code and regulations made hereunder are observed;
- interrogate the employer or the worker on any matters concerning the application of this Code or regulations made hereunder;
- require the production of any books, registers or other documents concerning the workers and their terms and conditions of service to see that they are in conformity with the legal provisions, and to copy such documents or make extracts therefrom.

Individual labor disputes (Article 134) – An individual labor dispute shall be submitted by any of the parties to the competent district labor inspector for conciliation, who shall attempt to settle the dispute within 14 days of its submission.

Collective labor disputes (Article 135, 136, 137) – A collective labor dispute arising at the district, firm or factory level shall be submitted to the competent district labor inspector for conciliation, who shall attempt to settle the dispute within 14 days of its submission.

Note that, the FMS have duplicated the hierarchical at the FGS' MOLSA in terms of management and institutional arrangements as listed above.

## 6 OCCUPATIONAL HEALTH AND SAFETY (OHS) LABOR LEGISLATION

The Labour Code<sup>6</sup> covers protection against risks to the workers, notification procedures in occupational accidents, medical requirements at site and conveyance of injured workers to the hospitals, among others. Below is the list of relevant provisions of the Labour Code regarding OHS.

### 6.1 Protection Against Possible Risks (Article 101)

All factories, workshops and other workplaces shall be built, installed, equipped and managed in such a way that the workers are properly protected against possible risks. For this purpose, the employer shall:

- Maintain a perfect state of safety and hygiene to avoid risks of accident or damage to health;
- Take suitable measures to prevent contamination of workplaces from toxic gases, vapours, dust, fumes, mists and other emanations;
- Provide sufficient and suitable toilet and washing facilities, separate from men and women workers;
- Provide an adequate supply of drinking water easily accessible to all workers;
- Maintain fire-fighting appliances and staff trained in their use;
- Provide the necessary safety appliance adapted machinery and plant;
- Maintain machinery, electrical and mechanical plant, instruments and tools in good condition to ensure safety;
- Provide suitable installations for the removal of refuse and drainage of residual waters;
- Take the necessary precautions in his establishment to protect the life, health and morality of the workers;
- Ensure that his staff receive the necessary instructions for the prevention of industrial accident, occupational diseases and other risks inherent in their occupations;
- Post in conspicuous parts of the workplace's notices clearly explaining the obligations of the workers to observe safety rules, and visual signs indicating dangerous places;
- Supply the workers with the apparatus and instruments (PPE) to guard against the risks inherent in the work; and
- Take steps to provide the necessary first aid in urgent cases to workers involved in accidents or falling sick during work.

### 6.2 Notification of industrial accidents and occupational diseases (Article 102)

The employer shall immediately notify the competent labor inspectorate of all accidents resulting in injury of death and occupational diseases.

### 6.3 Medical Facilities (Article 103)

Every undertaking normally employing more than ten workers at the single center shall maintain a first-aid chest.

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<sup>6</sup> The Revised Draft Somalia Labour Code has more emphasis on occupational health and safety requirements. It makes the Director of Occupational Safety and Health (OSH) responsible for the registration of hazards and risks, regulation and supervision of all workplaces and monitoring or enforcing compliance with Labour Code and any other labor law to the extent that they regulate safety, health and welfare in the workplaces. Part VI of the Revised Draft Labour Code covers the administration of occupational accidents, injury and disease provisions at workplace, employer's general duties towards to OSH, insurance requirements, employees' general duties, medical support, compensations, offenses and penalties etc.



#### **6.4 Conveyance of Injured and Sick Workers (Article 104)**

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

#### **6.5 Medical Examination (Article 95)**

- Children and young persons shall not be employed unless the employer has arranged for their medical examination to ascertain whether they are fit to undertake all or any of the duties on which they are to be employed. Thereafter the employer shall arrange for a medical examination once a year for children and young persons until they reach the age of 18 years.
- Officials of the health services shall carry out such medical examination and issue the appropriate certificates.
- Where a person is found to be medically unfit to continue his job, his contract of employment shall be automatically dissolved.

#### **6.6 OHS Inspection and Enforcement**

OSH Labour Inspectors have the power to enter to carry out their duties, the Inspectors of Labor must have made for them identification cards to verify that:

- They are Labor Inspectors;
- This Labor Code authorizes them to inspect work premises according to the terms that the code mandated; and
- Therefore, for them to become acquainted with the conditions of work and of the workers, the Inspectors of Labor can enter at any proper time, without warrant or prior notification, any premises where work is undertaken or wherever employees are at work at the time or are receiving training/education or wherever data of any kind about employees is stored, that is not a currently inhabited house.

Labour inspectors have authority to inspect work sites in accordance with the code, advice the employers about employees' rights and the employees about their work responsibilities.

The following gaps have been identified regarding the existing OHS legislation.

The implementation of the requirement of the OHS provision in the Labour Code is not adhered to. FGS have capacity gaps in the form of the availability of competent teams to ensure all the requirements are met. There is a glaring gap regarding the community health and safety provisions. There is no sectoral health and safety policy to guide the implementation of the sectoral OHS.

The PIU could refer to applicable International Best Practices by World Bank Group (WBG) and international conventions, and directives for addressing health and safety issues, such as:

- World Bank Group Environmental, Health, and Safety Guidelines for Electric Power Transmission and Distribution, 2013;
- World Bank Group. Environment and Social Framework Safeguards interim note: COVID-19 considerations in construction/civil works projects, 2020;
- World Bank Group. Environmental, Health, and Safety Guidelines. General EHS Guidelines, April 30th, 2007;
- World Bank Group. Good Practice Note – Assessing and Managing the Risks and Impacts of

the Use of Security Personnel, 2018;

- ILO Occupational Safety and Health Convention, 1981 (No. 155);
- ILO Occupational Health Services Convention, 1985 (No. 161);
- ILO Safety and Health in Construction Convention, 1988 (No. 167);
- WHO International Health Regulations, 2005; and
- WHO Emergency Response Framework, 2017

## **6.7 World Bank Group (WBG) EHS Guidelines, 2007**

EHSGs are technical reference documents with general and industry-specific examples of good international industry practice.

### **6.7.1 World Bank Group (WBG) General EHS Guidelines, 2007**

These general EHSGs are designed to be used together with the relevant Industry Sector EHS guidelines, which guide users on EHS issues in specific industry sectors. Under the General EHS guidelines, the World Bank has several guidelines many of which apply to various components of the proposed project namely: Environmental, Occupational Health and Safety, Community Health and Safety, and Construction and Decommissioning.

### **6.7.2 World Bank EHSGs for Electric Power Transmission and Distribution**

The EHSGs for Electric Power Transmission and Distribution include information relevant to power transmission between a generation facility and a substation located within an electricity grid, in addition to power distribution from a substation to consumers located in residential, commercial, and industrial areas. Some of the following are addressed in the EHS Guidelines:

- Construction site waste generation;
- Terrestrial Habitat Alteration;
- Construction of Right-of-Way; and
- Avian and Bat Collisions and Electrocutations

These guidelines should be followed and incorporated into contracts and followed by contractors and consultants. The project should also follow relevant COVID-19 guidance, such as ESF/Safeguards.

**Interim Note:** PIU and Owners Engineer (OE) will supervise and monitor the implementation by the Contractor(s) who will take note and implement as part of the contractual obligation of the EHG.

## 7 RESPONSIBLE STAFF

Project Coordinator at the PIU will be responsible for the overall project management and coordination, including compliance with safeguards requirements such as those contained herein. The coordinator will engage consultant(s) with expertise in environmental, health and safety issues. The coordinator will be responsible for the following tasks:

- a) Engage and manage consultants and contractors in accordance with this LMP and applicable procurement documents;
- b) Ensure that the GRM for project workers is established and implemented and that project workers are informed about it;
- c) Monitor project contractors and workers to ensure their activities are included in the LMP and the applicable Procurement Documents;
- d) Monitoring the implementation of the Worker Code of Conduct;
- e) Monitor the potential risks of child labor, forced labor and serious safety issues in relation to primary suppliers;
- f) Provide training to mitigate social risks of project workers;
- g) Report to the World Bank on labor, and OHS performance and key risks and complaints; and
- h) Undertake the overall implementation of this LMP.

The PIU has social and environmental safeguards officers who will be responsible for promoting implementation of this LMP and other OHS requirements within the project. The coordinator and entire PIU have the responsibility to implement these components which are integral to the project. The PIU social safeguards team will be, specifically, responsible for the following tasks related to labor and working conditions: supervise the preparation and implementation of the GRM for contracted workers, including ensuring that grievances received from the contracted workers are resolved promptly, and report the status of grievances and resolutions regularly to the PIUs and World Bank.

- a) Ensure all contractors and subcontractor workers understand and sign the CoC prior to the commencement of works and supervise compliance with the CoC;
- b) Ensure the abbreviated CoC (one-pager) is displayed in all project supported facilities;
- c) Maintain records of recruitment and employment of contracted workers (including subcontractors);
- d) Ensure that all contractors appoint a designated OHS officer, that the officer receives training on the LMP, and that the officer is present at the workplaces.
- e) Provide induction and regular training to the PIU directly contracted workers on environmental, social and OHS issues and keep the training records;
- f) Ensure that contractors provide the training to all the workers and subcontractors and keep these records intact;
- g) Require primary supplier(s) to identify and address risks of child labor, forced labor and serious health and safety issues and undertake due diligence to ensure this is done;
- h) Supervise workers' adherence to the LMP;
- i) Ensure all contractors and subcontractor workers understand and sign the CoC prior to the commencement of works and supervise compliance with the CoC;
- j) Maintain records of recruitment and employment of contracted workers (including subcontractors);
- k) Ensure that all contractors appoint a designated OHS officer, that the officer receives training

- on the LMP, and that the officer is present at the workplaces;
- l) Provide induction and regular training to the PIU directly contracted workers on environmental, social and OHS issues and keep the training records;
  - m) Ensure that contractors provide training to all workers and subcontractors and keep these records intact;
  - n) Require primary supplier(s) to identify and address risks of child labor, forced labor and serious health and safety issues and undertake due diligence to ensure this is done; and
  - o) Supervise contractors and workers' adherence to the LMP.

The Project Operational Manual (POM) will include standard templates of contracts which include LMP, OHS aspects, and the contractors (civil works) commit to them. The contractors will be required to hire an OHS Officer, who will be answerable to the Project Coordinator as well as PIU safeguards officer(s). The Contractors OHS shall do the following:

- a) Follow the labor management procedures and occupational health and safety requirements in line with the Contractors' ESMP provisions and stated in the contracts signed with Implementing Agency;
- b) Prepare site specific LMP and OHS plan that would cover any worksite for which the contractor is responsible;
- c) Supervise the subcontractors' implementation of labor management procedures and occupational health and safety requirements;
- d) Maintain records of recruitment and employment of contracted workers as provided in their contracts;
- e) Clearly communicate job descriptions and employment conditions to all workers;
- f) Make sure every project worker hired by contractor/subcontractor is aware of the implementing agency dedicated phone number, email address, and web portal through which anyone can submit grievances;
- g) Provide induction (including social induction) and regular training to employees in labor protection requirements, including training on their rights on safe labour and keep these records;
- h) Provide induction and regular training to all workers on environmental, social and OHS issues, and keep these training records;
- i) In collaboration with Implementing Agency Safeguards Specialists, conduct training on labour management procedures and occupational safety to manage subcontractor performance; and
- j) Ensure that all contractor and subcontractor workers understand and sign the CoC prior to the commencement of works and supervise compliance with the Code.

The PIU has developed LMP protocols. The protocols clearly assign responsibilities to each of the members for efficient oversight. The protocols are [Annexed IV](#).

## 8 LABOUR PROCEDURES

As specified in the Labor Code, employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion, or termination of employment. The following measures, highlighted in the POM, will be followed by contractors, and monitored by the Social Safeguards Specialist, to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public, and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender;
- Applications for employment will only be considered if submitted via the official application procedures established by the contractors;
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post;
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- Unskilled labor will be preferentially recruited from the surrounding communities, with a goal of at least 50 percent;
- Employees will be informed (a) not less than ten days in the case of manual workers; or (b) not less than 30 days in the case of non-manual workers before the expected release date of the coming termination;
- The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer;
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in two languages, in the state language and the language that is understandable to both parties;
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation; and
- Normal working time should not exceed 40 hours per week. With a five-day working week, the duration of daily work is determined by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration; this shall prevail upon all the project workers.

A summary of *indicative procedures* to develop and implement the LMP policies is provided below.

- a) **Occupational health and safety (OHS)** – As detailed in the ESMF, the Project will require development and implementation of subproject ESMP (which includes OHS), C-ESMP, O&M Phase HSE Plan, OHS routine and incident reporting to manage OHS risks. Moreover, pursuant to the relevant provisions of the Labour Code known as Act No. 31 of 2004: Private Sector Employees Law (Law No. 31/2004), ESS2 (including WBG Environmental, Health and Safety Guidelines (EHSGs), and WB standard procurement documents), the PIUs will manage the project in such a way that project workers are properly protected against possible OHS risks. The contractors will also be required to produce OHS policies and procedures and plans in line with these provisions. Key elements of OSH measures include: (i) identification of potential

hazards to workers; (ii) provision of preventive and protective measures; (ii) training of workers and maintenance of training records; (iv) documentation and reporting of occupational accidents and incidents; (v) emergency preparedness; and (vi) remedies for occupational injuries and fatalities.

- b) **Labor influx** – To minimize labor influx, the project will contractually require the contractors to preferentially recruit unskilled labor from the local communities and nearby areas. All contracted workers will be required to sign the CoC prior to the commencement of work, which includes a provision to address the risk of GBV and SEA/SH.
- c) **Labor disputes over terms and conditions of employment** – To avoid labor disputes, fair terms and conditions will be applied for project workers (guided by relevant laws). The project will also have GRMs for project workers (direct workers and contracted workers) to promptly address their workplace complaints. Further, the project will respect the workers' right of labor unions and freedom of association, as set out in the *Private Sector Employees Law (Law No. 31/2004)*.
- d) **Discrimination and exclusion of vulnerable groups and/or persons from communities who meet the requirements of the WB ESS7** – The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, terms of employment (including wages and benefits), termination and access to training. The project shall comply with the *Private Sector Employees Law (Law No. 31/2004)* on gender equality in the workplace, which will include provision of maternity and sick leave. There will also be enough and suitable toilet and washing facilities, separate for men and women workers, as the community cultures demand. The contracts with third parties will include these requirements which will also be part of the monitoring system.
- e) **Security risks** – Some of the target project areas are in areas with perpetual fears of insecurity. PIU will work closely with the Ministry of Security to ensure the security of the workers and the facilities involved in ASCENT Project are responsive and in line with project Security Management Framework (SecMF) and SMP.
- f) **GBV and SEA/SH** – Given the implementation context, sexual harassment, exploitation and abuse of co-workers is a likely risk. Thus, all staff and contracted workers should sign the code of conduct (CoC) outlining expected standards of behavior in this regard and attend an awareness session on the same including the consequences of such actions. PIUs will identify a qualified trainer/consultant to offer training in GBV and SEA (the development partners may be approached to offer support with this training). A separate GRM will be established for addressing GBV and SEA complaints.
- g) **Child Labor:** All workers will be 18 years old or above for civil works. This will be a requirement in all contracts with civil works contractors. PIU/Contractor will ensure that no construction workers between 15-18 years are employed.
- h) **Forced labor:** Project will not allow any form of forced child labor, slavery, servitude, trafficking and all applicable ESS 2 provisions. It will hold all contractors liable for the implementation of the LMP, the PIU will have overall responsibility to monitor the implementation of the LMP.

## 9 AGE OF EMPLOYMENT

- The ASCENT Project will only engage persons with a minimum age of eighteen (18) and this will be enforced during recruitment and monitored by the PIU and contractors.
- Contractors will verify identity and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. Contractors will liaise with community members to attest to the age and conduct of all local hires and maintain a list of same.
- Hired project workers above 18 will conduct their activities in ways that are not detrimental with respect to education or be harmful to the child's health or physical, mental, spiritual, moral or social development.
- Liaise with labor inspectors/ concerned authorities, and conduct announced and unannounced inspection visits to work sites (related to the project).
- If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, considering the best interest of the child.

**The process of age verification.** Verification of the age shall be undertaken prior to the engagement of labor and be documented. Below is indicative age verification means that could be used in Somalia context where official ID system is broadly unavailable:

- a) Check the birthday on official documents such as birth certificate, national ID or other credible records, where available;
- b) Obtain written confirmation from the medical practitioner, parents or guardian; and
- c) Inquire with the local community leader, community action group or with other credible community sources.

## **10 Terms and Conditions**

### **10.1 Provision of Written Individual Contract of Employment**

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

### **10.2 Notice for Termination of Contract**

Either of the contracting parties may terminate a contract of employment by giving written notice as under: (a) not less than ten days in the case of manual workers; or (b) not less than 30 days in the case of non-manual workers. No notice needs to be given in case the duration of contract does not exceed one month. For other field staff who may be found in breach of confidentiality or falsifying information or in violation of the CoC. Termination should be forthwith even if contractual period were more than one month.

### **10.3 Minimum Wages**

While the mechanism to set the official minimum wage by the presidential decree (Labour Code, Article 72) is not currently functioning, the market rate is available for each job type in different localities. The fair market rate will be identified and applied for project workers.

### **10.4 Hours of Work**

The normal hour of work of a project worker shall not exceed 8 hours a day or 48 hours a week. Hours worked more than the normal hours of work shall not exceed 12 hours a week and shall entitle a worker to a proportionate increase in remuneration.

### **10.5 Rest Per Week**

Every worker shall be entitled to one day's rest each week, which should normally fall on Friday. It shall consist of at least 24 consecutive hours each week. Workers shall also be entitled to a rest day on public holidays recognized as such by the State.

### **10.6 Annual Leave**

Workers shall be entitled to 15 days' leave with pay for every year of continuous service. An entitlement to leave with pay shall normally be acquired after a full year of continuous service.

### **10.7 Maternity Leave**

A female worker shall be entitled, on presentation of a medical certificate indicating the expected date of her confinement, to 14 weeks' maternity leave with half pay, of which at least six weeks shall be taken after her confinement, if she has been employed by the employer for at least six months without any interruption on her part except for properly certified illness.



### **10.8 Nursing Breaks**

A female worker who is nursing her own child shall be entitled, for a maximum of a year after the date of birth of the child, to two daily breaks of one hour each. The breaks shall be counted as working hours and remunerated accordingly.

### **10.9 Deductions from Remuneration**

No deductions other than those prescribed by the Code or regulations made hereunder or any other law or collective labor agreement shall be made from a worker's remuneration, except for repayment of advances received from the employer and evidenced in writing. The employer shall not demand or accept from workers any cash payments or presents of any kind in return for admitting them to employment or for any other reasons connected with the terms and conditions of employment.

### **10.10 Death Benefit**

In case of death of a worker during his contract of employment, the employer shall pay to his heirs an amount not less than 15 days' remuneration as death benefit for funeral services.

### **10.11 Medical Treatment of Injured and Sick Workers**

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

### **10.12 Collective Agreements**

A collective agreement is an agreement relating to terms and conditions of work concluded between the representatives of one or more trade unions, on the one hand, and the representatives of one or more employers, on the other hand. Where collective agreements exist between the employer and project workers, such provisions will be applied, where relevant.

## **11 MONITORING AND REPORTING**

### **11.1 Monitoring and Reporting**

The PIU shall report on the status of implementation of the above policies and procedures on a quarterly basis. The PIU will closely monitor labor and OHS performance of the project and report to the World Bank on a quarterly basis.

### **11.2 Fatality and Serious Incidents**

In the event of an occupational fatality or serious injury, the PIU shall report to the World Bank as soon as it becomes aware of such incidents and inform the MoEWR in accordance with national reporting requirements, typically within 24 hours for a fatality, 48 for a serious injury. Corrective actions shall be implemented in response to project-related incidents or accidents. The PIU or, where relevant a consultant, may conduct a root cause analysis for designing and implementing further corrective actions.

## 12 GRIEVANCE REDRESS ARRANGEMENTS

A grievance mechanism will be provided for all direct workers and contracted workers (and, where relevant, their organizations) to raise workplace concerns. Such workers will be informed about the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers in line with the following:

**General principles** – Typical workplace grievances include demand for employment opportunities; labor wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in work environment. Therefore, a separate grievance mechanism will be established for project workers (direct workers and contracted workers), as required in ESS2. Handling of grievances should be objective, prompt and responsive to the needs and concerns of the aggrieved workers. The mechanism will also allow for anonymous complaints to be raised and addressed. Individuals who submit their comments or grievances may request that their name be kept confidential. However, there is a need for contact information will be emphasized to the worker for further follow up.

**Direct workers** – The project will have a compact but effective grievance system for direct workers. Each unit engaging direct workers (PIUs, field staff, and the consultants) will hold periodic team meetings to discuss any workplace concerns, the anonymity of the complainants shall be maintained. The grievance raised by workers will be recorded with the actions taken by each unit. The summary of grievance cases will be reported to the World Bank as part of the regular report. Where the aggrieved direct worker wishes to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor/hiring unit, the worker may raise the issue with the World Bank task team. Where the consultant has an existing grievance system, their contracted workers should use such mechanism.

**National appeal process** – As per the national Labour Code (Article 134), any individual labor dispute can be submitted by any of the parties to the competent district labor inspector for conciliation, where such labor inspector is available. The inspector is mandated to attempt to settle the dispute within 14 days of its submission.

**Grievances related to GBV** – To avoid the risk of stigmatization, exacerbation of the mental/psychological harm and potential reprisal, the grievance mechanism shall have a different and sensitive approach to GBV related cases and should be dealt with according to the complainant's informed consent. Where such a case is reported, the complainant, should be provided with information about and assistance to access if requested: confidential appropriate medical and psychological support, emergency accommodation, and any other necessary services as appropriate including legal assistance.

All staff and GRM focal points should be informed that if a case of GBV is reported to them, the only information they should establish is if the incident involves a worker on the project, the nature of the incident, the age and sex of the complainant and if the survivor/complainant is referred to service provision. If a worker on the project is involved the incident should be immediately reported to the National Program Coordinator who will provide further guidance after consulting with the World Bank.

Details of any security risks: details of risks the contractor may be exposed to while performing its work—the threats may come from third parties external to the project.

**Worker grievances** – details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.

## 12.1 Grievance Definition and Categories

As stated earlier, a grievance is a concern or complaint raised by an individual or a group within communities affected by company operations. Both concerns and complaints can result from either real or perceived impacts of a company's operations and may be filed in the same manner and handled with the same procedure.

Grievances may take the form of specific complaints for actual damages or injury, general concerns about project activities, incidents and impacts or perceived impacts. Based on the understanding of the project area and the workers, an indicative list of the types of grievances have been identified for the project, as can be seen below:

### Internal Grievances

Grievances from Employees (including both direct and indirect employees, including local workers and migrant workers through contractors):

- Complaints pertaining to amount of wage, salary, other remuneration or benefits as per Company's Human Resource policy;
- Timely disbursement of remuneration;
- Gender discrimination;
- Issues related to workers organization.
- Labour Accommodation
- Health and Safety issues
- Extended working hours

The workers grievance mechanism will include:

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

The workers grievance mechanism will be described in staff induction trainings, which will be provided to all project workers. The mechanism will be based on the following principles:

- The process will be transparent and allow workers to express their concerns and file grievances.
- There will be no discrimination against those who express grievances, and any grievances will be treated confidentially.
- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- Management will treat grievances seriously and take timely and appropriate action in response.
- Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of

“suggestion/complaint boxes”, and other means as needed.

## **12.2 Direct workers’ GRM structure**

To mitigate the risks related to direct workers, a GRM for Direct Workers will be established.

### **12.2.1 First Level**

Social Specialist at the PIU will be responsible to receive, consider and address in a timely manner the grievances, including the concerns on unaccounted working hours and lack of compensation for overtime, delay in/non-payment of salaries. If the issue cannot be resolved at the first level within 7 working days, then it will be escalated to the next level.

### **12.2.2 Second Level**

Project Coordinator is a second level GRM for direct workers if there is a situation in which there is no response from the Social Specialist or if the response is not satisfactory then complainants and feedback providers have the option to appeal directly to the Project Coordinator to follow up on the issue. The complaints should be considered, and feedback provided within the next 7 working days.

## **12.3 Contracted Worker’s GRM Structure**

Contractors should develop their own subproject GRM and to resolve the grievances of contracted workers. Grievance Officer (GO) assigned by the Contractor will file the grievances and appeals of contracted workers and will be responsible to facilitate addressing the grievances. If the issue cannot be resolved at contractor’s level within 7 working days, then it will be escalated to the Social Specialist at the local level.

Local Level Social specialist of PIU will serve as Grievance Officer (GO) to file the grievances and appeals of the project workers. He/She will be responsible to coordinate with relevant departments/organization and persons to facilitate addressing these grievances. If the issue cannot be resolved at the local level within 7 working days, then it will be escalated to the Agency level.

**Central level** – If there is a situation in which there is no response from the Local Level Social specialist, or if the response is not satisfactory then complainants and feedback providers have the option to contact the Program Coordinator in MoEWR office to directly follow up on the issue.

## **12.4 Receiving and Recording Grievances**

As part of the GRM, the grievances from the workers or their representatives may be communicated verbally (in person to the respective supervisor or over a telephonic conversation) or in written form (in the form given below). All grievances communicated in any of these mediums shall be recognized and recorded by the supervisor as and when it is expressed.

**Table 12-1: Sample Grievance Recording Form**

GRIEVANCE REGISTRATION	
<b>CASE No.</b>	DATE
<b>Name</b>	
<b>Department/Contractor Name</b>	
<b>Phone Number</b>	
<b>Details of Grievance</b>	
<b>Name of Person Recording Grievance</b>	
<b>Designation of Person Recording Grievance</b>	
<b>Proposed Date of Response to Grievance</b>	
<b>Signature of Recording Person</b>	Signature of Complainant
<b>GRIEVANCE REDRESSAL RESPONSE</b>	
<b>Date of Redress</b>	
Decision of GO (Give full details)	

The project should also put in place suggestion/ complaint boxes at strategic locations across the facility. These suggestion/complaint boxes will be opened at least every week. The employees and workers may drop their grievances in these boxes as well in keeping with the format attached. In case of any worker or employee needs to file an anonymous complaint, s/he shall be allowed to do so by not filling the Name, department, signature and contact information.

### 12.5 Maintaining a Grievance Register

Each grievance thus received, shall be recorded in a grievance register. The format for the grievance register shall be as follows.

**Table 12-2: Sample Grievance Recording Register**

Date	GR#	Name of Complainant	Village	Grievance Details	Concerned Department	Name of Recording Person	Present Status	Remarks

This grievance register shall be updated at each stage of grievance redressal. Once the grievance is recorded in the register, a preliminary analysis shall be undertaken by the grievance officer (preferably HR representative) to ensure that the grievance is within the scope of the GRM.

### 12.6 Acknowledgement of Grievance

Once the grievance is received, a grievance number shall be allocated and communicated to the grievant. This communication shall also serve as an acknowledgement of the grievance. In case the grievance is assessed to be out of the scope of the LMP-GRM, a communication towards the same shall be made to the grievant, and an alternative mode of redressal shall be suggested. As part of this acknowledgement a tentative timeline for the redressal of the grievances shall be identified, in keeping with the process below. This acknowledgement shall be provided on the same day as the grievance is received.

**Table 12-3: Sample Acknowledgement Receipt for Complainant**

<p>This receipt is in acknowledgement of a grievance registration by _____ resident of village _____ on date _____ His casenumber is _____ and the date for response is _____  <b>Full Name &amp; Signature of Recording Person</b> _____</p>
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In case the grievance is assessed to be out of the scope of the GRM, a communication towards the same shall be made to the grievant, and an alternative mode of redressal shall be suggested.

### 12.7 Resolution, Escalation and Closure Allocation of Responsibility

Once the grievance is received and recorded, based on the subject and issue, the Grievance Officer shall identify the department, contractor or personnel responsible for resolving the grievance.

The Grievance Officer and concerned department shall then undertake an enquiry into the facts and figures relating to the grievance. This shall be aimed at establishing and analyzing the cause of the grievance and subsequently identifying suitable mitigation measures for the same. The analysis of the cause will involve studying various aspects of the grievance such as the employee's history, frequency of the occurrence, management practices, etc.

As part of this investigation, the grievance officer may also undertake confidential discussions with the concerned parties to develop a more detailed understanding of the issue at hand. The site investigation shall be completed in no more than 10 working days of receiving the grievance. Resolution, Escalation and Closure Based on the understanding thus developed, the grievance officer, in consultation with the concerned departments, shall identify a suitable resolution to the issue.

This resolution shall be accordingly communicated to the grievant within 10 working days of completing the site investigation. In case the issue is beyond the purview of the grievance officer, it should be escalated to the department head or Owner's Engineer (as appropriate).

A communication regarding the same shall be provided to the grievant. The Contractors' RE shall in turn endeavor to resolve the grievance within 10 working days of the escalation.

The Contractors' RE shall endeavor to resolve the grievance within 10 working days. If, however, the Contractors' RE is not able to identify an adequate resolution for the grievance, then an adequate response shall be given to the grievant along with a suggested alternative resolution to the grievance. If at any stage, the grievant is not satisfied with the solution, s/he may choose to ask for an escalation of the grievance to the next level.

### **12.8 Update of Records**

The records of the grievance register shall be updated every working week with the present status of the grievance. Once the grievance is resolved, and the same has been communicated to the grievant, the grievance shall be closed in the grievance register. The grievance register should also provide an understanding of the way the grievance was resolved. These instances shall then serve as references for any future grievances of similar nature. In case of anonymous complaints, a summary of the grievance and resolution shall be posted on the notice boards and other relevant public places.

The grievance register should also provide an understanding of the way the grievance was resolved. These instances shall then serve as references for any future grievances of similar nature.

### **12.9 Monitoring of the GRM Implementation**

It is important to monitor GRM to ensure that the grievances are addressed and resolved. The monitoring of the GRM implementation will be undertaken monthly by the PIUs. Monitoring will include:

- Auditing the implementation of the GRM;
- Monitoring the formal and informal consultation activities conducted with the stakeholder groups with respect to GRM;
- Tracking feedback received from engagement activities;
- Recording and tracking commitments made to communities; and
- Assessing the efficacy of the engagement activities in terms of the desired outcomes and the participation of the stakeholder groups.

### **12.10 Reporting of the GRM**

The performance of the GRM will be reviewed on a quarterly basis during the implementation period. To review, the quarterly reports will be considered for analysis and discussion. Based on these reports, a Grievance Redress Report (GRR) will be prepared.

### **12.11 WB's Grievance Redress Service (GRS)**

Communities and individuals who believe that they are adversely affected by a World Bank supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, because of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit



<http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>.

Any worker who believes that a World Bank-supported project has or is likely to, adversely affect them can submit a complaint. Complaints must be in writing and addressed to the GRS. They can be sent.

**online** – through the GRS website at [www.worldbank.org/grs](http://www.worldbank.org/grs)

**By Email** at [grievances@worldbank.org](mailto:grievances@worldbank.org)

**By Letter or By Hand Delivery** to any World Bank Country Office

**By Letter** to the World Bank Headquarters in Washington at The World Bank Grievance Redress Service (GRS) MSN MC 10-1018 1818 H St NW Washington DC 20433, USA

For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

Figure 12-1 below gives the summarized and practical steps that have been suggested on how to address the LMP grievances for the project:

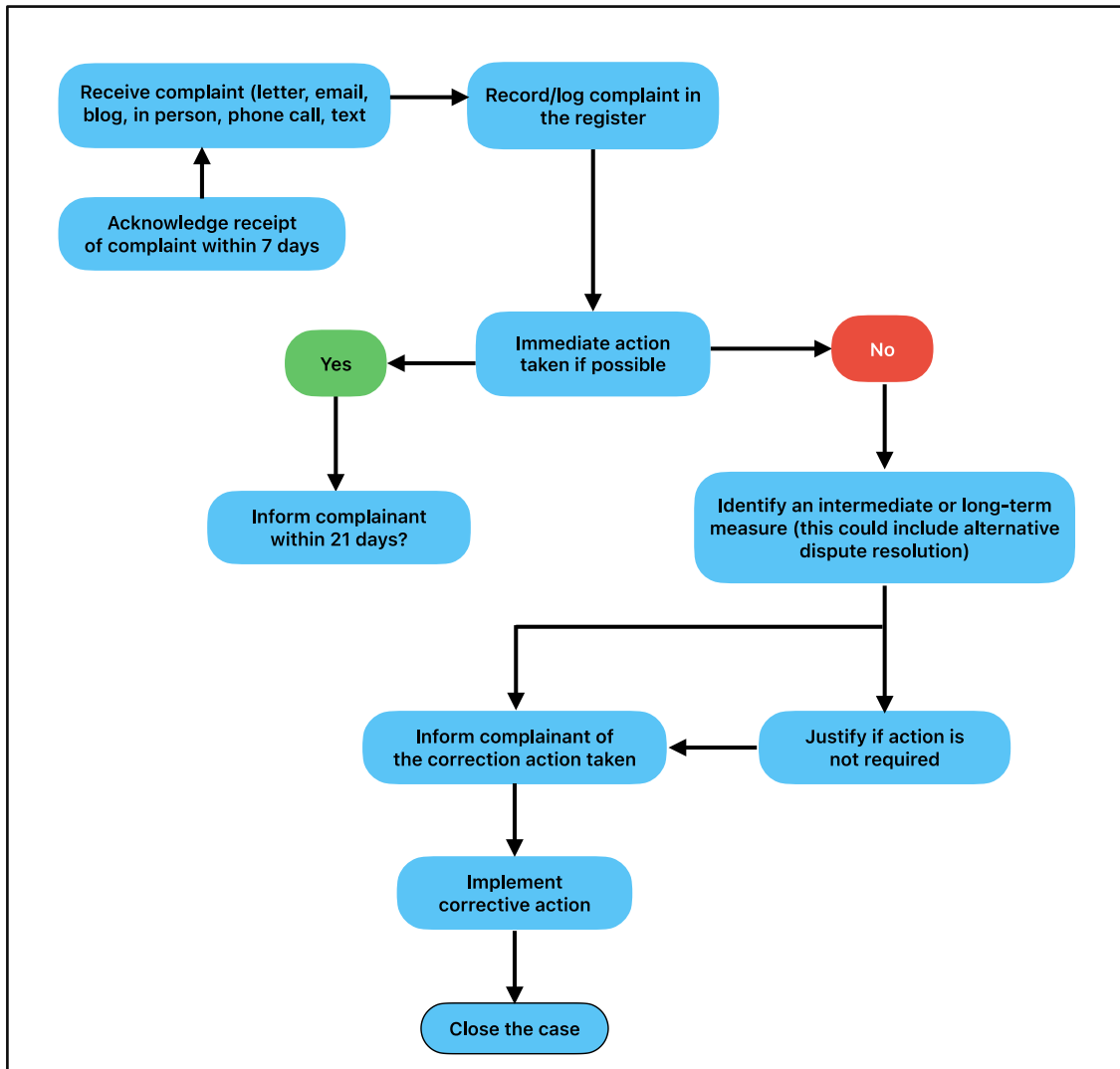


Figure 12-1 Practical Steps to be used in Addressing Grievances

## 13 CONTRACTOR MANAGEMENT

Prior to beginning the procurement process, the PIU will undertake market analysis to identify the possible sellers of solar panels to the project. The bidding documents will mitigate forced labor risks in solar panels and components by requiring that sellers of solar panels to the project will not engage or employ any forced labor among their work force. Procurement of solar panels and components will be subject to prior review to ensure the PIU is mitigating the supply chain risk. In addition, the Environmental and Social Commitment Plan (ESCP) requires the PIU to ensure that relevant environmental and social requirements are included in the terms of reference and tender documents for works contracts and supervision (including codes of conduct, coordination, monitoring reports, and grievance management mechanisms); and include provisions for non-compliance.

Finally, under ESS2, to mitigate the risk of forced labor related to primary supply workers, the PIU will require the primary supplier to identify those risks and if forced labor cases are identified, the PIU will then require the primary supplier to take appropriate steps to remedy them. Ultimately, where remedy is not possible, the PIU will, within a reasonable period, shift the project's primary suppliers to those suppliers that can demonstrate that they are meeting the relevant requirements of ESS2. Additional mitigation measures include:

- The PIU will ensure that contracted workers (contractors, subcontractors, brokers, agents or intermediaries) are legitimate and reliable entities;
- Have documentation of their business licenses, registrations, permits and approvals;
- Should have safety and health personnel, review their qualifications and certifications;
- Records of safety and health violations, and responses, accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrolment in relevant programs, worker payroll records, including hours worked and pay received; and
- Contractors to prepare Labor Management Plans as part of Contractor's ESMPs based on the provisions of this LMP and the details of labor to be used in those contracts. These plans will be reviewed and cleared by the PIU, as appropriate.

## **14 PRIMARY SUPPLY WORKERS**

### **14.1 Selection of Primary Suppliers**

When sourcing for primary suppliers, the project will require such suppliers to identify the risk of child labor/forced labor and serious safety risks. The PIU and the consultants will review and approve the purchase of primary supplies from the suppliers following such risk identification/assessment. Where appropriate, the project will be required to include specific requirements on child labor/forced labor and work safety issues in all purchase orders and contracts with primary suppliers. Specifically:

- The PIU will review industry labor issues relating to the supply of goods and materials that will be required under ASCENT Project and the risks and implement actions to mitigate such risks;
- The PIU will also track suppliers' performance to help inform whether procedures and mitigation measures are being appropriately implemented and provide feedback on performance and any new areas of risk; and
- Specific requirements on child labor, forced labor and work safety issues will be included in all purchasing orders and contracts with suppliers.

### **14.2 Remedial Process**

If child labor/forced labor and/or serious safety risks are identified, the PIU and the consultants will require the primary supplier to take appropriate steps to remedy them. Such mitigation measures will be monitored periodically to ascertain their effectiveness. Where the mitigation measures are found to be ineffective, the PIUs and the consultants will, within reasonable period, shift the project's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements.

## 15 STAKEHOLDER CONSULTATIONS

The Ministry of Environment and Water Resources (MoEWR) in Somalia conducted a four-day stakeholder meeting from September 30 to October 3, utilizing a combination of virtual and in-person attendance. During this meeting, a primary focus was on addressing labor-related issues in Somalia. The Environmental and Social (E&S) team at the MoEWR of Somalia presented a comprehensive overview of the labor challenges associated with the project, along with the strategies in place to mitigate these challenges. In response, various stakeholders—including the Ministry of Labor and Public Works and FMS line ministries, BRA, MoEWR from Federal Member States, Electricity Service Providers (ESPs), and Solar Service Providers (SSPs), CSOs, women, IDPs and elders—committed to addressing labor concerns in the country. They pledged to enhance working conditions, implement all labor laws in the nation, and adhere to the Labor Management Policy outlined in the project, along with its provisions. During the stakeholder meeting, Hamza Ahmed, from the Federal Ministry of Labor and Social Affairs' Department of Legal and Labor Relations, discussed labor issues in Somalia. He acknowledged the progress made in labor policies and strategic plans but pointed out shortcomings in protecting workers' rights, resolving disputes, and ensuring their overall well-being. The International Labour Organization (ILO) is helping Somalia evaluate child labor and create a national action plan. The ministry successfully resolved disputes, including one involving airport workers and Favori LLC. Ahmed also highlighted labor risks, particularly the exploitation of women and youth in local construction jobs. These vulnerable groups often receive lower wages due to their limited awareness of their rights.

Mrs. Ayaaan A. from Benadir Regional Administration (BRA) discussed labor-related matters, emphasizing that Puntland's labor law No.65 aligns with ILO labor conventions and governs labor issues in the region. There was a discrepancy between national and international standards regarding child labor, especially for children aged 15, who are not typically considered child laborers. However, there were concerns about balancing the need for income, particularly in female-headed households, which might allow certain light work or supportive roles for children.

Mrs. Ayaan also noted that labor inspection units were not functioning effectively. A World Bank-funded project's Project Implementation Units (PIU) usually inspected worker conditions, covering areas like occupational health and safety, remuneration, working hours, wages, and forced labor. Contractors at the project level were expected to provide labor management plans outlining labor rights and codes of conduct.

After long discussions, the following key points have been agreed upon to address labor-related issues:

To begin with, there is a strong emphasis on strengthening the Ministry's capacity to oversee and monitor workers' rights, as well as to enhance dispute resolution mechanisms and overall worker protection. This includes the establishment and implementation of Labor Management Plan (LMP) to govern labor practices and ensure compliance with regulations. Additionally, an Occupational Health and Safety (OHS) Plan will be formulated and executed to safeguard the well-being of workers, with routine supervision and labor inspections carried out at construction sites to identify potential hazards and ensure adherence to the OHS plan. Furthermore, the provision of essential personal protective equipment (PPE) for field officers actively involved in construction tasks is a priority. The establishment and operation of a Labor-specific Grievance Redress Mechanism (GRM) will be part of

the LMP, helping address issues that may arise. Lastly, the influx of labor due to small and medium-scale infrastructure projects will be managed effectively through the LMP, which will include a code of conduct for project workers.

In summary, these agreed-upon measures aim to strengthen labor oversight, enhance worker protection, ensure compliance with labor regulations, and manage the impacts of labor influx in the context of infrastructure projects, with a strong focus on safety, dispute resolution, and workers' rights. It is also decided that the last consultation and disclosure workshop for this Labor Management Procedures (LMP) will take place through video conferencing and phone calls, involving relevant stakeholders at both the national and other levels of the project's implementation. This includes engaging with communities that meet the criteria set by the World Bank under ESS 7: Sub-Saharan African Historically Underserved Traditional Local Communities, as well as vulnerable and marginalized individuals and communities. These vulnerable groups and individuals within the project encompass internally displaced persons (IDPs), women, households headed by women, single parents, school-going children, individuals with physical disabilities, elderly individuals, those who are unwell, and expectant mothers.

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## ANNEXES

### Annex I: Guideline on Code of Conduct

A satisfactory code of conduct will contain obligations on all project workers (including sub-contractors) that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to concerns of the ministries, the location and the project sector or to specific project requirements. The Code of Conduct should be written in plain language and signed by each worker to indicate that they have:

- a) Received a copy of the code;
- b) Had the code explained to them;
- c) Acknowledged that adherence to this Code of Conduct is a condition of employment; and
- d) Understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

#### CoC DOs

- a) Always wear prescribed and appropriate personal protective equipment (PPE) on site.
- b) Wash hands, always sanitize and observe social distancing and follow WHO and the government SOPs and updated guidelines.
- c) Prevent avoidable accidents and report conditions or practices that pose a safety hazard or threaten the environment.
- d) Treat women, children and elderly men, vulnerable persons, persons from the minority communities and persons with disabilities with respect regardless of race, color, language, religion, or other status.
- e) Report any violations of this code of conduct to workers' representative, HR or grievance redress committee. No employee who reports a violation of this code of conduct in good faith will be punished in any way.
- f) Comply with all labor legislative and regulatory requirements.
- g) Attend and actively partake in training courses related to ESHS, OHS, and GBV as requested by my employer.
- h) Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
- i) Take all practical steps to implement the contractor's environmental and social management plan (C-ESMP).

#### CoC DON'Ts

- a) Expose other people to the risk of infection in any form including risks of occupational health and safety.
- b) Leave PPE lying within the project site.
- c) Use alcohol or narcotics during working hours.
- d) Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- e) Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.



- f) Not engage in sexual harassment of work personnel and staff—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is prohibited. E.g., looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
- g) Not engage in sexual favors—for instance, making promises of favorable treatment (e.g., promotion), threats of unfavorable treatment (e.g., loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- h) Not use prostitution in any form at any time.
- i) Not participate in sexual contact or activity with children under the age of 18—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.

### **Sanctions**

- a) Informal warning.
- b) Formal warning.
- c) Additional Training.
- d) Loss of up to one week's salary.
- e) Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- f) Termination of employment.
- g) Report to the Police if warranted.

## Annex II: Suggested CoC Template on the Company Headed Paper

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, laborers 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 behavior that we require from all Contractor’s Personnel. Our workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

### **REQUIRED CONDUCT**

Contractor’s Personnel shall:

- 1) Carry out his/her duties competently and diligently;
- 2) Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor’s Personnel and any other person;
- 3) Maintain a safe working environment including by:
  - a. Ensuring that workplaces, machinery, equipment and processes under each person’s control are safe and without risk to health;
  - b. Using appropriate measures relating to chemical, physical and biological substances and agents;
  - c. Wearing required personal protective equipment; 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 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 Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor’s or Employer’s Personnel;
- 7) Not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;
- 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 (SEA), 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 the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism.

### **RAISING CONCERNS**

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

- Contact [enter name of the Contractor's Social Expert with relevant experience in handling gender-based violence, 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
- 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 behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

### **CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT**

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

#### **FOR CONTRACTOR'S PERSONNEL:**

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [*enter name of Contractor's contact person 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: \_\_\_\_\_

Date: (day month year): \_\_\_\_\_

### **Annex III: Behaviours Constituting Sexual Exploitation and Abuse (SEA) and behaviours constituting Sexual Harassment (SH)**

Sexual exploitation - any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse - the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation and abuse also include sexual relations with a child, in any context, defined as:

Child - a "human being below the age of eighteen years".

Examples of acts of sexual exploitation and abuse

- Sexual assault (defined as "any unwanted or forced sexual act committed without consent") or threat thereof. Sexual assault can occur either against a person's will, by force or coercion, or when a person is incapable of giving consent, such as when they are under duress, under the influence of drugs or alcohol. Force includes:
  - actual physical aggression, including but not limited to rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing);
  - threats of physical aggression;
  - emotional coercion; and/or
  - Psychological blackmailing.
- Unwanted touching of a sexual nature
- Demanding sex in any context
- Having sex, a condition for assistance
- Forcing sex, forcing someone to have sex with anyone.
- Forcing a person to engage in prostitution or pornography.
- Refusing to use safe sex practices.
- Videotaping or photographing sexual acts and posting it without permission.
- Alleging or threatening to allege that anyone already has a history of prostitution on legal papers.
- Name-calling with sexual epithets
- Insisting on anything sexual, including jokes that may be uncomfortable, frightening or hurtful, and
- Telling someone that they or anyone else are obliged to have sex as a condition for anything.

## Annex IV: LMP Protocols

The PIU has developed LMP protocols. The protocols clearly assign responsibilities to each of the members for efficient oversight. For instance, the social safeguards officer oversees the implementation of the GRM and ensures appropriate stakeholder consultation (ESS10). Other functions would include:

- a) Monitoring, supervising, and reporting on health and safety issues relating to ASCENT activities including details on key responsibilities and reporting arrangements for the Project supervising team and the main contractor;
- b) Coordinating and reporting arrangements between contractors;
- c) Following up on the feedback mechanisms between the contractors and their workers and flagging out any issues for redress; and
- d) Reporting on a regular basis on the workers GRM implementation progress.

**Error! Reference source not found.** presents a summary of the project staff/entity responsible for various key responsibility areas.

**Table 0-1: Summary of Project Staff and Key Responsibilities**

Responsibility area	Direct and contracted workers	Primary supply workers
<b>Hiring and managing individual direct workers</b>	PIU will oversee the work of consultants hired to support ASCENT activities.	n/a (outside the scope of ESS2)
<b>OSH</b>	Environment safeguards specialist will follow up the implementation of OHS measures.  Refer to the recommendation of the LMP.	The PIU will assess the risk of serious safety issues by primary suppliers and as needed require them to develop procedures to address these risks.
<b>Child labor and forced labor</b>	The contract does not allow child and forced labor.	Primary supplier to adhere to child labor requirements.  PIU to review.
<b>Training</b>	PIU /contractors.	n/a (outside the scope of ESS2).
<b>Code of conduct</b>	The contract for direct workers will address relevant risks.	
<b>Grievance mechanism</b>	PIU social safeguard specialists.	
<b>Monitoring and reporting</b>	PIU M&E, Third Party Monitoring (TPM) and report to the World Bank	Relevant PIU to monitor and report to PIU Coordinator  PIU to report to World Bank.