



Government of the People's Republic of Bangladesh
Ministry of Local Government, Rural Development
and Cooperatives

Local Government COVID-19 Response and Recovery Project
(LGCRRP)

Labor Management Procedure (LMP)

March 2021 (Revised May 2022)

Local Government Engineering Department (LGED)

Local Government Division

Dhaka

Labor Management Procedure (LMP)

EXECUTIVE SUMMARY

ES 1. This report provides the Labor Management Procedure (LMP) of the Local Government Engineering Department (LGED) for the Local Government COVID-19 Response and Recovery Project (the Project). The purpose of this LMP is to facilitate planning and implementation of the project by identifying the main labor requirements and risks associated with the project, and to determine the resources necessary to address project labor issues. The LMP will help in determining the resources necessary to address project labor issues to meet the objectives and requirements of the World Bank Environmental and Social Standards (ESSs) on Labor and Working Conditions (ESS2), the National Labor Laws of the People's Republic of Bangladesh, as well as Occupational Health, safety, and Working Condition requirements. The LMP assesses the potential risks and impacts of employment of workers for implementation of Project activities including the labor-intensive public works (LIPWs) at the ULGI level and proposes mitigation measures in line with ESS2 of the World Bank and the national legal framework on labor.

ES 2. Various types of workers (direct, contracted, community workers, and where relevant primary supply workers), their estimated numbers and characteristics have been outlined in this LMP. Major potential and associated environmental and social (E&S) risks—such as occupational health and safety (OHS), Gender-Based Violence (GBV) including sexual exploitation and abuse (SEA), sexual harassment (SH), community health and safety (CHS), waste management, discrimination to disadvantaged and the vulnerable groups, communities and individuals for project benefit and engagement, exploitation of child and forced labor as well potential exposure to COVID-19 while working under the current COVID-19 pandemic situation have been identified. Given the size of investments at the ULGI level, the potential E&S risks and impacts, the capacity and experience of LGED and the ULGIs in managing and mitigating the E&S risks and the context under which the project is being implemented, the overall pre-mitigation E&S risks have been determined to be moderate.

ES 3. Provisions of World Bank ESSs, Bangladesh Labor Act 2006 (including Amendments of 2013 and 2018), National Child Labor Elimination Policy 2010, GoB and WHO guidelines for the pandemic of COVID-19 and the Infectious Diseases (Prevention, Control and Elimination) Act 2018 have been studied and cited to meet their requirements and obligations. The LMP includes a community mobilization component, which will be put in place to create an environment for enhanced participation and creative involvement of communities in addressing the risks. Further, conditions of employment, OHS, and CHS are highly relevant and significant for this project as it involves civil works in populated urban areas with resultant movement of workers to and from the works sites.

ES 4. A Grievance Redress Mechanism (GRM) for workers has been provisioned as part of this LMP so that any one employed in the project can raise their concerns, complaints, or feedback to the attention of the ULGIs, the Implementing Agencies (IAs) through the Project Implementing Units (PIUs) and of LGED, and the Executing Agency (EA) through the Project management Unit (PMU) for the Project.

ES 5. Detailed contractor management guidelines have been prepared for the IAs to direct them in the selection, retention, monitoring and guiding of contractors in accordance with the ESS2 and national Laws/Acts.

ES 6. Requirements of this LMP will form part of the General Specification of Contract of the bidding documents. The preparation and implementation of site-specific Labor Management Plans by the Contractors will be incorporated in the Bill of Quantities (BoQ) as a component of the general items of contract documents.

ES 7. Workers GRM under the project will be developed and implemented to support all project workers; direct, contracted, community and if applicable primary supply workers. In case of direct workers and the community workers (if engaged by the PIUs directly), the PMU at LGED will be responsible for addressing worker related grievances. For contracted workers, the contractor is obligated under the contract to set up the Workers GRM to redress complaints relating to workers deployed for construction works under this Project.

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LIST OF ABBREVIATION

BLA	Bangladesh Labor Act
BoQ	Bill of Quantities
CBA	Collective Bargaining Agent
CC	City Corporation
C-ESMP	Contractor's Environmental and Social Management Plan
CHS	Community Health and Safety
CoC	Code of Conduct
COVID-19	Coronavirus Disease-19
CRGs	Covid-19 Response Grants
DPD	Deputy Project Director
DPHE	Department of Public Health and Engineering
EA	Executing Agency
EHS	Environmental, Health and Safety Guideline
E&S	Environmental and Social
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
ESSs	Environment and Social Standards
EU	European Union
GBV	Gender-Based Violence
GOB	Government of Bangladesh
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
IA	Implementing Agency
ICU	Intensive Care Unit
IDA	International Development Association
IEDCR	Institute of Epidemiology Disease Control and Research
ILO	International Labor Organization
IPC	Infection Prevention and Control
IPF	Investment Project Financing
IVCs	Independent Verification Consultants
LGCRRP	Local Government Covid-19 Response and Recovery Project
LGD	Local Government Division
LGED	Local Government Engineering Department
LGSP	Local Government Support Project
LIPW	Labor Intensive Public Works
LMP	Labor Management Procedure
M&E	Monitoring and Evaluation
MoHFW	Ministry of Health and Family Welfare
MoLGRD&C	Ministry of Local Government Rural Development & Cooperatives
NID	National Identity
PD	Project Director
OHS	Occupational Health and Safety
OSH	Occupational Safety and Health
PIU	Project Implementing Unit
PMU	Project Management Unit
POM	Project Operations Manual
PPE	Personal Protective Equipment

PSC	Project Steering Committee
RMSU	Regional Municipal Support Unit
SAGE	Strategic Advisory Group of Experts on Immunization
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SHG	Self-Help Group
TPP	Target Product Profiles
ULGI	Urban Local Government Institution
WB	World Bank
WHO	World Health Organization

Labor Management Procedures (LMP)

Local Government Covid-19 Response and Recovery Project

INTRODUCTION

1. The Government of the People's Republic of Bangladesh (GoB) has prepared the Local Government Covid-19 Response and Recovery Project (the Project) to strengthen ULGIs response to the COVID-19 pandemic and preparedness for future shocks of similar scale and nature. The Local Government Engineering Department (LGED) under the Ministry of Local Government, Rural Development and Cooperatives (MLGRD&C) is the Executing Agency (EA) of the Project. The Project is expected to be financed from the International Development Association (IDA) of the World Bank Group. LGED will lead the eligible Urban Local Government Institutions (ULGIs): City Corporations and Paurashavas in implementing the Project, the Implementing Agencies (IAs).

2. Limited funds in the form of COVID-19 Response Grants (CRGs) will be allocated to the ULGIs under Component 1 of the Project for undertaking activities from a menu of eligible expenditures. The project involves rehabilitation and development of small-scale community infrastructure, including roads infrastructure/facilities (e.g. schools, health centers, water supply, small bridges and culverts), essential service delivery facilitating livelihoods, creating job opportunities, boosting local economic development, and supporting income generating activities. The project will also address hygiene related physical and non-physical supports and awareness campaign for managing COVID-19 infections. Some of the physical activities will be completed through labor intensive public works (LIPWs). Laborers of civil works will be residents of the respective City Corporations and Paurashavas. Implementation and capacity development, digital technology, and project management supports will be provided through Component 2 of the Project those are aimed at strengthening ULGIs' medium to long term preparedness to shocks like COVID-19 and crisis-disaster response capacities.

3. Given the small-scale infrastructures for urban services to be supported under the Project, overall OHS risks for the workers are likely to be minimal. Civil works at individual work sites will likely involve a small number of skilled and semi-skilled direct and contracted workers. Labor influx considering individual works sites is likely to be low since the scope of the physical construction works will be small at respective sites and most of the construction laborers will largely be sourced locally.

4. Labor force being the central element of implementing a project with civil and construction works; efficient management of the labor resources is essential under the national legal framework and the requirements of the international development finance institutions. This Labor Management Procedure (LMP) has been prepared for the Project meeting the Bangladesh Labor Act 2006 as well as the World Bank's Environmental and Social Framework, Environmental and Social Standard 2: Labor and Working Conditions (ESS2). The LMP has also considered application of internationally accepted health protocols to address the COVID-19 outbreak in Bangladesh.

Specific Objectives of the LMP

5. This Labor Management Procedures (LMP) has been developed to achieve the following specific objectives:

- To highlight and promote workplace safety and health.
- To promote the fair treatment, nondiscrimination, and equal opportunity for project workers irrespective of sex, race or ethnic identity.
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with the ESS2 of the World Bank ESF) and, contracted workers, community workers and primary supply workers, as applicable.
- To prevent the use of all forms of forced labor and child labor.
- To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.
- To provide project workers with accessible means to raise workplace grievances.

6. Implementation of the Project will require direct and contracted workers for civil and construction works and community laborers in the case of labor-intensive public works (LIPWs). The Project will provide ULGIs with technical and capacity-building support to strengthen their management of LIPWs to ensure robust outreach, targeting, enrolment, payments, and grievance redress including support to promote women's employment. Lessons learned will be documented to improve guidelines for ULGI management of LIPWs. The project will incorporate LIPWs in street cleaning and garbage collection, pavement repairing, civil and maintenance works that enhance recruitment of contracted workers from local slums and communities. A detail LIPWs guideline will be included in the project operation manual. The LMP covers the direct workers, contracted workers, community workers and (where relevant) primary supply workers to be involved with the Project. The respective ULGIs will ensure all the engaged contractors prepare Labor Management Plans for contracted works as part of their ESMPs. The approach will be assessed as part of the initial screening of E&S risks and impacts carried out by the Project Management Unit (PMU) of LGED on the Project. However, the resultant potential risk of Gender-Based Violence (GBV) including sexual exploitation and abuse (SEA) and sexual harassment (SH) related to the Project is likely to be low.

OVERVIEW OF LABOR USE IN THE PROJECT

7. The ULGIs will contract agencies to undertake civil works under Component 1, and possibly individuals or consulting organizations to support core-functions under the Project. The LGED will implement the Component 2 activities at the ULGI level and engage individual consultants at the PMU and at RMSUs to support core-functions of the Project. Public servants will also be deputed from LGED on the Project and ULGIs will assign one or more staff under their respective PIUs to manage implementation of subprojects.

Executing and Implementing Agencies (EA/IAs)

8. The Local Government Engineering Department (LGED) in the MLGRD&C is the EA of the Project through the ULGIs as IAs. LGED will establish a Project Management Unit (PMU), headed by a Project Director (PD). The PD will be assisted by two or more Deputy Project Directors (DPD). The proposed project will follow the learnings from the institutional arrangements under the Local Governance Support Project (LGSP) and the Municipal Governance and Services Project (MGSP). Further, it will seek to streamline administrative arrangements and procedural steps to ensure that the resources reach the local governments and are used expeditiously and effectively in responding to the pandemic.

9. A high-level Project Steering Committee (PSC) chaired by the Secretary of LGD and members including Chief Engineer, LGED and high-level representation from Health, Social Protection, Disaster Risk Management, and Department of Public Health and Engineering (DPHE) will be responsible for interagency coordination, policy guidance, strategic decisions, overall project monitoring and oversight. The PSC would be expected to meet every six-month or on a need to basis.

10. The PMU will ensure coordination of project implementation and for providing ULGIs with technical backstopping, capacity building support and managing LGCRRP's digital technology activities. The PMU will also be strengthened with individual experts and/or firm to ensure effective and efficient supervision and monitoring of the Local COVID-19 Response and Recovery Plan Activities. It will be staffed with core members including lead focal points on ES management, financial management, procurement, engineering, communications and Monitoring and Evaluation (M&E).

11. Within each participating ULGI, a small Project Implementation Unit (PIU) will be responsible for ensuring that planning, budgeting, implementation, and reporting are undertaken in accordance with LGCRRP procedures. PIUs will consist of regular ULGI staff, and representation of local COVID-19 Management Committee deputed on a part-time basis to coordinate LGCRRP-financed activities at the local level.

The PMU will consist of a team of consultants (reporting to the PD and the DPDs). PMU consultants will include specialists to cover the following main areas: (a) ULGIs grants (including CRG allocations and management, ULGI compliance assessments and audits); (b) ULGI technical, institutional and capacity building support; (c) ULGI disaster risk management and crisis response; (d) monitoring, evaluation and reporting (including MIS, ULGI progress reports, LGCRRP narrative and progress reporting); (e) communications; (f) environmental and social; (g) procurement; (h) financial management (including ULGI and project financial reporting).

12. For the implementation of key Component 2 activities and for purposes of coordinating all LGCRRP activities at the sub-national level, the project will utilize established Regional Municipal Support Units (RMSUs) in each of the eight administrative Divisions of Bangladesh. LGCRRP's RMSUs will have the following functions:

- Providing ULGIs with backstopping and quality assurance with respect to technical issues, social/environmental safeguards, procurement, and financial management.
- Assisting ULGIs (where necessary) in identifying and contracting technical support services from the market.
- Liaising between the LGCRRP PMU and ULGIs within the Division.

- Coordinating LGCRRP activities (training, communications, monitoring, reporting) at the Divisional level.

Number of Project Workers

13. The project under Component 1 will support all 329 Paurashavas and 10 City Corporations of the country. Component 2 will be implemented for all 329 Paurashavas and all 12 City Corporations. The Paurashavas and City Corporations will assign at least one of their permanent staff at the PIUs headed by the respective Mayors through LGCRRP focal persons (Paurashavas) or Project Directors (City Corporations). Table 1 provides an estimate of project workers for LGCRRP.

Table 1: Estimate of Project Workers under LGCRRP

Sl.No.	Type of Project Workers	Estimated requirements (number)
1.	Direct Workers	
	PMU	4
	RMSUs	11
	PIUs (1 at each Paurashava and 2 at each CC)	349
2.	Contracted Workers	-----
	<i>a. PMU (directly engaged consultants)</i>	26
	<i>b. RMSUs (directly engaged consultants)</i>	35
	<i>c. PIUs (consultants 2 at each Paurashava and 5 at each CC)</i>	700
	Contractors (estimated)	2,000
3.	Community Workers (@ 25 workers under each ULGI)	8,000
	Total	11,125

14. Direct workers include public servants deputed on the projects from LGED and ULGIs with the PMU and PIUs. Contracted workers will include consultants engaged by the PMU and PIUs, construction workers, cleaners, waste management personnel, administrative function staffs, drivers, water supply workers, supervisors, personnel to carryout stakeholder campaign and other activities. Community workers are poor men and women and other vulnerable people engaged by the ULGIs from the local community for public works including labor-intensive public works (LIPW) as a safety net to mitigate impacts of COVID-19 pandemic in local employment. The worker/labor/staff requirement above is an estimate and will be confirmed at the implementation stage of the Project and while contract award.

Characteristic of Project Workers

15. The LMP applies to all Project workers whether full-time, part-time, temporary, seasonal, or migrant workers. Characteristics of Labor Force. The PMU will comprise Government officials and professionals/consultants in their respective fields. ULGIs will employ contracted as well as direct workers and community workers under LIPWs. The Contractors' workers will be mostly unskilled, semi-skilled and skilled workers and as far as the characteristics of labor force in roads repairing and cleaning, waste management team, extension and new installation of sanitary/water pipe facility is concerned, it is expected that both male and female workers will be engaged in the designated activities. Primary supply workers will be relevant where contractors will be getting construction inputs from

contracted suppliers on a continuous basis. It is also expected that women would be employed in technical (engineering, planning, and management) and manual jobs in PMU as well as other service staffs for the Contractors' (road repairing helper, mason's helper, cleaners, cooks etc.). There will be provision to avoid the use or employment of child and forced labor in any level of the project.

16. Characteristics of the project workers have been discussed hereunder.

Direct Workers: People employed or engaged directly by the LGED and the ULGIs or the Project Implementing Units (PIUs) on their respective behalf to work specifically in relation to the Project.

Contracted Workers: People employed or engaged by contractors to perform work related to core function i.e., construction of waiting room or renovate all the old ones, extension of water pipeline, handwash points at market or public places, extension of drainage and construction new sanitary toilet and repair old one and enhance such facilities, solid and medical waste dumping place, local road repair and other minor infrastructure works, regardless of locations;

Community Workers: People employed by ULGIs enrolling potential workers from the local community for labor-intensive public works (LIPW) including women and other vulnerable community members as a safety net to mitigate impacts of COVID-19 pandemic in local employment.

Primary Supply Workers: People employed or engaged by primary suppliers of the contractors who would, on a continuous basis supply goods for the core function of the project. The project will review the involvement of primary supply workers based on contractors' method of procuring construction inputs.

17. When primary supply workers or community workers are engaged, it must be ensured that no child and/or forced labor is involved and OHS requirements for the laborers are followed. Further, if security personnel are engaged in safeguarding project sites and material, the IAs will: (i) make reasonable inquiries to verify that the security personnel employed to provide security are not implicated in past abuses; (ii) train them adequately (or determine that they are properly trained) in the use of force (and where applicable, firearms), and appropriate conduct toward workers and affected communities; and (iii) require them to act within the applicable law and any requirements set out in the ESCP and there must be signed a Code of Conduct, in comprehensible local language, explained and understood including ramifications for non-compliance.

18. Government civil servants, who will provide support to the Project, 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 apply to such government civil servants. Nevertheless, their health and safety needs have to be considered, and the measures adopted by the project for addressing occupational health and safety issues, including those specifically related to COVID-19, will apply to them.

Timing of Labor Requirement

19. The Direct and Contracted Workers will be recruited as soon as the project is approved, especially those forming part of PMU including the RMSUs. The employment of Contractors' workers will be done after award of contract and before the civil and other related works and supply begin. Since

the construction will take place at the center of the city where other constructions are taking place, local labors are abundant in the area and hence no external migrant contracted workers are expected to be assigned.

20. The community workers will be enrolled based on the approved Project Operation Manual (POM) once the labor-intensive public works (LIPWs) are identified and the ULGIs are trained on management of LIPWs like outreaching, targeting, enrolment/payments, and grievance redress including support to promote women's employment.

Information on Contracted Workers

21. LGED through the PMU and the PIUs will gather and retain information on engagement of contracted workers and community workers. The contractors will be contractually obligated to maintain updated information on all categories of contracted works, especially the non-local workers and periodically share the same with the PIUs, which in turn will be available with the PMU through the RMSUs.

22. The format for submittal of workers information will be finalized at the mobilization of the contractors. The information database on contracted works to be maintained by the contractors will include but not limited to the following:

- Name and age (supported by NID)
- Father's name and permanent address
- Marital status and name of the spouse (if married)
- Number of dependents with relations and gender (as applicable)
- Place of stay of spouse and children during work engagement under the Project
- Address and contact number (in case of an emergency)
- Key skills and years of experience
- Work activities, schedule and duration of engagement as per contract with the contractors/PIUs
- Duration of contract and rotation arrangements
- Facilities arranged by contractor including health check-ups prior to engagement, accommodation (to be specified by contractor)
- Pre-employment check-ups, fitness tests and health awareness campaign for workers

COVID-19 Considerations

23. The project activities will include different types of workers as mentioned above, most of whom will be engaged in activities that raise COVID-19 exposure concerns. The implementation work will consist of civil works, water and sanitation, transportation, waste management on-site and virtual consultation with the beneficiaries etc. Government civil servants in the project will be employed in PMU/PIU and various groups in the field to carry out planning, implementation, monitoring and evaluation activities. Given there will be limited construction activities, it will require construction workers that may raises issues with manual labor employment, particularly regarding potential transmission

risks for COVID-19 both within the worksite and for nearby communities. These risks are not only from workers that are mobilized locally but also workers moving from other regions. The World Bank issued [Interim Guidance Note on COVID-19 Considerations in Construction/Civil Works Projects, dated April 7, 2020](#) will be adopted by the Contractors of such workers.

ASSESSMENT OF KEY POTENTIAL LABOR RISKS

24. The main labor risks associated with the project are assessed to be related to the potentially hazardous work environment due to the ongoing COVID pandemic, associated risk of accidents, OHS, community health and safety, GBV/SEA/SH etc.

25. **Labor influx:** It is expected that the LGCRRP project having small schemes and all these civil construction and repair work will be done by *local workers*. Thus, there will be very low level of labor influx throughout the project cycle. There will be minimal labor influx as the project will employ only a limited number of external workers; therefore, labor camps within the project areas are not expected. Generally, specific requirements to manage risks associated with labor influx, related to interaction between project workers and local communities, such as communicable diseases and GBV/SEA/SH, are expected to be low and managed through contractual requirements, code of conduct and training set out in this document. Given the LGCRRP objectives, this will create jobs for local people dwelling with the specific ULGI jurisdiction. Both male, female, persons with disabilities, and other workers from vulnerable groups will be given equal opportunity for employment, equal wages for equal work or standard under the project.

26. **Child Labor:** As per the Labor Act 2006 and WB ESS2 no one below the age of 14 (minimum age) will be employed as a labor. A child over the minimum age (14) and under the age of 18 may be employed or engaged in connection with the project only if the work is not likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development; an appropriate risk assessment is conducted prior to the work commencing; and the Borrower conducts regular monitoring of health, working conditions, hours of work and the other requirement of ESS2. During construction period, there is a risk of engaging child labor in different tasks. Contractor will be prohibited to employ anyone under the age of 18 in this project and digitally issued birth certificates from the respective ULGIs or Union Parishads (U/P) will be the basis to verify minimum age of workers eligible to employed for the project. The RMSUs-PMU conduct regular monitoring of health, working conditions, hours of work and the other requirement of this ESS.

27. **Forced Labor:** Bangladesh passed "The Prevention and Suppression of Human Trafficking Act, 2012" which specifically indicates in Chapter One, Article (2) debt-bondage and Article (3) forced labor or service are strictly prohibited and the Article (9) of Chapter Two also indicates "If any person unlawfully forces any other person to work against his/her will or compels to provide labor or services or holds in debt-bondage to exact from the person any work by using force or other means of pressure or by threat to do such, s/he shall be deemed to have committed a punishable offense". Forced employment of laborers especially of local laborers or internal migrants a serious offence and must be prohibited. Surprise and random inspection by LGCRRP will be carried out on a regular basis to ensure ESS compliance.

28. **Gender-Based Violence (GBV including SEA and SH):** Due to the nature and scope of the project, where workers are mostly local, the GBV including sexual exploitation and abuse (SEA) and

sexual harassment (SH) risk is expected to be low and manageable. Contractors will make sure that workers are provided with the necessary GBV/SEA/SH training and CoCs are signed prior to commencement of works. And adequate measures will be put in place to mitigate GBV/SEA/SH risks in and around works sites. The World Bank Guidance Note on ***Addressing Sexual Exploitation and Abuse/Sexual Harassment (GBV/SEA/SH) in IPF*** will be referred in the Project documents to prepare a guidance note to be incorporated by the IAs for governing the conduct of all workers to ensure acceptable behavioral requirements with other workers (including training and signing Code of Conduct by all workers) and in relation to nearby communities. This will specify a set of measures to prevent GBV/SEA/SH.

29. **Occupational Health and Safety (OHS):** The project workers are likely to be exposed to hazards that put them at risk of infection with an outbreak pathogen (in this case COVID-19). Hazards include face-to-face interaction with the general public that increase pathogen exposure, long working hours, psychological distress, fatigue, occupational burnout, and physical and psychological stress. The occupational health and safety of those involved in the project is a significant issue as COVID-19 is a highly contagious virus that spreads easily from person to person when in close proximity. In addition, some infected people may not know that they have become infected and may contribute to the spread unknowingly. Risk factors for worker exposure to COVID-19 include job duties that involve close (within 6 feet) contact with other workers, the community, construction workers, patients and healthcare workers etc. Exposure risks can increase for civil workers interacting with individuals with higher risks of contracting COVID-19 and for workers who have exposure to other sources of the virus in the course of their job duties. World Bank Group ***Environmental Health and Safety Guidelines, World Health Organization's COVID-19 Occupational Health and Safety Guidelines, World Bank's COVID-19 Considerations in Construction/Civil Works Projects*** and ***Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings*** will be referred to minimize the OHS hazards and risks.

30. **Risk of COVID-19 Contractions.** COVID-19 specific risks will relate to the activities being carried out by the workers, in the context in which the project will be implemented. The identification of the risks will assist designing appropriate mitigation measures to address those risks, including:

- conducting pre-employment health checks
- controlling entry and exit from site/workplace
- reviewing contract durations, to reduce the frequency of workers entering/exiting the site
- rearranging work tasks or reducing numbers on the worksite to allow social/physical distancing, or rotating workers through a 24-hour schedule
- providing appropriate forms of personal protective equipment (PPE)

31. Further, the project activities are likely to require mobilization of a significant workforce, many of whom will be working in COVID environments. In such circumstances, risks including public interaction, lack of PPE, lack of enforcement of protocols are to be looked in to.

OVERVIEW OF LABOR LEGISLATIONS, POLICIES AND GUIDELINES

The Bangladesh Labor Act, 2006

32. The Bangladesh Labor Act, 2006 along with its amendments in 2013 and 2018 (BLA 2006) illustrates the basic conditions of employment. These Acts make it mandatory for employers to furnish employees with written particulars of employment stating, hours of work, wages, leave entitlements, job description, grievance procedure, and benefits, if any, as follows:

- Contracts of employment
- Leave entitlements, i.e., annual leave, sick leave, maternity leave and compassionate leave
- The protection of wages (prohibition against unlawful deductions)
- Retrenchment procedures
- Fair and unfair reasons for termination of employment
- Grievance mechanism
- Debt-bondage and forced labor and services are strictly prohibited

33. Chapter III of the BLA 2006 in Articles 34 (1) and 34 (2) prohibits employment of children and adolescents. Articles 39, 40, 41-44 of the BLA 2006 provides requirements in relation to employment of project workers particularly children and adolescents.

34. Chapter IV of the BLA 2006 in Articles 45 (1), 45(2) and 45 (3) specifically emphasizes restriction on engagement of women worker in work under certain situation. The employer must ensure protection of women workers in certain condition.

35. Chapter V in Article 54 provides process and requirements on disposal of wastes and effluents. Effective arrangements shall be taken in every establishment for disposal of wastes and effluents due to manufacturing process carried on therein.

36. Chapter VI in Articles 61 to 78A specifically mentions details of the safety and working condition of the assigned workers. The salient aspects that this chapter covers are the following:

- **Safety of building and machinery:** It details with the inspection requirement of these installations and actions to be taken if these are found unsafe for workers.
- **Fencing of machinery, machinery in motion, automatic machines:** Details the fencing and safety requirement to be set around dangerous machinery.
- **Floors, Stairs and Passages:** Sets out the construction and setup requirement for safe access and ease of use.
- **Excessive weights:** Illustrates that no excessive weights to be lifted by any worker.
- **Dangerous fumes and explosive and flammable gas:** Details courses of action in case dangerous and explosive gases and fumes are in work area.
- **Personal protective equipment (PPE):** (i) Makes it mandatory to supply workers with quality PPE including helmet, gloves, boot, etc. This is also very essential given the COVID-19 outbreak. (ii) Every worker shall be made aware of the hazards of work through training in order to ensure the protection and safety of his professional health in the place of work.

37. Chapter VII of the BLA 2006 provides special provision relating to health, hygiene and safety including the following:

- **Dangerous operations:** All potentially dangerous operations to be declared and women and children to be barred from such operations.
- **Notice on accident:** Makes it mandatory to report any accident in workplace.
- **Notice on diseases:** If any worker is infected with any disease listed in the Second Schedule of the Act, it is mandatory to notify and the employer is obligated to treat the worker.
- **Restriction to Employ Women Worker:** Lists specific assignments where women may not be employed.

38. Chapter X of the BLA 2006 provides guidance on *wages and payment as follows:*

- **Responsibility for payment of wages:** Every employer shall be liable to pay to workers employed by him/her all wages required to be paid under this Act:
- Provided that in the case of all other workers, except any worker employed by a contractor, the Chief Executive Officer, the manager or any other person responsible to the employer for the supervision and control of an establishment shall also be liable for such payment:
- Provided further that if the wages of a worker employed by the contractor is not paid by the contractor, the wages of such worker shall be paid by the employer of the establishment, and the same shall be adjusted from the contractor.

39. Chapter XII of the BLA 2006 provides requirements on compensation for injury caused by accidents. It is the liability of the employer to pay compensation in accordance with the provisions of this Chapter, if a worker is bodily injured by an accident arising out of the course of his/her employment.

40. Chapter XXI of the BLA 2006 provides miscellaneous issues and requirements importantly obligations of workers and conduct towards women. Article 331 provides that no worker in an establishment shall:

- (a) willfully misuse or interfere in the use of any system or appliance provided in the establishment for the purpose of securing the health, safety or welfare of the workers therein.
- (b) willfully or without reasonable cause do anything which is likely to endanger himself or any other person.
- (c) willfully neglect to make use of any appliance or system provided in the establishment for the purposes of securing the health or safety of the workers therein.

41. Article 332 provides conduct towards women. Where any woman is employed in any work of any establishment, whatever her rank or status may be, no person of that establishment shall behave with her which may seem to be indecent or unmannerly or which is repugnant to the modesty or honor of that woman.

COVID-19 Considerations

42. Ministry of Health and Family Welfare (MoHFW) and the Directorate General of Health Service (DGHS) have developed a guideline to address COVID-19 pandemic. Most notables are:

- Technical guides on prevention of Social and Institutional spread of COVID-19
- National health sector guidelines for COVID-19 prevention
- COVID-19 Infection prevention guidelines in Health Care Facilities
- COVID-19 ICU Management Guidelines
- Medical Service provision guidelines for COVID-19 severely ill patients
- Use of PPE guidelines under COVID-19 pandemic
- Guidelines on disinfection
- Guidelines on burial of the deceased due to COVID-19
- Medical waste management guidelines for COVID-19
- Guidelines on quarantine and social distancing and isolation

43. The guidelines have been developed with the aid of World Health Organizations (WHO) policy, procedures and guides to address the COVID-19 pandemic. They are available at:

<https://dghs.gov.bd/index.php/bd/publication/guideline>

Other International Guidelines

44. Other guidelines that may be adopted are:

- [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](#)
- [WHO Emergency Response Framework, 2017](#)
- WHO SAGE Values [Framework for the Allocation and Prioritization of COVID-19 Vaccination](#) (Sept 2020)
- WHO SAGE Roadmap for Prioritizing Uses of COVID-19 Vaccines in the Context of Limited Supply (Nov 2020)
- [WHO Target Product Profiles \(TPP\) for COVID-19 Vaccines](#) (2020)
- [EU OSH Framework Directive \(Directive 89/391\)](#)

RESPONSIBLE STAFF AND PROCEDURES

45. Various aspects of the responsibility with respect to worker management will be described in detail in the ESMPs. The summary of responsibility is appended below:

46. **Overall Management:** The PMU has the overall responsibility to oversee all aspects of the implementation of the LMP, in particular to ensure contractor compliance. PMU will address all LMP aspects as part of procurement for works as well as during contractor induction. The contractors are subsequently responsible for management in accordance with contract specific Labor Management

Plan, implementation of which will be supervised by the PMU. The Contractor will be required to develop, adopt and implement a written Labor Management Plan as part of the bidding document and contract before employing any labor in relation to project the work.

47. **Occupational Health and Safety (OHS):** The EA will ensure that the Environmental and Health Safety Guidelines (EHSG) along with the ILO Convention 167: Safety and Health in Construction Convention, 1988 which is adopted certain proposals with regard to safety and health in construction are adopted and followed. Contractors must engage a minimum of one safety representative/ officer. Further instructions are given below in *Policy and Procedures* Chapter.

48. **Labor and Working Conditions:** Contractors will comply with the provision of labor conditions including non-discrimination, wages, safer working conditions etc. PMU will carry out periodic monitoring to ensure that labor working conditions are met as per national legislation. The awarded contractors will keep records in accordance with specifications set out in this LMP. PMU may at any time require records to ensure that labor conditions are met. PMU will review records against actuals at a minimum monthly basis and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the WB.

49. **Worker Grievances:** A Workers Grievance Redress Mechanism (GRM) has been detailed with this LMP. Contractors will be required to abide by the provisions of the Workers GRM. The Environmental and Social Specialist/ Consultant will review records on a monthly basis. PMU will keep abreast of resolutions and reflect in quarterly reports to the World Bank. Given the anticipated number of the project workers the labor GRM will be a separate document apart from the Project level GRM, though personnel in the committees (GRC) on both the GRMs may have overlapping functions. Reporting Channels for the GRMs may also be same.

50. **Waste Management, Communicable Diseases:** Contractor will be fully responsible to ensure that their workers know and are trained on the national laws, safe disposal of wastes and reporting of communicable diseases if they contract any. Continuous motivation, monitoring and reporting on the same is the responsibility of the Contractors. The PMU will have a monitoring team to ensure the same.

51. **Additional Training:** Contractors are required to ensure that the assigned workers are adequately trained and briefed with overall safety arrangement, use of equipment, GRM procedure, working conditions of the project. Training on GBV/SEA/SH and related national laws and preparation and obtaining signed code of conduct are also Contractor's responsibility.

52. **COVID-19 Response Protocols.** The PMU of LGCRRP should confirm that adequate precautions to prevent or minimize an outbreak of COVID-19 have been taken and they have identified what to do in the event of an outbreak and sickness of workers. Suggestions on how to do this are set out below:

- The PMU should request details from the ULGIs and awarded Contractors of the measures being taken to address the risks. The contract should include health and safety requirements, and these can be used as the basis for identification of, and requirements to implement, COVID-19 specific measures. The measures may also be presented as a contingency plan, as an extension of the existing project emergency and preparedness plan or as standalone

procedures. This request should be made in writing (following any relevant procedure set out in the contract between the Borrower and the contractors).

- In making the request, it may be helpful for the PMUs to specify the areas that should be covered. This should include current and relevant guidance provided by national authorities, WHO and other organizations.
- The PMU should require the Contractors to convene regular meetings with the project health and safety specialists/ medical staff (and where appropriate the local health authorities), and to take their advice in designing and implementing the agreed measures.
- Where possible, a person should be identified as a focal point at all the respective ULGIs to deal with COVID-19 response protocols. This can be a work supervisor or a health and safety specialist. This person can be responsible for coordinating preparation of the site and making sure that the measures taken are communicated to the workers, those entering the site and the local community. It is also advisable to designate at least one back-up person, in case the focal point becomes ill; that person should be aware of the arrangements that are in place.
- On sites where there are a number of contractors and therefore (in effect) different work forces, the request should emphasize the importance of coordination and communication between the different parties.
- The PMU may provide support to projects in identifying appropriate mitigation measures, particularly where these will involve interface with local services, in particular health and emergency services. In many cases, the PMUs can play a valuable role in connecting project representatives with local Government Institutions, and helping coordinate a strategic response, which takes into account the availability of resources. To be most effective, projects should consult and coordinate with relevant Government agencies and other projects in the vicinity.
- Workers should be encouraged to use the existing project grievance mechanism to report concerns relating to COVID-19, preparations being made by the project to address COVID-19 related issues, how procedures are being implemented, and concerns about the health of their co-workers and other staff.

POLICIES AND PROCEDURES

Equal Opportunity

53. Decisions relating to the employment or treatment of project workers will not be made on the basis of personal characteristics unrelated to inherent job requirements. The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of

employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.

Occupational, Health and Safety (OHS)

54. The PIUs will ensure that the Contractors are:

- Complying with legislation and other applicable requirements which relate to the OHS hazards.
- Enabling active participation in OHS risks elimination through promotion of appropriate skills, knowledge and attitudes towards hazards.
- Continually improving the OHS management system and performance.
- Communicating this policy statement to all persons working under the control of IA with emphasis on individual OHS responsibilities.
- Availing this policy statement to all interested parties at all IA facilities and sites.

55. The Contractor will have a designated Safety, Health and Environmental Representative for the workplace or a section of the workplace for an agreed period. At a minimum, the Representative must:

- Identify potential hazards;
- In collaboration with the Contractor, investigate the cause of accidents at the workplace;
- Inspect the workplace with a view to ascertaining the safety and health of workers provided that the employer is informed about the purpose of the inspection;
- Accompany an inspector whilst that inspector is carrying out the inspector's duties in the workplace;
- Attend meetings of the safety and health committee to which that safety and health representative is a member;
- Make recommendations to the Contractor in respect of safety and health matters affecting workers, through a safety and health committee; and
- Where there is no safety and health committee, the safety and health representatives shall make recommendations directly to the Contractor in respect of any safety and health matters affecting the workers.

56. Further to avoid work related accidents and injuries, the contractor will:

- Provide OHS training to all workers involved in project works.
- Provide PPEs (protective masks, hard hat, overall and safety shoes, safety goggles), as appropriate.
- Ensure availability of first aid box.
- Provide workers with access to toilets and potable drinking water.
- Ensure provision of voluntary reporting of any COVID-19 or other symptoms and arrange for health emergency services.

57. Further to enforcing the compliance of environmental management, contractors are responsible and liable of safety of site equipment, labors and daily workers attending to the construction site and safety of citizens for each subproject site, as mandatory measures.

GBV/SEA/SH

58. Contractors will need to maintain labor relations with local communities through Codes of Conduct (CoC). The CoC commits all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable standards of behavior. The CoC must include sanctions for non-compliance, including non-compliance with specific policies related to GBV/SEA/SH (e.g., termination and recourse to legal system). The CoC should be written in plain local language and signed by each worker to indicate that they have:

- Received a copy of the CoC as part of their contract;
- Had the CoC explained to them as part of the induction process;
- Acknowledged that adherence to this CoC is a mandatory condition of employment;
- Understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

59. A copy of the CoC shall be displayed in a location easily accessible to the community and project-affected people. It shall be provided in Bangla. Contractors must address the risk of GBV/SEA/SH, through:

- Mandatory training and awareness-raising for the workforce about refraining from unacceptable conduct toward local community members, specifically women. Training may be repeated;
- Informing workers about national laws that make sexual harassment and gender-based violence a punishable offence which is prosecuted;
- Adopting a policy to cooperate with law enforcement agencies in investigating complaints about GBV/SEA/SH;
- Developing a system to capture gender-based violence, sexual exploitation and workplace sexual harassment-related complaints/issues.

60. **COVID-19 Considerations in Civil and Construction Works**. The contractors will ensure adequate precautions are in place to prevent or minimize an outbreak of COVID-19, and provisions when a worker gets sick. Contractors should develop specific procedures or plans so that adequate precautions are in place to prevent or minimize an outbreak of COVID-19, and it is clear what should be done if a worker gets sick. Details of issues to consider are set out in Section 5 of the ***World Bank's Interim Note: COVID-19 Considerations in Construction/Civil Works Projects*** and include:

- Confirming workers are fit for work, to include temperature testing and refusing entry to sick workers
- Considering ways to minimize entry/exit to site or the workplace, and limiting contact between workers and the community/general public
- Training workers on hygiene and other preventative measures, and implementing a communication strategy for regular updates on COVID-19 related issues and the status of affected workers
- Treatment of workers who are or should be self-isolating and/or are displaying symptoms
- Assessing risks to continuity of supplies of medicine, water, fuel, food and PPE, taking into account international, national and local supply chains
- Reduction, storage and disposal of waste

- Adjustments to work practices, to reduce the number of workers and increase social distancing
- Expanding health facilities on-site compared to usual levels, developing relationships with local health care facilities and organize for the treatment of sick workers
- Establishing a procedure to follow if a worker becomes sick (following MoHFW and WHO guidelines)
- Implementing a communication strategy with the IA in relation to COVID-19 issues on the site.

AGE OF EMPLOYMENT

61. In the Bangladesh Labor Act, 2006, Section 34, it is mentioned that no child shall be employed to work in any occupation. Section 44 mentions that anyone under age 14 is considered as child and under 18 but over 14 is considered as adolescent. World Bank ESS strictly prohibits child labor and clearly mentioned that the minimum age of 18 years is required for anyone to get employment in such works. Section 37 of the act suggests a fitness certificate required for adolescents to get employed and they can be appointed to do the light works and less work hours.

62. According to the World Bank standards and guidelines, the minimum age of employment for this project shall be 18 years (given the potential hazardous situation posed by COVID-19) and to ensure ESS compliance, all employees will be required to produce National Identification Cards as proof of their identity and age which is required for employment. If any contractor employs a person under the age of 18 years, measures to address the same will be taken by PMU.

TERMS AND CONDITIONS

63. The terms and conditions of employment for the Project workers are governed by the provisions of Bangladesh Labor Act 2006, Labor Law (Amendment) 2013, Bangladesh Child Labor Elimination Policy 2010.

Conditions of employment and service. It is mandatory for the employers to provide workers with Appointment Letter, Identity Card and a Service Book (**Articles 5 and 6**). A register of workers including details of all workers engaged is also mandatory to be maintained by the employer (**Article 9**). Leave Procedures are illustrated in **Article 10**. Termination of employment is described in **Article 26** for both permanent and temporary workers.

Working hours. Working hours (*maximum 8 hours a day ordinarily, except exceptional cases and 48 hours a week*), rest hour (*1 hour for more than 6 hours of work*), overtime work (*more than 8 hours a day with twice the rate of normal working hour*), working hour for women (*no work between 10 PM to 6 AM without her consent*) and leave entitlement [Chapter IX].

Wages and calculation of wages. **Article 123** describes the time for wage payment (the wages of a worker shall be paid before the expiry of the seventh working day following the last day of the wage period in respect of which the wages is payable). **Article 125** defines the cases where deductions may be made from wages.

Condition of minimum wage rate. Article 148 makes it binding on the contractors (employers) to abide by the minimum wages rate. Contractors will also be required to comply with the most current decision of Wages Board assigned by the government. The Wage Board Order and the Labor Act specify the minimum wages, hours of work, overtime pay, leave entitlements, travelling and subsistence allowances and the issue of protective clothing.

Trade Unions and Industrial Relations. The workers shall, without distinction whatsoever, have the right to form trade union primarily for the purpose of regulating the relations between workers and employers, or between workers and workers and, subject to the constitution of the union concerned, to join trade union of their own choice.

64. Upon receiving the Project contract, the Contractor shall certify in writing that the wages, hour and conditions of work or persons to be employed by him on the contract are not less favorable than those contained in the most current wages regulation issued by the government recommended by the Wages Board Chairman. The Contractor shall maintain worker's register which will be available for inspection during working hours for the Inspector appointed by PIU.

65. In ensuring full compliance with the law in this regard, the Contractor will be required to furnish PIU with copies of the Service Book or copies of contract of all its workforce. Contractors will not be allowed to deploy any employee to work in the project if such copy of employment of that employee has not been handed to PIU. The Contractor also is obliged by the law to allow workers to form trade unions subject to the provision of Labor Act 2006.

66. As a monitoring mechanism, a contractor shall not be entitled to any payment unless he has filed, together with his claim for payment, a certificate: - a) stating whether any wages due to employees are in arrears; b) stating that all employment conditions of the contract are being complied with. It will be a material term of the contract to allow PIU to withhold payment from contractor should the contractor not fulfill their payment obligation to their workers.

67. **COVID-19 considerations.** The Bangladesh Labor Act (BLA) 2006 has several implications due to COVID-19 considerations.

Stoppage of Work. According to the provisions of BLA, an employer is entitled to stop the work of any particular section or the whole establishment due to any "epidemic". Since the World Health Organization (WHO) has already declared COVID-19 as "pandemic", it can easily be termed as an epidemic to satisfy the provisions of BLA, 2006. The condition is that such stoppage cannot extend beyond three working days. During the period of stoppage of work, if it lasts for more than a day, the workers will be entitled to their respective wages. However, casual workers' will not be entitled to such wages. However, this provision of "stoppage of work" may not be applicable in this situation as the COVID-19 crisis is continuing and is expected to linger much longer. As such, the mechanism of "stoppage of work" is not a suitable one for employers for this current crisis.

Forced Leave. A mechanism now being used around the world is to force employees to use earned annual leave days. The obvious benefit from an employer perspective is that workers going on leave during a lockdown or low-demand period will mean more workers will be

available when the situation returns to normalcy later. However, the BLA does not provide any mechanism to force workers to go on leave, whether paid or unpaid. So even if an employer intends to use this mechanism, it must be upon mutual and informal negotiation with workers.

Lay Offs. As per the BLA, lay-off means failure, refusal or inability of an employer to employ workers due to shortage of coal, power or raw materials or accumulation of stock or the breakdown or malfunction of machinery. As general holidays are continuing and transportation services are very limited to emergency supplies, it is probable that shortage of raw materials might occur, and employers may have to lay-off its employees to reduce its business loss. The first period of lay-off can extend up to 45 days. The lay-off period may then be extended for periods of 15 days. During the first 45 day lay-off period, workers laid off are entitled to half of their basic wages and dearness allowance and ad-hoc or interim wages.

Retrenchment. In case the crisis of COVID-19 and the resulting economic downturn and global fall in demand persists, many employers are considering retrenchment of workers. Retrenchment means terminating workers on the ground of redundancy. In case of retrenchment, if a worker is employed for at least a year, the following steps are required to be followed:

One month's notice in writing indicating the reason of retrenchment or wages in lieu of such notice.

One copy of the notice is to be sent to the chief inspector and another copy to the CBA representative, if any.

68. If the retrenchment is on the expiry of a lay-off period, no notice is necessary but the employer must pay additional 15 days wages or gratuity, whichever is higher. The retrenched workers will be entitled to compensation of thirty days wages for their every completed year of service or gratuity, whichever is higher.

69. However, given BLA's implication due to COVID-19 considerations above, no specific legislation has been enacted in response to the health and safety issues posed by COVID-19 that departs from the terms and conditions agreed for the project.

WORKERS' ORGANIZATION

70. The Bangladesh Labor Act, 2006 (Section 176) and the WB ESS2 ratifies the Rights of Workers, guarantees all workers of their rights to freely form, join or not join a trade union for the promotion and protection of the economic interest of that worker; and collective bargaining and representation and in the Bangladesh Labor Act, 2006, a worker's welfare society holds the right to negotiate the terms and conditions of employment and other related matters and any worker has the right to join the welfare society. Section-119 of this Act suggest collective bargaining agent to negotiate representing the welfare society of workers.

71. Paragraph 16 of ESS2 noticeably indicates that in countries where national law recognizes workers' rights to form and to join workers' organizations of their choosing and to bargain collectively

without interference, the project will be implemented in accordance with national law. In such circumstances, the role of legally established workers' organizations and legitimate workers' representatives will be respected, and they will be provided with information needed for meaningful negotiation in a timely manner. Where national law restricts workers' organizations, the project will not restrict project workers from developing alternative mechanisms to express their grievances and protect their rights regarding working conditions and terms of employment. The Borrower should not seek to influence or control these alternative mechanisms. The Borrower will not discriminate or retaliate against project workers who participate, or seek to participate, in such workers' organizations and collective bargaining or alternative mechanisms.

GRIEVANCE REDRESS MECHANISM (GRM)

72. Workers' grievance redress mechanisms (GRM) under the project will support all project workers; direct, contracted, community and if applicable primary supply workers.

73. **Direct Workers:** The Project Director, LGCRRP will be responsible for providing guidance and advice on all worker related grievances and their management, in line with the Bangladesh Rules and Regulations related to labor and provisions of this LMP.

74. **Contracted Workers:** The contractor of respective construction packages will be obligated to set up a Workers GRM, specially to redress complaints relating to workers deployed for construction works under LGCRRP. The Workers GRM will have due representation of respective PIUs and RMSUs, Contractor Workers, and women (either from PIUs/contractor/workers) and function under PIUs. The mandate for GRM, Institutional arrangements, procedure for receiving complaints, time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be finalized during the approval of C-ESMP by PIU with assistance from the PMU. LGED will have an oversight of this GRM. The GRM will be set up at mobilization of the contractor. The contractor will also be responsible for tracking and resolving workers' grievances and maintain records about grievances/complaints received, minutes of discussions, recommendations and resolutions made thereof and intimation of resolution of grievance to the complainant.

75. In COVID context, the nature of complaints will be particularly time-sensitive and sensitive in terms of confidentiality. Hence, Contractor should consider streamlined procedures to address specific worker grievances, which would allow workers to quickly report labor issues, such as a lack of PPE, lack of proper procedures or unreasonable overtime, and allow the workers to freely report, respond and take necessary action.

76. **Community Workers:** The PMU will be responsible for providing guidance and advice on all community worker related grievances, especially on OHS, Child and Forced Labor issues.

77. The Communications and Citizen Engagement Specialist at the PMU, LGED will provide implementation and capacity building support to all PIUs on managing workers related grievances. The Specialist will also include workers' grievance status in the progress reports. The Workers GRM will be well circulated and written in a language understood by all category of workers engaged in the project activities. All workers related grievances will be received through established communication channels and registered with the Workers GRM at the PIUs. Workers will also be able to submit their grievances through the regional and divisional labor offices of the Department of Labor, whose addresses and

contact telephone numbers will be prominently displayed by contractors for the visibility of all workers at all worksites.

78. The Workers GRM will include:

- A channel to receive grievances such as comment/complaint form, suggestion boxes, email, a telephone hotline that might also be anonymous;
- Stipulated timeframes to respond to grievances;
- A register to record and track the timely resolution of grievances;
- A responsible section/wing/committee to receive, record and track resolution of grievances.

79. The Workers GRM will be described in workers' induction trainings, which will be provided to all category of project workers. The mechanism will be based on the following principles:

- The process will be transparent and allow all category of project 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 through notice boards, the presence of "suggestion/complaint boxes", and other means as needed.
- The Project workers' grievance mechanism will not prevent workers to use conciliation procedure provided in the BLA 2006 or recourse to legal means.

80. The Project Operation Manual (POM) will outline workers GRM including institutional set up and representation, timing and procedure for receiving complaints, mechanism of handling complaints, maximum time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof. The PIUs will monitor the Contractors' recording and resolution of grievances, and report these in their monthly progress reports to share with the PMU. The process will be monitored by the Grievance Redress Officer (GRO) of LGED or the Communications and Citizen Engagement Consultant at the PMU. The report on workers GRM will be disseminated to the workers on a regular basis and shared with the World Bank periodically.

81. **Management of Gender and GBV Related Complaints.** Gender based discrimination is to be strictly prohibited and monitored by PMU of LGED on the Project. The PMU will, with support from ES specialists/consultants, identify issues of GBV/SEA/SH associated with the investments by the ULGIs. In case the PIUs, PMU and the contractor are not equipped to handle complaints or provide relevant services to survivors of GBV/SEA/SH, they will refer them to GBV service providers (could be local NGOs having such program and services) who will in turn use health facilities, law enforcement's

gender unit or others, and other services for management of the issue. Grievances related to GBV/SEA/SH should also be channeled through the GBV service provider, if employed, else keeping the complainants' confidentiality. Reference to World Bank Guidance Note on **Addressing GBV/SEA/SH in IPF** will be made to prepare a guidance note to be incorporated by the IA for governing the conduct of all workers to ensure acceptable behavioral requirements with other workers (including training and signing Code of Conduct by all workers) and in relation to nearby communities. This will specify a set of measures to prevent GBV/SEA/SH in the project.

82. **COVID-19 Considerations in GRM.** In addition to the above provisions of GRM, specific COVID-19 provisions will also be developed where the nature of complaints may be particularly time-sensitive and sensitive in terms of confidentiality. The provisions will include addressing the:

- Lack of Personal Protective Equipment (PPE) of the right quality and enough quantity
- Absence of Protocols and non-adherence of the same
- Unreasonable overtime causing fatigue
- Forced to work under unhygienic and potentially contaminated situations without proper remedial measures

ENGAGEMENT AND MANAGEMENT OF CONTRACTORS AND SUB-CONTRACTORS

Contractors Requirements

83. Any Contractor selected for the Project must be a legitimate and reliable entity and must have their own labor management procedure and practice materially consistent with the requirement of ESS2. The requirement of ESS2 will be incorporated in the bidding documents and contractual agreement and will also include non-compliance remedies. Any subcontractors engaged will also have similar requirements in their agreement including non-compliance remedies.

84. The project requires that contractors monitor, keep records and report on terms and conditions related to labor management. The contractor must provide all category of project workers with evidence of all payments made, including social security benefits, pension contributions or other entitlements regardless of the worker being engaged on a fixed term contract, full-time, part-time or temporarily. The application of this requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to LGED and the World Bank. An outline of the contractors' labor management plan to be included in the Contractors ESMP is attached at Annex-1.

85. The contractual agreement will also require inclusion of measures required of Contractors in light of the COVID-19 situation. They will include:

86. Provision of adequate measures for the workers working under COVID-19 situation including free PPEs and sanitization. Provision of workers needing to report COVID-19 symptoms and referral to health facilities and not forcing them to work.

- Provision of medical insurance covering treatment for COVID-19, sick pay for workers who either contract the virus or are required to self-isolate due to close contact with infected workers and payment in the event of death
- Requirement of safe working condition and the conduct of the work (e.g. creating at least 6 feet between workers by staging/staggering work, limiting the number of workers present)
- Procedures and measures dealing with specific risks. For example, for health care contractors: infection prevention and control (IPC) strategies, health workers exposure risk assessment and management, developing an emergency response plan, per [WHO Guidelines](#).

87. Appointing a COVID-19 focal point with responsibility for monitoring and reporting on COVID-19 issues and liaising with other relevant parties.

Project Workers

88. The contractors and sub-contractors, who will be primarily engaging the contract workers at field level and possibly community workers, will be overseen and managed by the PIUs- under the overall guidance of PMU at LGED through the divisional level Regional Municipal Support Units (RMSUs). At the field level, every contractor will be mandated by contract to deploy at least one EHS officer (Environment, Health and Safety) per construction package to oversee workers' supervisors managing workers on daily basis. The sub-contractor workers will be supervised by their own supervisors and report to EHS Officers of the main contractor. Table 2 provides details about engagement and management of project workers.

Table 2: Engagement and Management of Project Workers under LGCRRP

Category of Project Workers	Project Workers by Role	Responsible Staff of Executing and Implementing Agencies	Location
Direct Workers	All LGED Staff drafted for the LGCRRP at PMU All LGED Staff drafted for LGCRRP at RMSUs All ULGIs Staff drafted for LGCRRP at PIUs	Project Director reporting to LGED and the World Bank Regional Coordinator at RMSU reporting to PMU, LGED Mayor, ULGI reporting to LGED	PMU, LGCRRP at LGED, HQ RMSU at the Division for LGCRRP PIU, ULGIs
Contracted Workers	Subject matter specialists and experts supporting PMU and RMSUs	Project Director reporting to LGED Regional Coordinator at RMSU reporting to PMU, LGED	PMU, LGCRRP at LGED RMSU at the Division for LGCRRP
	Subject matter specialists and experts supporting PIUs	Mayor, ULGI reporting to PMU, LGED	PIU, ULGIs
	All managerial and professionally qualified staff deployed by contractors	PIU in Charge reporting to PMU, LGED	Contractor

	All workers deployed by contractors	PIU in Charge reporting to PMU, LGED	Contractor
	All workers of specialized agencies engaged by contractors	PIU in Charge reporting to PMU, LGED	Contractor
Primary Supply Workers	Skilled and unskilled laborers for material production, handling and loading operations at sales stackyards	PIU in Charge reporting to PMU, LGED	Contractor
Community Workers	All community workers directly engaged by PIUs on public works and part of the LIPWs.	PIU in Charge reporting to PMU, LGED/Contractor	PIU, ULGIs

Community Workers

89. The project will support labor intensive public works (LIPWs) as a safety net to mitigate the loss of employment and income by the local poor and disadvantaged communities because of the COVID-19 pandemic. The terms and conditions on which community labor will be engaged, including amount and method of payment (if applicable) and times of work will be outlined in the POM. The community workers will have the right to raise grievances in relation to their engagement in LIPWs under the project. The risks of child labor and forced labor will be managed undertaking appropriate steps at the ULGI level supervised under the LGED PMU.

All OHS related aspects of contracted workers will be applicable to this category of workers. In addition, the PIUs and the PMU will document the agreement that is used to reached out to community workers. The documents at ULGIs and LGED level are to include:

- The way in which such agreement was reached on identifying and engaging community workers (e.g. women self-help groups (SHGs)/women cooperatives/community meetings, etc.),
- Activities/responsibilities that have been agreed between PIU/Contractor and community workers,
- Terms and conditions on which community labor will be engaged, including amount and method of payment,
- Specify the way in which community workers can raise grievances in relation to the project i.e. how the community workers are represented,
- Roles and responsibilities for monitoring community workers.

In the context of COVID-19 pandemic, community workers will be provided targeted humanitarian and health assistance or facilitated in such access of COVID-19 related government schemes and benefits, either by PIUs or Contractors under the overall guidance of and support from the PMU, LGED.

Primary Supply Workers

90. The project involves civil works for which construction materials (brick, cement, sand, iron bars, etc.) may be sourced from primary suppliers. Suppliers of electrical and sanitary equipment, IT and communication equipment are not known to involve significant risks of child labor and forced labor.

91. In case of construction material suppliers, Contractors shall be required to carry out due diligence procedure to identify if there are significant risks that the suppliers are exploiting child or forced labor or exposing worker to serious safety issues. In instances where foreign suppliers are likely to be contracted, the Contractor will be required to inquire during the procurement process whether the supplier has been accused or sanctioned for any of these issues and also their corporate requirements related to child labor, forced labor, and safety. If there are any risks related to child and forced labor, and safety identified, the Contractor will notify PMU and will address these risks and may avoid such suppliers, where possible.

ANNEXURE 1: Outline of Contractor's LMP as Part of their ESMPs

Workforce Management	• Profile of workforce – work activities, schedule, contract duration, workforce rotation plan, workers place of stay, workers with underlying health issues • Measures to mitigate risks on account of COVID 19 • Contingency plan covering – pre-health check-up, access restrictions, hygiene, waste management, accommodation arrangements, PPE provision and usage • Reporting and handling of Instances of COVID 19 cases, training and communication with workers, training and SOPs on communicating and contact with community
Occupation Health & Safety and Emergency Management	• List of work locations, hazards/risks with PPE requirement and numbers • Lists of tasks and work zone critical for hazard prevention • Location of warning signage for hazard prevention • Requirement of first aid boxes and fire extinguishers – task and location wise • Key person(s) to be contacted during emergency • Protocol for deciding the level of emergency – need for hospitalization, information to authorities, etc. • Process of accident analysis, corrective and preventive measures and need for reporting
Addressing GBV/SEA/SH Risks	• Preventive measures – provision of lighting, separate toilet areas for men and women, increased vigil and security arrangement for community sensitive GBV/SEA/SH hotspots, if identified by dam authorities. • Sensitizing and awareness of labor on GBV/SEA/SH issues including penalties and legal action against offenders • Awareness about GRM
Workers Code of Conduct	• Preparation of Code of Conduct • Making labor aware of conduct with all the provisions, do's and don'ts, penalties for non-compliances, etc. • Displaying CoC at prominent locations • Signing of CoC by workers
Awareness and Training	• Plan for training and awareness covering pollution prevention, OHS, use of PPEs, accident reporting and emergency management, CoC, GBV/SEA/SH, GRM, etc. • Training schedule • Training records
Workers Grievance Mechanism	• Details of GRM including contacts • Process of receiving, redressing, escalation, reporting back

	• Consolidated statement on Grievances (segregated by non-COVID related & COVID related) • Contacts of nearest labor offices of the Department of Labor in the Ministry of Labor and Employment.
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