

**FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**  
**MINISTRY OF WATER AND ENERGY**  
**Ethiopia Disaster Risk Management Commission**  
**(EDRMC)**

**LABOR MANAGEMENT PROCEDURE (LMP)**

**ETHIOPIA - INTEGRATED DISASTER RISK MANAGEMENT**  
**PROJECT (ET-IDRMP) (P176327)**

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## Acronyms

CERC	Contingent Emergency Response Component
CoC	Code of Conduct
DRF	Disaster Risk Financing
DRM	Disaster Risk Management
EDRMC	Ethiopian Disaster Risk Management Commission
EHSG	Environment, Health and Safety Guidelines
EMI	Ethiopian Meteorological Institute
EP&R	Emergency Preparedness and Response
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environment Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
GBV	Gender Based Violence
GM	Grievance Management
GIIP	Good International Industry Practice
GoE	Government of Ethiopia
GRS	Grievance Redress Service
HSE	Health, Safety and Environmental
HSEP	Health, Safety and Environmental Plan
IDRMP	Integrated Disaster Risk Management Project
IFRM	Integrated Flood Risk Management
ILO	International Labor Organization
LMP	Labor Management Procedures
MoLSA	Ministry of Labor and Social Affairs
MoLS	Ministry of Labor and Skills
MoWE	Ministry of Water and Energy
M&E	Monitoring and Evaluation
OHS	Occupational Health and Safety
PAD	Project Appraisal Document
PCU	Project Coordination Unit
PDO	Project Development Objective
PMU	Project Management Unit
PPE	Personal Protective Equipment
SEA	Sexual Exploitation and Abuse
SEP	Stakeholders Engagement Plan
SH	Sexual Harassment
SNNPR	South Nations and Nationalities Peoples Region
STI	Sexually Transmitted Infection
ULG	Urban Local Government
WB	World Bank
WBG	World Bank Group
WGM	Worker Grievance Mechanism
WHO	World Health Organization

# 1 Project Background

The proposed Project aims to support the Government of Ethiopia in its efforts to reduce poverty through quality growth and build longer-term disaster and climate resilience by strengthening the institutional and technical foundation to operationalize and mainstream disaster risk management as well as to plan and implement flood risk reduction and management activities. The activities include leveraging physical investments in flood risk reduction and early warning, strengthening institutional disaster risk management (DRM) capacities at the federal and regional level, and enhancing financial preparedness and disaster risk financing.

As stated in Project Appraisal Document (PAD), the Project Development Objective (PDO) is to support the Government of Ethiopia to strengthen its institutional capacity for DRM and to reduce the impact of floods. The proposed Project is therefore expected to fill the critical gaps related to overall DRM and flood risk management in particular, which has so far received limited attention despite floods having long been recognized as one of the major disasters in the country affecting the lives and livelihoods of the poor and vulnerable for many years. The Integrated Disaster Risk Management Project (IDRMP) is proposed to be implemented in the Awash River Basin, Rift Valley Lakes Basin and Omo Gibe River Basin. IRDMP is proposed to be implemented in the Awash River Basin, Rift Valley Lakes Basin and Omo Gibe River Basin. In these priority basins, IDRMP is estimated to benefit at least 638,000 people (out of which 301,000 are female) in the target *woredas* for flood risk reduction investments.

## 1.1 Project Components

IDRMP has four major components:

### **Component 1: Strengthening Institutional and Coordination Capacity for DRM**

This component aims to strengthen institutional and coordination capacity among federal level agencies (including various sectors) and between federal and decentralized levels of the Government for improved DRM. The Component intends to strengthen the functions of the new Ethiopian Disaster Risk Management Commission (EDRMC) as the federal-level coordinator to enable integration of DRM in various sectors and lower-levels of the Government. For this purpose, five areas have been identified and agreed upon with the GoE. These are: (a) strengthening federal and regional DRM coordination; (b) support mainstreaming of DRM in key sectors; (c) Emergency Preparedness and Response (EP&R) investments; (d) strengthening Disaster Risk Financing (DRF); and (e) raising disaster risk awareness.

## **Component 2: Accelerating Flood Risk Management**

This component focuses on physical investments to reduce flood risks and technical assistance and capacity development to facilitate integrated flood risk management. The component will also implement strategic studies for future physical investments and provide technical assistance for operationalization and sustainability of physical investments. As a programmatic approach for long term flood resilience, the concept of Integrated Flood Risk Management (IFRM) will be introduced throughout interventions and guide the activities of Component 2. Further, a risk-based approach will be considered across the flood risk management cycle while close coordination and collaboration across sub-components will ensure complementarity, maximize the impacts of the investment and progress towards the project development objective.

### **Sub-component 2.1: Basin-level flood risk reduction investments**

This sub-component will focus on basin-level physical flood risk reduction investments. A framework approach will be applied to identify and prioritize the sub-projects for physical flood risk reduction investments, both spatially and by range of technical, economic, financial, and socio-economic criteria during implementation. Investments are expected to include channel widening and river training and the construction of embankments, dykes, levees, retention ponds/lakes, and other hydraulic structures. Where possible, multi-use infrastructure will be developed to enhance co-benefits with relevant sectors, for example water storage/harvesting structures to attenuate flood flows and subsequently store water for dry season use (integrated drought and flood risk management).

### **Sub-component 2.2: Hydromet services and impact-based early warning systems**

This sub-component will support: (a) improvements in the quality of select hydromet services; and (b) the development and operationalization of impact-based flood early warning systems for prioritized locations within the three priority basins. Based on the needs of users and the status of existing systems, this sub-component will address the entire hydromet value chain in the most effective manner. Activities will address monitoring and data management, modelling and forecasting, the generation and dissemination of warnings, the response to warnings, and the creation and tailoring of services. A key component will be to ensure that services are delivered to decision makers and community-level users.

### **Sub-component 2.3: Community-level flood preparedness and awareness raising**

Participatory and action-oriented capacity building and awareness raising activities on flood preparedness for select high flood risk areas in the three priority river basins will be conducted,

building on existing capacity and institutional arrangements at the community level (e.g. *Woreda* Risk Profiling). This will include activities such as participatory design of physical investments for flood risk reduction, local flood hazard/exposure mapping recognizing risk profile before/after physical investments, institutionalizing flood early warning dissemination at the community level, evacuation planning, training, exercise, and drills, etc. Special attention will be paid to promote the participation of women, socially vulnerable groups, people with disabilities, elderly, etc. in these activities. Taking into account the mandates and existing modus operandi of such community-level DRM activities, the EDRMC will be responsible of overall DRM and contingency planning coordination with *Woreda* administrations and among relevant sectors, while the Ministry of Water and Energy (MoWE) and Ethiopian Meteorological Institute (EMI) will be responsible of construction and management of flood risk reduction infrastructures and providing relevant technical inputs related to flood forecasting and early warnings, etc. in these activities.

#### **Sub-component 2.4: Strategic studies for future investments and capacity building for urban flood risk management**

This sub-component will focus on strategic studies for future investments for flood risk reduction in the Strategic Study Basins and selected urban areas. Also, technical assistance and capacity building for urban flood risk management will be conducted.

For basin-level physical investments in Strategic Study Basins, namely the Abbay, Baro-Akobo, Wabi-Shebele and Genale-Dawa basins, basin-wide study for identification and prioritization of physical investment for flood risk reduction (basin flood risk management plan), then feasibility study for selected physical investment will be conducted, based on the flood risk management investment framework to be formulated during preparation of the project. In addition, detailed design studies may be implemented for Wabi-Shebele and Genale-Dawa basins.

For urban flood risk management, diagnostic of urban flood risk status and management at the country level will be conducted. The diagnostic will likely include: status of urban flood risk in the country; analysis on root causes/drivers of urban flood and their dynamics (e.g., urban expansion, population growth, land use change, status of drainage infrastructure, impacts of fluvial and pluvial flooding, climate change, sedimentation and solid waste issues); assessment of legal, regulatory and institutional framework for urban flood risk management including coordination between Urban Local Governments (ULGs)/cities and other government entities. Then, recommendations on general urban flood risk management interventions in Ethiopia will be provided. Also, study on flood risk of major cities will be conducted to select target cities for city level interventions described below. Engagement of related regions during implementation of the national level diagnostic will be encouraged.

### **Component 3: Contingent Emergency Response**

Following an eligible crisis or emergency, the Recipient may request the Bank to re-allocate project funds to support emergency response and reconstruction. This component would draw from the uncommitted credit/grant resources under the project from other project components to cover emergency response. For the Contingent Emergency Response Component (CERC) to be activated, and financing to be provided, the Government will need: (a) to submit a request letter for CERC activation and the evidence required to determine eligibility of the emergency, as defined in the CERC; (b) an Emergency Action Plan, including the emergency expenditures to be financed; and (c) to meet the environmental and social requirements as agreed in the Environmental and Social Commitment Plan and CERC.

### **Component 4: Project Management and Implementation Support**

This component will support strengthening the institutional capacities for Project management and implementation support as well as operating costs incurred by implementing agencies on technical, environmental and social, fiduciary, gender, citizen engagement, monitoring and evaluation aspects of Project activities. The component will also finance technical and Project audits, all through the provision of technical advisory services, training, operating costs and acquisition of goods.

## **2 Rationale of the Labor Management Procedures**

For successful implementation of the proposed project, the use of government and private sector human resources is anticipated at all levels from Federal to Region, and local level. The Government of Ethiopia recognizes that comprehensive management of the human resources is important in augmenting the positive outcomes of the project. The Labor Management Procedures (LMP) identifies the labor requirements and risks associated with the project. It is expected that the LMP and the procurement documents will inform each other and key aspects of the LMP will be incorporated as contractual obligations of private sector, contractors and subcontractors. This Labor Management Procedures (LMP) is developed by MoWE under the proposed IDRMP. The main objectives of Environmental and Social Standard 2 (ESS2) are the following:

- (a) Promote safety and health at work;
- (b) Promote the fair treatment, non-discrimination and equal opportunity of project workers;
- (c) Protect project workers, including vulnerable workers such as women, persons with disabilities, youth (of working age, in accordance with Ethiopian legal provisions and WB's ESF-ESS2) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- (d) Prevent the use of all forms of forced labor and child labor;
- (e) Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with Federal law; and
- (f) Provide project workers with accessible means to raise workplace concerns.

This LMP is a living document and will be reviewed and updated throughout development and implementation of the project.

## **3 Overview of Labor Use in IDRMP**

IDRMP will be implemented in accordance with the Ethiopian Labor Proclamation No. 1156/2019<sup>1</sup> and the World Bank's ESS2. IDRMP project implementing agencies are responsible to ensure compliance by their employees as well as potential contracted institutions. Labor and working conditions in the project are relevant to direct workers (including government civil servants seconded from their home agencies to work in relation to the project) employed or engaged by the project implementing agencies, contracted workers and primary supply workers. IDRMP project will not anticipate mobilization of community workers as defined in ESS2 - people engaged and employed in providing community labor.

This LMP will also include potential labor risks anticipated in the project; terms and conditions that will be applicable for workers, as per the Government of Ethiopia Labor Proclamation; GoE's

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<sup>1</sup> Federal Negarit Gazette of the Federal Democratic Republic of Ethiopia, Labor Proclamation No.1156/2019, 5<sup>th</sup> September 2019.



legal frameworks on OHS; responsibility of staff management and Workers Grievance Mechanism.

As per ESS2, Labor Management Procedure should be developed and implemented for project related workers. Thus, this LMP identifies the potential project workers, the risks and impacts in relation to issues of labor and working conditions. The procedures identified in this LMP apply to the direct, contracted and primary supply workers. The project components activities will involve workers which includes both male and female.

### **3.1 Project Workers**

According to ESS2, project workers can be defined into the following four areas:

- (1) Direct workers: people employed or engaged directly by the Borrower (including project proponent and project implementing agencies) to work specifically in relation to the project.
- (2) Contracted workers: people employed or engaged through third parties to perform work related to core functions of the project regardless of the location
- (3) Primary supply workers: people employed or engaged by the borrower's primary suppliers.
- (4) Community labor: people engaged and employed in providing community labor.

#### **Direct Workers:**

For IDRMP, the direct workers are likely to include two program coordinators at the Project Management Unit PMU (MoWE) and Project Coordination Unit PCU (EDRMC). In addition, 8 specialists at the PMU (MoWE) and PCU (EDRMC) (2 programming specialists, 2 M&E knowledge management specialists, 2 ESM specialists, 2 financial management specialists), and 4 water resource specialists (1 at each basin, and 1 at MoWE). The project will also establish a standalone procurement and contract management section with 1 procurement expert. It is also expected that there will be focal persons at each relevant ministry/agency/ and regional government (4 at regions, and 1 each at MoWE and EDRMC). At the PMU level, there will be one SEA/SH consultant. At each basin office, the project will employ a safeguard specialist and a gender focal person, for a total of 6 employees. At the PMU level, an environmental safeguard specialist, a social safeguard specialist, and a gender focal person will be employed for a total of 3 employees. At the PCU, an environmental focal person, a social focal person, and a gender focal person will be assigned for a total of 3 employees. Finally, focal persons for the prevention of SEA gender will be employed both at the PMU and PCU (2 employees). The total number of direct workers is estimated to be 36.

#### **Contracted Workers:**

Contracted workers would be hired for design, supervision, and construction of physical investments. Given the construction sites are distributed over three basins, several separate contracts are likely to be awarded. Each contractor might need the engagement of subcontractors. The subcontractors' workforce will also be considered as contracted workers. At this time, it is difficult to estimate the number of contracted workers that will be engaged in the IDRMP. Data for this and other types of workers will be amended in the upcoming updates of this LMP. It is anticipated that there will be an influx of workers to the project sites. This includes skilled, semi-skilled, and unskilled workers, including daily laborers.

### **Community Workers:**

IDRMP will not anticipate mobilization of community workers as defined in ESS2 - people engaged and employed in providing community labor.

### **Primary Supply Workers:**

A "primary supply worker" is a worker employed or engaged by a primary supplier, providing goods and materials to the project, over whom a primary supplier exercises control for the work, working conditions, and treatment of the person. It is expected that sub-project activities will entail the engagement of primary supply workers who are employed, for instance, by suppliers of construction materials such as aggregates, gravel, or others.

## **3.2 Number and Timing of Labor Requirements**

The exact number of project workers which will be engaged in relation to the IDRMP is currently not established. The number will be incorporated as the LMP is updated when contractors prepare a Contractor Environmental and Social Management Plan.

Regarding timing, direct works will be employed on contractual basis for five years. Regarding contracted workers, the timing of labor requirements will go hand in hand with the project progress. Hence, the initial labor requirement will be based on the expertise needed for the design phase. Once this is completed, the services of supervising consultants and contractors will be procured. Hence, highly skilled works, as well as medium and low skilled workers will be employed by the supervising consultants and contractors throughout the five years of the project. Primary supplier will be contracted as per the needs of the project.

## **4 Assessment of Key Potential Labor Risks**

The IDRMP has four major components, with some of the activities in each component posing varying degree of labor risks, and for which this LMP was prepared.

The potential key labor risks for this sub-component would include (a) inadequate payment, (b) likely incidents of child labor or forced labor, (c) risks of Gender-Based Violence (GBV), (d) extended working hours without pay, (e) workplace accidents/injuries/inappropriate use of personal protective equipment (PPE), (f) working at heights, such as working with ladders, scaffolding, and partially built or demolished structures (g) community health and safety issues, including communicable diseases, (STIs, COVID-19), which may arise from the interaction of project workers with local communities and between project workers; (h) inadequate awareness and implementation of occupational health and safety requirements, and (i) discriminatory labor recruitment.

To mitigate the risk of inadequate payment and unpaid extended working hours, contractors shall be required to follow Ethiopian labor working hour and other rights of workers. As there is no minimum wage yet in Ethiopia, the contractor will be advised to use the rate used by a similar employer in the area as a reference. Overtime work shall not exceed the hours specified in the relevant laws and shall be compensated.

In accordance to ESS2, due to the hazardous nature of project work, and in accordance with the Ethiopian Labor Proclamation 1156/2019, Article 89, sub article 3 which defines that young workers should not be involved in any work that endangers their lives or health, the project will not recruit any labor of under 18 years of age. To manage the risk that child and/ or young worker (as relevant) under deployment/ engagement in relation to works, the project will carry out important steps like documentation and verification of age to prevent employment or engagement of child labor. Hence, obtaining written confirmation from the applicant of their age; and where there is any reasonable doubt as to the age of the applicant, requesting and reviewing available documents to verify age (such as a birth certificate, national identification card, medical or school record, or other document or community verification demonstrating age, when available) will be undertaken prior to the employment or engagement of a project worker and kept on file.

Discrimination is the other potential risk under the proposed IDRMP and its subcomponents. These include potential inappropriate treatment or harassment of project workers related, for example, to gender, age, disability, ethnicity, or religion; potential exclusion or preferences with respect to recruitment, hiring, termination of employment, working conditions, or terms of employment made on the basis of personal characteristics unrelated to inherent work requirements; in training and development provision. In the proposed project, all forms of discrimination are unacceptable as per the Ethiopian Labor Law and ESS2 and it supports equal opportunities for women and men, with emphasis on equal criteria for selection, remuneration, and promotion, and equal application of those criteria. Measures to prevent harassment of project workers, including sexual harassment, in the workplace will be addressed with the prepared GBV Action Plan. Project staff will sign Codes of Conduct (CoC) that can be mentioned in routine project protocol briefings and include session on SEA/SH awareness training, in the training and capacity building interventions. Moreover, focus will be given to communicating the CoC to all workers in the project to raise their awareness on GBV.

The project has four components. While all components may entail some movement of labor, the flood risk reduction investment infrastructure is expected to lead to a moderate temporary influx of labor. Hence, the project needs specific requirements to manage risks associated with labor influx, related to interaction between project workers and local communities. In such a way, Gender-Based Violence Action Plan (GBV), will be managed through contractual requirements, code of conduct and training programs. These procedures are guided by the ESS2 and Ethiopia Labor Law. Regarding worker accommodation, in project sites where labor influx is moderate and the pre-existing housing stock is adequate, workers shall be housed in existing houses. Where labor influx is significant, the relevant contractor is expected to provide reasonable accommodation that is healthy, safe, and meets the needs of workers.

A Labor influx and Gender Based Violence (GBV) risk assessment of the project was undertaken. An initial screening of the labor influx profile of the project was deemed to be substantial and based on different other factors, the project has been assessed to have a moderate risk of GBV/SEA/SH.

An Environmental and Social Management Framework (ESMF) that includes measures to mitigate GBV risks, including the need for capacity enhancement of implementing agencies and codes of conduct for contractors and other implementers prepared. The ESMF has further indicated that Contractor/s will be required to implement measures to manage GBV risks at project level

Concerning community health and safety, contractors will actively collaborate and consult with communities in promoting the understanding, and methods for, the implementation of community health and safety, including HIV/AIDS and other communicable diseases prevention and informing communities about the requirements of workers' Codes of Conduct. Contractors will also provide project workers with training on respectful relations with communities, including on health and safety practices. While, the civil works to be financed are limited in scale and scope, to ensure the health and safety of communities during the construction and operation phases of the project, the project will develop and implement a Health, Safety and Environmental (HSE) Plan in line with World Bank Group Environment, Health and Safety Guidelines (EHS) for construction activities.

Occupational Health and Safety (OHS) related risks might be expected during construction activities of the IDRMP components; thus, will be mitigated with the use of personal protective equipment (PPEs) and rigorous and regular occupational health and safety (OHS) trainings and awareness raising activities, including training on the appropriate use of PPE at work sites. Recommendation included in the ESF/safeguards interim note on COVID-19 Considerations in Construction/Civil Works Projects document as well as key WHO recommendations shall be implemented to mitigate the risk of COVID-19. The guideline requires contractors to

- to provide health and safety training for Contractor's Personnel (which include project workers and all personnel that the Contractor uses on site, including staff and other employees of the Contractor and Subcontractors and any other personnel assisting the Contractor in carrying out project activities)
- to put in place workplace processes for Contractor's Personnel to report work situations that are not safe or healthy
- gives Contractor's Personnel the right to report work situations which they believe are not safe or healthy, and to remove themselves from a work situation which they have a reasonable justification to believe presents an imminent and serious danger to their life or health (with no reprisal for reporting or removing themselves)
- requires measures to be in place to avoid or minimize the spread of diseases including measures to avoid or minimize the transmission of communicable diseases that may be associated with the influx of temporary or permanent contract-related labor
- to provide an easily accessible grievance mechanism to raise workplace concerns

In addition to these general guides, the contractor shall identify measures to address the COVID-19 situation that are appropriate to the project context. These could include controlling entry/exit to the worksite, enhancing general hygiene, proper cleaning, and waste disposal, consider changes to work processes and timings to reduce or minimize contact between workers, provide adequate medical services, practice WHO guidelines on infection prevention and control.

Another potential risk for workers involves security issues for workers. Since a good number of the IDRMP subproject activities will be implemented in remote sites in the selected river basins, some of these areas could be in conflict-affected regions experiencing medium to high insecurity. The most frequent and widely prevalent resource-based conflicts are those among pastoral and agro-pastoral communities in Afar, Somali, Oromia and SNNPR. To ensure the safety of workers, contractors should put in place conflict monitoring system that helps with early detection of conflicts. Contractors should also provide trainings, as part of OHS, on recognizing and avoiding security risks, work with local security offices, and hold dialogues with local leaders and community members. Moreover, the PMU will ensure that contractors provide training for project workers on emergency prevention, preparedness and response to emergency situations.

Where security personnel are used by contractors in the course implementing project activities, the safety and security of project workers and community members could be at risk. To mitigate this, the contractor should develop and implement measures such as preparing a code of conduct for security personnel, establishing clear and accessible disciplinary process, and grievance process; regular training, and engagement with communities about the project's impacts on community safety and security.

There will be Workers' Grievance Redress Mechanism for labor issues, drawing from national law and procedures. Worker accommodation and influx will need to be managed in line with ESS2 and ESS4. To ensure health and safety of workers during the construction and operational phases of the project, the Health, Safety and Environmental (HSE) plan in line with Good International

Industry Practice (GIIP) shall be prepared and tailored to each ESMP of the subprojects. Finally, contractors shall prepare and sign a Contractor's Code of Conduct and have works sing a similar code of conduct to mitigate labor risks (see Annex I and II).

## 5 Overview of Ethiopian Labor Legislation

The following terms and conditions apply for workers as per the Government of Ethiopia Labor Laws (in addition to the provisions of ESS2):

- Labor Proclamation No. 377/2003
- Federal Civil Servants Proclamation 1064/2017
- Labor Proclamation No.1156/2019<sup>2</sup>
- Proclamation No. 632/2009, Employment Exchange Service Proclamation
- Proclamation No. 568/2008, Right to Employment of Persons with Disability

In case of variations between the national legislations, regulations and the World Bank Environment and Social Standards, the more stringent provision will prevail.

The government officials at the federal, zone, woreda and *kebele* levels as well as the project officers who are employed and deployed to this project constitute the direct workers. The terms and conditions of civil servants are guided by the national civil service regulations and other labor and employment legislation. The project officers are guided by terms and conditions of their contractual agreements.

The Government of Ethiopia Labor Proclamation No. 1156/2019 is enacted with a view to securing durable industrial peace, sustainable productivity and competitiveness that will contribute to the overall development of the country. The Proclamation has introduced new rules that govern sexual harassment and violence at the work place, recognize social dialogue as a dispute settlement mechanism, and opened a path to the possible introduction of minimum wage rules. It has also modified some of the existing provisions which were unclear, and therefore, prone to various interpretations. GoE has reformulated the existing labor law (Proclamation 377/2003) with a view to attaining the below stated objectives and in accordance with and in conformity with the international conventions and other legal commitments to which Ethiopia is a party.

The major objectives of the proclamation include the following:

- To ensure that worker-employer relations are governed by the basic principles of rights and obligations;
- To lay down a working system that guarantees the rights of workers and employers to freely establish their respective associations and to engage, through their duly authorized

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<sup>2</sup> A new Labor Proclamation 1156/2019 has been issued in September 2019 by the House of People's Representatives of Ethiopia replacing Proclamation no 377/2003, which was in force for the previous 16 years.

representatives, in social dialogue and collective bargaining, as well as to draw up procedures for the expeditious settlement of labor disputes, which arise between them;

- To create favorable environment for investment and achievement of national economic goals without scarifying fundamental workplace rights by laying down well considered labor administration; and determine the duties and responsibilities of governmental organs entrusted with the power to monitor labor conditions; occupational health and safety; and environmental protection together with bilateral and tripartite social dialogue mechanisms; political, economic and social policies of the Country.

### **International Conventions**

Further, Ethiopia is a signatory to the international UN conventions and has ratified the major international human rights instruments. Ethiopia has also ratified the following ILO conventions:

- Forced Labor Convention No. 29/1930;
- Freedom of Association and Protection of the Right to Organize Convention, No. 87/1948;
- Employment Service Convention, No. 88/1948;
- Right to Organize and Collective Bargaining Convention, No. 98/1949;
- Abolition of Forced Labor Convention, No.105/1957;
- Minimum Age Convention No. 138/1973;
- Occupational Safety and Health Convention, No. 156/1981;
- Termination of Employment Convention, No. 158/1982;
- The Rights of the Child Convention, 1989; and
- The Worst Forms of Child Labor Convention No. 182/1999.

#### **5.1 Minimum Age for Employment and Prohibition of Child and Forced Labor**

A worker who has attained a minimum age of 15 years is capable of being employed under the new labor law of Ethiopia; while the minimum age for Hazardous Work is set as 18 years. Moreover, the definition of young workers<sup>3</sup> has been amended to include workers between 15 and 18 years of age. It is prohibited to assign young workers on work, which on account of its nature

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<sup>3</sup> "Young worker" means a natural person who has attained the age of 15 but is not over the age of 18 years, Proclamation 1156/2019, article 89, sub-article 1.



or due to the condition in which it is carried out endangers their lives or health. The Ministry of Labor and Social Affairs may prescribe the list of activities prohibited for young workers which shall include in particular:

- Work in the transport of passengers and goods by road, railway, air and internal water ways, dock sides and warehouses involving heavy weightlifting, pulling or pushing or any other related type of labor;
- Underground work such as mines and quarries; and
- Work in sewers and tunnel excavation.

The above stated prohibition shall not apply to work performed by young workers in fulfillment of course requirements in vocational schools that are approved and inspected by the Competent Authority.

Forced Labor is prohibited under the Constitution of Ethiopia and is a punishable offence under the Criminal Code<sup>4</sup>. If a person compels another by intimidation, violence, fraud or any other unlawful means to accept a particular employment or particular conditions of employment is punishable, upon complaint, with simple imprisonment at least three (3) months, or fine.

The anti-trafficking legislation<sup>5</sup> also prohibits trafficking in persons for the purpose of exploitation at the pretext of domestic or overseas employment. The definition for exploitation includes labor exploitation, forced labor or servitude. It is punishable offence with rigorous imprisonment ranging from 15 to 25 years and with fine from 150,000 to 300,000 Eth. Birr.

## **5.2 Provisions Related to Women**

The new proclamation recognizes further benefits addressing the special needs of women including provisions related to maternity leave, sexual harassment and violence. A provision acknowledging affirmative action to women is also included. Accordingly, women candidates who score equal points with men will have right to priority in competitions for employment, promotion and related opportunities.

The new labor Proclamation of Ethiopia, 1156/2019, article 87 and 88 states provisions on the working conditions of women.

- Women shall not be discriminated against in all respects on the basis of their sex. Without prejudice to the generality of this provision, priority shall be given to women if they get equal result with men when competing for employment, promotion or any other benefit.
- It is prohibited to assign women on works that may be listed by the Ministry of Labor and Social Affairs to be particularly dangerous to women or hazardous to their health.

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<sup>4</sup> Criminal Code Proclamation No. 414/2004

<sup>5</sup> Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation No. 909/2015.

- No pregnant woman shall be assigned to night work between 10 p.m. and 6 a.m. or be assigned on overtime work.
- She shall be transferred to another place of work if her job is hazardous to her health or to the fetus as ascertained by a physician.

### **5.3 Maternity Leave**

A pregnant woman is granted a total of 120 days of maternity leave; 30 consecutive days of prenatal and 90 consecutive days of post-natal leave. It also granted leave for medical examination connected with her pregnancy, as confirmed with medical certificate. In addition, in case where a woman encounters miscarriage of pregnancy and it is confirmed by a medical certificate, the provisions for reduction of wage upon sickness will not apply. Despite the reduction of wage applicable on a worker who has been sick for more than a month, a woman who encounters miscarriage will be entitled to 6 months sick leave with payment of 100% of her salary.

### **5.4 Sexual Harassment and Violence**

The new law obviates the need for interpretation of sexual harassment and sexual violence by providing definitions. It also provides prohibitions and punishments specific to the acts. The commission of either or both of the two acts at workplaces either by the employee or employer may be used as grounds of termination of an employment contract without notice by the employer or the employee respectively. Additionally, an employee who resigns on the ground of sexual harassment or violence is entitled to severance pay as well as a compensation amounting to 90 times the daily rate of the last week of service of the employee. As per the definition of the new proclamation:

- *Sexual Harassment* means to persuade or convince another through utterances, signs or any other manner, to submit for sexual favor without his/her consent.
- *Sexual Violence* means sexual harassment accompanied by force or an attempt thereof.

### **5.5 Wages**

In accordance with the Labor Proclamation, wages mean the regular payment to which the worker is entitled in return for the performance of the work that he/she performs under a contract of employment. Wages are independent of overtime premium, allowances, bonus, commissions, service charges received from the customers and other incentives paid for additional work. Wages are only paid for the work done by the worker except in case interruption on employer's behalf which makes it impossible to work (i.e. interruption in supply of tools and raw materials).

The Labor Proclamation requires the employers to pay wages in cash on a working day at the workplace unless otherwise agreed. In case, date of payment (where already decided) falls on a weekly rest day or public holiday, the wages are paid on the preceding working day. Wages are paid directly to the worker or to the person authorized by the worker. Wages may be paid in kind but may not exceed the market value in the area of the payment in kind and in no case may exceed 30% of the wages paid in cash.

An employer is under the obligation to pay the worker wages and other emoluments in accordance with this law or the collective agreement. Wages are to be paid at such intervals as required under the national law, collective agreement or employment contract.

As per Proc. No. 1156/ 2019, a Regulation of the Council of Ministers shall determine the powers and responsibilities of a Wage Board which shall comprise representatives of the Government, employees and trade unions together with other stakeholders that will periodically revise minimum wages based on studies which take into account the country's economic development, labor market and other considerations.

Generally, employer is not allowed to make deductions from wages except where it is provided by the law or collective agreement or work rules or in accordance with a court order or a written agreement with the worker. The amount of deduction must not exceed one-third of the monthly wages of the worker.

It is obligatory for an employer to keep a record of payment in a register specifying the gross pay and method of calculation of wages; other variable remunerations; the amount and type of deduction; and the net pay, unless there is a special arrangement on which the signature of the worker is affixed. This register must be easily accessible to all the workers and the entries are explained to the worker on request.

Workers who are paid monthly shall incur no reduction, in his wages on account of having not worked on public holiday. A worker shall be paid his hourly wages multiplied by two for each hour of work on a public holiday.

## **5.6 Rest**

Workers are entitled to a weekly rest period consisting of not less than twenty-four non-interrupted hours in the course of each period of seven days. The weekly rest period shall be calculated as to include the period from 6 a.m. to the next 6 a.m. Where the nature of the work or the service performed by the employee is such that the weekly rest cannot fall on a Sunday another day maybe made a weekly rest day as a substitute.

## **5.7 Leave (Annual, Sick and Paternity Leave)**

According to Labor Proclamation, a worker is entitled to uninterrupted *annual leave* with pay which shall in no case be less than:

- a) sixteen (16) working days for the first one year of service;
- b) sixteen (16) working days plus one (1) working day for every additional two years of service.

The wage a worker receives during his annual leave shall be equal to what he would have received if he had continued to work. A worker whose contract of employment is terminated under this Proclamation is entitled to his pay for the leave he has not taken. Where the length of service of a worker does not qualify for an annual leave provided for in this Article, the worker shall be entitled

to an annual leave proportionate to the length of his service. A worker shall be granted his first period of leave after one year of service and his next and subsequent period of leave in the course of each calendar year. The new labor law of Ethiopia also grants a male worker a *paternity leave* for 3 working days with pay.

The Labor Proclamation provides for the paid *sick leave* for up to 6 months on completion of probation period if sickness is certified by a qualified doctor. A worker is entitled to sick leave if he/she is incapable of working due to sickness other than resulting from occupational injury. A worker must inform the employer about his/her absence due to sickness and provide a medical certificate issued by a medical organization recognized by the Government. The employer will provide paid sick leave as follows:

- a) 100% of wages during the first month of sick leave;
- b) 50% of wages during the second & third months of sick leave; and
- c) unpaid leave from four to sixth months.

## **5.8 Hours of Work**

***Arrangement of Weekly Hours of Work:*** Hours of work shall spread equally over the working days of a week, provided, however, where the nature of the work so requires, hours of work in any one of the working days may be shortened and the difference be distributed over the remaining days of the week without extending the daily limits of eight hours by more than two hours.

***Averaging of Normal Hours of Work:*** Where the circumstances in which the work has to be carried out are such that normal hours of work cannot be distributed evenly over the individual week, normal hours of work may be calculated as an average over a period longer than one week, provided, however that the average number of hours over a period shall not exceed eight hours per day or forty-eight hours per week

The labor law defined that *normal hours of work for young workers* shall not exceed seven hours a day and it also prohibited to employ young workers on night work between 10 pm and 6am and overtime work, weekly rest day or on public holidays.

## **6 Overview of Ethiopian Labor Legislation: Occupational Safety and Health**

Ethiopia has legal frameworks on OHS. The Constitution (1995) under Article 42/2 stated the Rights of Labor as “workers right for healthy and safe work environment” Proclamation No. 4/1995. There are also different legal frameworks on OHS which include: the National Occupational Health Policy and Strategy, Occupational Health and Safety Directive (2008), Occupational Health and Safety Policy and Procedures Manual, and On Work Occupational Health

and Safety Control Manual for Inspectors (2017/18) which will apply to the IDRMP. OHS promotion is also included as priorities in the National Health Policy Statement (1993). Ministry of Labor and Social Affairs (MOLSA), currently Ministry of Labor and Skills (MoLS), and its regional counterparts are responsible for OHS at Federal and Regional levels. MOLSA has OHS & Working Environment Department responsible for OHS responsibilities. Each administrative region has an OHS department within the Labor and Social Affairs Bureau with the responsibilities of inspection service.

Further, proclamation 1156/2019 defines the occupational safety and health, and working environment focusing on (i) preventive measures, (ii) occupational injuries, (iii) defining degree of disablement, (iv) benefits to employment injuries, (v) medical services. The provisions are outlined on Labor Proclamation 1156/2019 Part Seven, from Article 92-112. The proclamation defines the various preventive measures that need to be taken by employers and workers as follows:

### **Obligations of Employer**

An employer shall take the necessary measure to safeguard adequately the health and safety of the workers; it shall in particular:

- Comply with the occupational health and safety requirements provided for in this Proclamation;
- Take appropriate steps to ensure that workers are properly instructed and notified concerning the hazards of their respective occupations; and assign safety officer; and establish an occupational health and safety committee;
- Provide workers with protective equipment, clothing and other materials and instruct them of their use;
- Register employment accidents and occupational diseases and report same to the labor inspection service;
- Arrange, according to the nature of the work, at his own expense for the medical examination of newly employed workers and for those workers engaged in hazardous work, as may be necessary with the exception of HIV/AIDS unless and otherwise the country has obligation of international treaty to do so;
- Ensure that the workplace and premises of the undertaking do not pose threats to the health and safety of workers;
- Take appropriate precautions to ensure that all the processes of work in the undertaking shall not be a source or cause of physical, chemical, biological, ergonomic and psychological hazards to the health and safety of the workers.

- Implement the instructions given by the Competent Authority in accordance with this Proclamation.

### **Obligations of Worker**

As obligations any worker shall:

- Co-operate in the formulation of work rules to safeguard the workers' health and safety, and implement same;
- Inform forthwith to the employer any defect related to the appliances used and incidents of injury to health and safety of workers that he is aware of in the undertaking;
- Report to the employer any situation which he may have reason to believe could present a hazard and which he cannot prevent on his own, and any incident of injury to health which arises in the course of or in connection with work;
- Make proper use of all safety devices and other appliances furnished for the protection of his health and safety or for the protection of the health and safety of others;
- Observe all health and safety instructions issued by the employer or by the Competent Authority.

It is prohibited that no worker shall:

- Interfere with, remove, displace, damage or destroy any safety devices or other appliances furnished for his protection or the protection of others; or
- Obstruct any method or process adopted with a view to minimizing occupational hazard.

The Labor proclamation gives the power for Regional Bureaus to determine standards and measures for the safety and health of workers and follow up their implementation. It is also indicated that regional bureaus must collect, compile and disseminate information on safety and health of workers.

It is unlawful for an employer to: (a) impede the worker in any manner in the exercise of his rights or take any measure against him because he exercises his right; (b) discriminate against female workers, in matters of remuneration, on the ground of their sex; (c) terminate a contract of employment contrary to the provisions of the Labor Proclamation No. 1156/2019; (d) coerce any worker by force or in any other manner to join or not to join or to cease to be a member of a trade union or to vote for or against any given candidate in elections for trade union offices; (e) require any worker to execute any work which is hazardous to his life; (f) discriminate between workers on the basis of nationality, sex, religion, political outlook or any other conditions.

Therefore, during project activities implementation, the following activities need to be performed: (i) identification of OHS risks at the project design stage; (ii) provision of PPEs and health, safety and security arrangements; (iii) arrangement of temporary residence and clean drinking water; and make available food at affordable cost for workers in areas where there are no hotel/restaurants around the project sites; (iv) training at regular intervals to workers to enhance their skills.

### **6.1 Benefits in the Case of Employment Injuries**

Where a worker sustains employment injury, the employer shall cover the following expenses, among others, include:

- 1) General and specialized medical and surgical care;
- 2) Hospital and pharmaceutical care;
- 3) Any necessary prosthetic or orthopedic appliances

A worker who has sustained employment injury shall be entitled to:

- a) Periodical payment while he is temporarily disabled;
- b) Disablement pension or gratuity or compensation where he sustains permanent disablement;
- c) Survivors' pension or compensation to his dependent when he dies.

## **7 World Bank Standard on Labor and Working Conditions**

ESS2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote 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.

The objectives of ESS2 are:

- To promote safety and health at work.
- To promote the fair treatment, nondiscrimination and equal opportunity of project workers.
- To 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.
- 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 concerns

Respective requirements under ESS2 refer to:

- Working conditions and management of worker relationships including (a) terms and conditions of employment, (b) non-discrimination and equal opportunity, and (c) workers organization
- Protecting the work force encompasses the prohibition of forced and child labor
- Grievance Mechanism outlines the requirements of a GRM accessible to workers
- Occupational Health and Safety

The WB ESS2 states that the minimum age of employment is 14 years while the newly revised Ethiopian Labor Proclamation has extended the minimum year of employment to 15 years. However, both WB and Ethiopian law prohibits engagement of children under 18 years of age in works having hazardous nature. The other gap between the WB and Ethiopian law is the fact that the national law does not clearly indicate that it prohibits the employer to retaliate against a worker or reporting a dangerous work situation or removing himself/herself from a dangerous work situation. ESS2 of the World Bank ESF provides that project workers will not be retaliated against or otherwise subject to reprisal or negative action for reporting a dangerous work situation or removing himself/herself from a dangerous work situation. The PMU will ensure that all project workers, including those engaged by contractors, will have the right to report and remove themselves from dangerous work situations without being subject to reprisal or negative action.<sup>6</sup> This and other provisions of the LMP will be part of the awareness raising and training sessions of the project.

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<sup>6</sup> ESS2, paragraphs 26 and 27.



## **WBG General Environmental, Health, and Safety Guidelines (EHSB)**

Part 2 (Occupational Health and Safety) of the WBG EHSB provides guidance and examples of precautions to implement in managing risks to the occupational health and safety. The EHSB provides details on facilities design and operations; communications and training; physical, chemical, biological, and radiological hazards; PPE, and monitoring.

In addition to the General EHSB, the WBG's Construction Materials Extraction Guideline is applicable for the project.

### **Project Standards**

In case of deviations between Ethiopia's labor regulations and the World Bank's ESF, the project will follow the more stringent standard. The project shall ensure that appropriate mechanisms for prevention and mitigation are being implemented, such as to ensure that workers are properly instructed and notified concerning the hazards of their respective occupations and the precautions necessary to avoid accident and injury to health. Organizational measures include assigning a safety officer and establishing an occupational, safety and health committee. Additional costs, such as the provision of PPE will be carried by the contractors. In addition, there shall be established steps to respond to and report of any accidents, emergencies or incident which may occur in relation to implementation of activities. Similarly, workers are expected to cooperate and comply to the procedures, measures, and steps.

## **8 Labor Management Procedures Implementation Responsible Organization and Staff**

This section defines the roles and responsibilities of project implementing entities in (i) engagement and management of project workers; (ii) engagement and management of contractors/subcontractors; (iii) occupational health and safety (OHS); (iv) training of workers; and (v) addressing workers grievances.

The responsible body for workers management varies depending on the type of work and the location. The direct workers will be managed by the MoWE, EDRMC, EMI and the other project implementation agencies as per the Federal Civil Servants proclamation 1064/2017 at the National and regional/basin office level. The MoWE, EDRMC, EMI and other project implementing agencies at different levels will provide the required workers training and occupation health and safety equipment and address worker grievances for direct workers. Whereas, the contracted workforce contract terms and conditions would be determined by the laws specified in section five above.

The MoWE PMU and EDRMC PCU will be constituted by direct workers who either will be civil servants engaged in the project or those that will be contracted for the duration of the project. The PMU and PCU are expected to have project coordinator, procurement specialist, financial

management specialist, environmental safeguard specialist, social safeguard specialist, and monitoring and evaluation specialist. Hence, both MoWE PMU and EDRMC PCU will be responsible for LMP implementation activities. The specific roles are presented below:

<b>Activity</b>	<b>Responsible staff</b>
Engagement and management of project workers	Social Safeguard Specialist, Safeguard Environmental Specialist, Financial Management Specialist, Project Coordinator at PMU and PCU, Basin Offices, EMI, Contractors, other implementing agencies
Engagement and management of contractors/subcontractors	Procurement Specialist, Project Coordinator at PMU and PCU, Basin Offices, EMI
Engagement and management of primary suppliers	Procurement Specialist, Financial Management Specialist, Project Coordinator, Environmental and Social Safeguards Staff at PMU, Basin Offices, Contractors
Occupational health and safety (OHS) for direct workers	Social Safeguard Specialist, Environment Safeguard Specialist, Project Coordinator at PMU and PCU
Occupational health and safety (OHS) for contracted workers and primary suppliers	Social Safeguard Specialist, Environment Safeguard Specialist, Project Coordinator at PMU and PCU, Basin Offices, EMI, Contractors, Primary Suppliers, other implementing agencies
Training of workers	Social Safeguard Specialist, Environment Safeguard Specialist, Project Coordinator at PMU and PCU, Contractors
Addressing workers grievances	Social Safeguard Specialist at PMU and PCU
Monitoring and evaluation of LMP	M&E Specialists at PMU and PCU

## **9 Policies and Procedures**

The project is committed to the policies and procedures outlined below to avoid and mitigate the potential labor and OHS related risks.

### **Workers Recruitment and Employment Management**

- Recruitment process should be transparent, open, and non-discriminatory with respect to gender, disability, ethnicity, or religion.
- Clear job descriptions will be provided in advance of recruitment and the education, experience, and skills requirements will be explained in detail.

- All workers will have written contracts describing the terms and conditions of their employment. The contents of their contracts will be explained to them during the onboarding process. Both the employer and employee will sign the contract.
- Employment contract will be prepared in a language understandable to both the employer and the worker. Also, in addition to the written documentation, an oral explanation of the employment contract will be provided to workers who may have difficulty understanding the documentation.

### **Forced Labor**

- Forced labor will not be permitted on the project. Forced labor is strictly prohibited by the Ethiopian Constitution and the World Bank ESS2.
- Other related prohibited practices include (i) excessive limitations on freedom of movement, (ii) imposition of recruitment or employment fees payable at the commencement of employment, (iii) loss or delay of wages that impede the workers' right to end employment within their legal rights, (iv) substantial or inappropriate fines and physical punishment, (v) use of security or other personnel to force or extract work from project workers, or (vi) other restrictions that compel a project worker to work in a non-voluntary basis.

### **Discrimination and Exclusion of Vulnerable/Disadvantaged Groups**

- A fair terms and conditions guided by the Ethiopian Labor Proclamation shall be maintained for all project workers.
- Decisions related to the employment or treatment of project workers will be made in accordance with the requirements of the job. The recruitment of project workers will be based on the principle of equal opportunities and fair treatment, and there will be no discrimination in recruitment and hiring, remuneration (including wages and benefits), working and employment conditions, access to training, assignment of a position, promotion, termination or retirement, or disciplinary practices.
- The project will comply with the Labor Proclamation on gender equality in the work place, which includes provision of maternity leave and sufficient/suitable toilet and washing facilities, separate for men and women workers.

### **Labor Disputes over Terms and Conditions of Employment**

- To avoid labor disputes, fair terms and conditions will be applied for all project workers.
- The project will respect the workers' right of labor unions and freedom of association, as set out in the Labor Proclamation.
- The project will maintain a grievance mechanism for all project workers to promptly address their workplace grievances.

### **Occupational Health and Safety**

- The project will comply with the national legislation on occupational health and safety. Also, the project will implement the World Bank General EHS Guidelines. In case of gaps between the national legislation and the General EHS Guidelines, the stringent recommendations will be considered.
- All sub-projects will undergo environmental and social screening and based on its outcome will prepare environmental and social instruments to manage risks and impacts including occupation health and safety risks/impacts.
- The project through its implementing agencies and contractors will communicate the OHS policy statements and procedures to all project workers.
- The project will provide OHS trainings and enable workers' attendance of such trainings.
- OHS will be maintained at all project work stations or offices including the office housekeeping, furniture and equipment, lighting, security, sanitation, and emergency equipment.
- OHS will be maintained during all studies including strategic plans development, feasibility studies, designs preparation, and technical assistance. OHS measures will be implemented during office and field work for these studies.
- OHS will be maintained at all construction sub-projects to avoid and/or mitigate risks such as collapse of excavation sides; persons falling into excavations; plant and materials falling into excavations; work at height; falling materials or debris; struck by moving objects; risk of fire; risk of electrocution; prolonged exposure to heat; slips, trips, and falls; manual handling; cementitious materials contamination; inhalation of dust; eye injuries due to flying debris; eye irritation due to volatile organic carbons; cuts and abrasions; etc.
- The project, through its contractors, will ensure that wastes are properly collected, stored, transferred, and disposed. Specific measures will be implemented for hazardous waste management at all construction sites.
- The project, through its contractors, will provide safety equipment and facilities such as barriers, safety tape, safety signs, scaffolds, ladders, and welfare facilities at construction sites.
- The project, directly or through its contractors, will provide Personal Protective Equipment (PPE) to project workers. PPE includes high visibility vests, hard hat, safety boots, safety glasses, ear plugs, face mask, respirators, safety harness, overall, etc.
- First aid kits, trauma kits, and fire extinguishers will be provided at all work areas, camp sites, storage areas, garages, and offices.
- Emergency preparedness and management plan will be prepared and it will be distributed and communicated to project workers.
- Document all occupational accidents and incidents and report severe and serious incidents to the World Bank through the PMU with 48 hours after the occurrence of such major accidents and provide full detail report within three weeks. Conduct root cause analysis to inform corrective actions required.

### **Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH)**

- All project implementing agencies, contractors, and project workers are required to adhere to and implement measures to avoid and mitigate SEA/SH.

- All project workers are required to sign a Code of Conduct (CoC) that set out acceptable standards of behavior. The CoC must indicate the possibility of sanctions for non-compliance, including non-compliance with specific policies relating to SEA/SH. Sample CoC is provided under Annex II. The CoC should be signed by each project 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 onboarding 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.
  
- All implementing agencies and contractors will be further required to act against SEA/SH, through:
  - Mandatory training and awareness raising for project workers about refraining from unacceptable conduct toward local community members, specifically women and children. Trainings may be provided more than once depending on the need.
  - Informing project workers about national laws and institutional policies that make sexual harassment and gender-based violence a punishable offence.
  - Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence;
  
- Maintain a separate grievance mechanism to capture and refer SEA/SH related complaints/issues and report SEA/SH complaints to the World Bank through the PMU with 24 hours upon receipt.
- Provide safe and suitable toilets and washing facilities, separate for men and women workers at both office spaces and construction sites.

## **COVID-19**

All implementing agencies and contractors will provide working environments that minimizes spread of COVID-19 among project workers and stakeholders. The following measures will be considered:

- Ensure social distancing at the workplaces or work areas.
- Provide accessible sanitation areas with water, soap, and sanitizers at entrance to offices, work areas and other venues.
- Provide all project workers with appropriate hand sanitizers and face masks and require mandatory wearing of face masks in offices, work areas and other work locations.
- Encourage and facilitate vaccination of project workers.
- Ensure that all workers have adequate and updated information on COVID-19.
- Provide adequate support to workers who get exposed to the virus at work place.

## **Monitoring and Reporting**

The PMU at MoWE and PCU at EDRMC will regularly monitor compliance of project workers, contractors, and primary suppliers to the above policies and procedures. The PMU will provide periodic report on the status of ensuring compliance to the above policies and procedures.

## **Dissemination and Awareness**

This LMP will be shared with all project workers. The policies and procedures will be further disseminated to project workers through trainings.

## **10 Age of Employment**

The Labor Proclamation (1156/2019) defines that young worker means a natural person who has attained the age of 15 but is below the age of 18 years. It is prohibited to employ a person less than 15 years of age. A young worker can be assigned if the nature and condition of the work will not endanger their lives and health. ESS2 specifies 14 years to be the minimum working age and any person under the minimum age shall not be employed or engaged in projects. Persons between 14 and 18 years maybe employed if the work is not hazardous, interfere with the child's education, or be harmful to the child's health or physical, mental, spiritual, moral or social development.

Considering that most project activities involve construction work which involve OHS hazards, persons under the age of 18 will NOT be allowed to participate in the project. Therefore, all project workers will undergo a verification process to determine their age. Workers will be requested to deliver the following documents to verify their age;

- Identification card issued by government bodies
- Birth certificate
- Driver's license.

In the absence of one of the above documents, the project will apply and document an age verification process. The age verification process will consist of alternative methods including copies of academic certificates, testimony/affidavits from officials of the schools attended, a medical examination, statements from family members and locality/village officials/local authorities. In addition, all documents will be cross-referenced and will be subjected to a verification process to ensure the validity of the documents. In instances where the documents are thought to be falsified the project will conduct the same process to ensure their authenticity. In all the processes, care will be provided to ensure that the applicant or employee's data are protected and their right to privacy is guaranteed. All copies of the IDs and documents pertaining to the

applicant's age and other supporting materials will be kept in files with the human resources personnel.

If a child under the age of 18 is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, taking into account the best interests of the child.

In addition, awareness raising activities will be conducted regularly with the communities in the sub-project implementation areas to sensitize them on prohibition and negative impact of child and forced labor.

## 11 Terms and Conditions

Project workers employment or engagement in the project will be guided by the Labor Proclamation. Also, requirements set in ESS2 will be complied. Project workers will be provided with clear and understandable information and documentation on the terms and conditions of their employment or engagement in the project. Hence, the terms of condition include the name and legal domicile of the employer; the worker's name; the worker's job title; the date employment began; where the employment is not permanent, the anticipated duration of the contract; the place of work or, where the work is mobile, the main location; benefit packages; hours of work, rest breaks, leave entitlements and other related matters; rules relating to overtime and overtime compensation; the pension and other welfare arrangements applicable to the worker; the length of notice that the worker can expect to give and receive on termination of employment; the disciplinary procedures that are applicable to the worker, including details of representation available to the worker and any appeals mechanism; and details of grievance procedures, including the person to whom grievances should be addressed.

The table below provides the main terms and conditions of project workers employment or engagement in the project.

<b>Category</b>	<b>Basic Terms and Conditions</b>
Minimum Wage	Ethiopian law does not prescribe minimum wages through statute. Usually, wages are fixed by the employer, through collective agreements, or through negotiations between the employer and employees. Minimum wages used in projects of similar nature and employers in the project areas will be considered for the IDRMP.
Time of Wage Payment	Wages will be paid at such intervals as a provided for by law or collective agreement or work rule or contract of employment.

<b>Category</b>	<b>Basic Terms and Conditions</b>
Pension	Pension deduction from project workers' wages will be according to the Private Organization Employees' Pension Proclamation No. 715/2011 (and Amendment Proclamation No. 908/2015. Pension contribution payable to the pension fund is based on the monthly wages of workers which is 11% of the salary will be employer's contribution while 7% of the salary is worker's contribution.
Hours of Work	Normal hours of work will not exceed 8 hours a day or 48 hours a week.
Overtime Work	Work done in excess of the normal daily hours of work will be considered as overtime. Project workers may not be compelled to work overtime; however, overtime may be worked whenever the employer cannot be expected to resort to other measures. Overtime work will be compensated in addition to the normal wage.
Weekly Rest	Project workers are entitled to a weekly rest period covering not less than twenty-four non-interrupted hours in the course of each period of seven days. Unless otherwise determined by a collective agreement, the weekly rest day shall fall on Sundays and will be granted simultaneously to all workers.
Public Holidays	Project workers will observe public holidays identified under the law. Project workers will be paid for the public holidays.
Annual Leave	Project workers are entitled to uninterrupted paid annual leave of sixteen (16) working days for the first year of service and additional one working day for every additional two years' of service. Project workers whose contract of employment are terminated will be entitled to payment for the leave he/she has not taken.
Special Leaves	Project workers are entitled for leave with pay for three working days for marriage, for bereavement of close relative, and as a paternity leave for male workers. Project workers are also entitled to other special leaves as stated in the Labor Proclamation.
Sick Leave	Project workers, rendered incapable of working due to sickness other than employment injury, will be entitled to a sick leave up on presenting a valid medical certificate issued by a recognized medical facility.
Maternity Leave	A pregnant worker will be granted a period of 30 consecutive days of leave with pay of pre-natal leave and a period of 90 consecutive days of leave post- natal.
Deductions from Remuneration	No deduction will be made off the wages of project workers except where it is provided otherwise by law (such as income tax) or collective agreement or work rules or in accordance with a court order or a written agreement of the workers concerned.



<b>Category</b>	<b>Basic Terms and Conditions</b>
Medical Treatment of Injured and Sick Workers	Implementing agencies, contractors, and primary suppliers are liable, irrespective of fault, for occupational accidents/injuries and occupational diseases sustained by project workers. Project workers are entitled to a full medical service for occupational injuries and diseases.
Termination of Employment	<p>A contract of employment may only be terminated where there are grounds attributed to the worker's conduct or with objective circumstances arising from his/her ability to do his/her work or the operational requirements of the project. The period of notice given by the employer will be (i) One month, in the case of a worker who has completed his probation and has a period of service not exceeding one year, and (ii) Two months, in the case of a worker who has a period of service above one year and not exceeding nine years. On the other hand, any worker who has completed his probation period may, by giving thirty days prior notice to the employer, terminate his contract of employment.</p> <p>Where a contract of employment is terminated, wages and other payments connected with the termination due to the worker shall be paid within seven working days from the date of termination. Project worker who has completed his probation period when his/her employment contract is terminated will have the right to receive severance pay from the employer.</p>
Disciplinary Procedures	Disciplinary measures applicable to project workers (including dismissal) will be according to terms and conditions stated in the Labor Proclamation.
Collective Relations	Workers will have the right to establish and organize unions and actively participate in collective agreements which are in good faith and can collectively bargain.

## **12 Workers Grievance Mechanism**

According to Ethiopian Labor Proclamation No. 1156/ 2019, Workers' GRM for addressing and managing workers and employment related conflicts or complaints as well as Gender Based Violence (GBV) is very crucial. Grievance redressing mechanisms for Workers and GBV related cases are handled through distinct channels. The GBV-SEA related grievance redress mechanism is different from the GRM dealing with project workers. A worker or any person who has any complaint or grievance has the right to present it and get proper response.

The grievance redress mechanism for addressing and managing workplace and employment related conflicts or complaints as well as gender-based violence (GBV), SEA/SH are crucial to the IDRMP. A project worker who has a complaint or grievance has the right to present it and obtain proper redress through the Worker Grievance Mechanism (WGM) established by the project for this purpose. In this project a grievance mechanism will be provided for all direct, contracted and

primary supply workers. The grievance mechanism which will be proportionate to the nature and scale and the potential risks and impacts of the project will be put in place. Designed in such a way that to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate in an independent and objective manner. The workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use. Measure will be put in place to make the grievance mechanism easily accessible to all such project workers.

Labor Proclamation No. 1156/ 2019, Chapter 3, Article 141, has also introduced that employers and workers or their respective associations may use social dialogue in order to prevent and resolve labor disputes amicably. Article 141, chapter 3.

The MoWE and EDRMC, as well as the other PIUs should insure that project workers have access to a functional Workers Grievance Redress Mechanism (WGRM) for direct workers described in this LMP. Similarly, contractors are required to institute an accessible and functional WGRM. Labor Proclamation No. 1156/ 2019, Chapter 3, Article 141, has also introduced that employers and workers or their respective associations may use social dialogue in order to prevent and resolve labor disputes amicably. Article 141, chapter 3. Beside the government civil servants seconded to this project have access to grievance procedures under Ethiopian government public service laws<sup>7</sup>.

Where aggrieved workers wish to escalate their issues or raise their concerns the workers may follow the legal or judicial process Labor Proclamation No. 1156/ 2019. Where consultants/contractors have an existing grievance system, such mechanism should be used by their direct workers. The direct and contracted workers will be informed of the grievance mechanism on recruitment while the grievance mechanism will be made easily accessible through various communication channels.

#### Principles and Procedures of the GM

- This workers GRM is not same as the grievance mechanism to be established for project affected stakeholders.
- All forms of workers involved in IDRMP will be informed of the WGRM at the time of recruitment and the measures put in place to protect them against any reprisal for its use.
- The WGM will be easily accessible via the disclosure of a hotline and/or office hours and transparently disclosed to all employees to raise workplace concerns.
- The WGRM shall be transparent in using clear procedures.

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<sup>7</sup> Labor Proclamation No. 1156/ 2019.

- There will be no discrimination against those who express grievances, and all grievances will be treated confidentially.
- Anonymous grievances will also be accepted and treated equally as other grievances whose origins are known.
- The PMU and other responsible project management will treat grievances seriously and take timely and appropriate action in response.
- The aggrieved parties shall be informed within 10 days of their grievance application, either with a respective solution or with a request of extension in cases where more information is needed.
- The aggrieved party shall have the option to refer to a grievance log with key information that will be established by the regional bureau of agriculture and pastoral development office.
- Grievance logbook will be maintained in the project office.
- The WGRM, however, does not replace or override the requirement that the PIU provide for workplace processes for project workers to report work situations that they believe are not safe or healthy, such as reporting requirements regarding workplace injuries and accidents.
- The WGRM will not prevent workers to use judicial procedure or administrative remedies that might be available under the law or existing arbitration procedures or substitute for collective agreements grievance mechanisms, if preferred.

IDRMP WGRM is oriented toward providing solutions and incorporates the principles of transparency, accessibility, due diligence, and responsiveness. The project will recognize customary and/or traditional conflict resolution mechanisms. The project will provide resources to ensure the functioning of the GRM system. Grievance information will be recorded and reported into the regular implementation progress reports. The project will equally ensure that grievances related to GBV are recognized and referred to respective service providers based on a survivor-centered approach (that is always based on the demands of survivors and ensuring confidentiality as outlined in ESMF). Such grievances shall not be handled according to standard GRM procedures but by the Woreda Women and Children Affairs Office who will be trained to provide basic referrals.

### **13 World Bank Grievance Redress System**

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WBs Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order 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, as a result 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, <https://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit, [www.inspectionpanel.org](http://www.inspectionpanel.org).

## **14 Contractor Management**

The MoWE PMU will float bids for the construction of physical investments/civil works. The PCU at EDRMC will also hire contractors to conduct strategic studies, feasibility studies, and designs. EMI may enter into contract to improve the hydromet services. The MoWE PMU, EDRMC PCU, and EMI will undertake due diligence assessment of contractors' labor practice and adherence to the international conventions Ethiopia has ratified, national law, the ESMF, ESS2 and in this labor management procedure. Further, the contract documents will include clauses that refer to the ESCP, SEP, and the LMP requirements. The MoWE PMU and the other implementing agencies will be required to carry out due diligence procedures to identify if there are significant risks from contracting companies on issues and requirements related to child labor, forced labor, and safety of workers. If there are any risks related to child and forced labor, and safety identified, MoWE PMU and other implementing agencies will prepare the procedures to address these risks and notify the Bank on the same. The MoWE PMU and the other implementing agencies subsequently will provide regular reports regarding the performance of the contractors.

During contractors' selection process, the following information and documents will be collected, reviewed, and recorded.

- Information on public records on violation of applicable laws and regulations by the contractors
- Business licenses, registrations, and permits of the contractors
- Contractors' documents/policies related to labor management systems and procedures
- Contractors' personnel qualifications, certification, and experience for labor and OHS management
- Contractors' workers qualification and experience to undertake the assigned work
- Copies of previous contracts the contractors accomplished showing inclusions of labor management provisions
- Contractors' incidents and accidents records and notifications made to the concerned authorities.

All contract agreements entered with contractors will incorporate agreed labor management requirements consistent with the Labor Proclamation, ESS2, and the LMP. The contracts will also include appropriate non-compliance actions including suspension or termination of the contracts.

Contractors are expected to produce periodic reports on the performance of implementation of the LMP including the following:

- Representative samples of employment contracts and signed CoC
- Records of training provided for contracted workers to explain occupational health and safety risks and preventive measures
- Grievances received from workers and their resolution
- Reports relating to fatalities, and incidents and implementation of corrective actions
- Records relating to incidents of non-compliance with national labor law, ESS2, and the provisions of the LMP.

Further to the above, the PMU and PCU will conduct monitoring of the implementation of the LMP by contractors. The monitoring will include inspections, spot checks of sub-project locations or work sites, labor management records and reports compiled by contractors.

## **15 Primary Suppliers**

Primary suppliers to the IDRMP include companies that produce, lease, and/or sell construction materials and equipment. These primary suppliers are expected to enter into contracts with sub-projects' contractors. Some of these primary suppliers may involve significant risks on occupational health and safety, child labor, forced labor, and SEA/SH. Contractor are, therefore, expected to conduct due diligence to identify such risks from the primary suppliers' undertakings. The contractors should prepare, transmit, and monitor procedures to address the identified risks. The contractors are also required to inquire during the procurement process whether the primary suppliers are accused or sanctioned for any of these risks, particularly if the suppliers are foreign based. The PMU at MoWE and the basin offices will also be responsible to monitor the compliance of primary suppliers since they oversee the contractors.

## **Annex: Sample of a contractors Code of Conduct**

### **AIM OF THE CODE OF CONDUCT**

The main aim of the Code of Conduct is to prevent and/or mitigate the social risks within the context of project interventions for the IDRMP. The Codes of Conduct are to be adopted by contractors.

### **KEY DEFINITIONS**

The following definitions apply:

**Gender-Based Violence (GBV):** This is defined as any conduct, comment, gesture, or contact perpetrated by an individual (the perpetrator) on the work site or in its surroundings, or in any place that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to another individual (the survivor) without his/her consent, including threats of such acts, coercion, or arbitrary deprivations of liberty.

**Violence Against Children (VAC):** This may be defined as physical, sexual or psychological harm of minor children (i.e., under the age of 18), including using for profit, labor, sexual gratification, or some other personal or financial advantage. This also includes other activities such as using computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any mediums.

**Child Labor:** This involves employment of underage. Any person under the age of 18 should not be employed in the project sites.

**Child Protection (CP):** An activity or initiative designed to protect children from any form of harm, particularly arising from VAC, and child labor.

**Child:** The word is used interchangeably with the term ‘minor’ and, in accordance with the United Nations Glossary on Sexual Exploitation and Abuse, refers to a person under the age of 18.

**Grooming:** This is defined as behaviors that make it easier for a perpetrator to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualize that relationship (for instance by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

**Online Grooming:** This is the act of sending an electronic message with indecent content to a recipient who the sender believes to be a minor, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

**Perpetrator:** This is defined as the person(s) who commit(s) or threaten(s) to commit an act or acts of GBV, VAC, and child labor.

**Work site:** This is defined as the area in which project works are being conducted, as part of interventions planned under the IDRMP, funded by the World Bank.

**Work site surroundings:** These are defined as the ‘Project Area of Influence’ which is any area, urban or rural, directly affected by the project, or located within the distance of three kilometers’ radius from the work site and/or worker’s camps, including all human settlements found on it.

**Consent:** This word is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance, or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. Any use of a threat to withhold a benefit, or of a promise to provide a benefit, or actual provision of that benefit (monetary and non-monetary), aimed at obtaining an individual’s agreement to do something, constitutes an abuse of power; any agreement obtained in presence of an abuse of power shall be considered non-consensual. In accordance with the United Nations, the World Bank considers that consent cannot be given by children under the age of 18, which is consistent with the legislation of the country. Mistaken belief regarding the age of the child and consent from the child is not a defense.

**Contractor:** This is defined as any firm, company, organization or other institution that has been awarded a contract to conduct project works in the context of the IDRMP and has hired managers and/or employees to conduct this work.

**Manager:** The word is used interchangeably with the term ‘supervisor’ and is defined as any individual offering labor to the contractor, on or off the work site, under a formal employment contract and in exchange for a salary, with responsibility to control or direct the activities of a contractor’s team, unit, division or similar, and to supervise and manage a pre-defined number of employees.

**Employee;** This is defined as any individual offering labor to the contractor on or off the work site, under a formal or informal employment contract or arrangement, typically but not necessarily in exchange for a salary (e.g. including unpaid interns and volunteers), with no responsibility to manage or supervise other employees.

### **Workers Committee**

A team established by the Contractor to address GBV, VAC, child labor and other relevant issues with the work force.

### **Contractors Code of Conduct**

Contractors are obliged to create and maintain an environment which prevents social risks. They have the responsibility to communicate clearly to all those engaged on the project the behaviors which guard against any form of abuse and exploitation. In order to prevent social risks, the following core principles and minimum standards of behavior will apply to all employees without exception:

1. GBV or VAC constitutes acts of gross misconduct and are therefore grounds for sanctions, penalties and/or termination of employment and/or contract. All forms of social risks including grooming are unacceptable be it on the work site, the work site surroundings, or at worker's camps of those who commit GBV or VAC will be pursued.
2. Treat women, children (persons under the age of 18) and people with disability with respect regardless of race, color, language, religion, political or other opinion, national, ethnic, cultural beliefs/practices, or other status.
3. Do not use language or behavior towards men, women or children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
4. Sexual activity with children/learners under 18 (including through digital media) is prohibited. Mistaken belief regarding the age of a child and consent from the child is not a defence.
5. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited.
6. Sexual interactions between contractor's employees and communities surrounding the workplaces that are not agreed to with full consent by all parties involved in the sexual act are prohibited (see definition of consent above). This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex.
7. Where an employee develops concerns or suspicions regarding acts of GBV or VAC by a fellow worker, whether in the same contracting firm or not, he or she must report such concerns in accordance with established Grievance Redress Mechanism (GRM) that protects the identities of victims and whistle-blowers.
8. All contractors are required to attend an induction prior to commencing work on site to ensure they are familiar with the social risks and Codes of Conduct.
9. All employees must attend a mandatory training once a month for the duration of the contract starting from the first induction prior to commencement of work to reinforce the understanding of the institutional social risks and Code of Conduct.
10. The Contractor shall ensure provision of financial resources and support compliance to occupation health and safety requirements for all workers.
11. The Contractor shall ensure that workers dress appropriately i.e. dress in a way that:-
  - Is unlikely to be viewed as offensive, revealing, or sexually provocative.
  - Does not distract, cause embarrassment or give rise to misunderstanding
  - Is absent of any political or otherwise contentious slogans
  - Is not considered to be discriminatory and is culturally sensitive
12. The Company shall ensure provision of financial resources and trainings to prevent spread of HIV and AIDS.



13. The company shall comply with the national, international labor laws and all applicable laws.
14. All contractors must ensure that their employees sign an individual Code of Conduct confirming their agreement to support prevention of social risks activities.
15. The contractor should ensure equitable access to limited natural resources (e.g. water points) to avoid conflicts with local communities
16. Where possible, the contractor should ensure employment of local workforces especially where unskilled labor is required to mitigate social risks.

I do hereby acknowledge that I have read the foregoing Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in termination of the contract.

**FOR THE CONTRACTOR**

Signed by: \_\_\_\_\_

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

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

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

Signed by: \_\_\_\_\_

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

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

## Annex II: Workers Code of Conduct

I, \_\_\_\_\_, acknowledge that preventing any misconduct as stipulated in this code of conduct, including gender-based violence (GBV), child abuse/exploitation (CAE) are important. Any activity, which constitute acts of gross misconduct are therefore grounds for sanctions, penalties or even termination of employment. All forms of misconduct are unacceptable be it on the work site, the work site surroundings, or at worker's camps. Prosecution of those who commit any such misconduct will be pursued as appropriate.

I agree that while working on this project, I will:

1. Consent to security background check;
1. Treat women, children (persons under the age of 18) and persons with disability with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, birth or other status;
2. Not use language or behavior towards men, women or children/learners that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
2. Not participate in sexual activity with children/learners—including grooming or through digital media. Mistaken belief regarding the age of a child and consent from the child is not a defense;
3. Not exchange money, employment, goods, or services for sex, with community members including sexual favours or other forms of humiliating, degrading or exploitative behavior;
3. Not have sexual interactions with members of the communities surrounding the work place, worker's camps and fellow workers that are not agreed to with full consent by all parties involved in the sexual act (see definition of consent above). This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex - such sexual activity is considered “non-consensual” within the scope of this Code;
4. Attend trainings related to HIV and AIDS, GBV/SAE, occupational health and any other relevant courses on safety as requested by my employer;
5. Report to the relevant committee any situation where I may have concerns or suspicions regarding acts of misconduct by a fellow worker, whether in my company or not, or any breaches of this code of conduct provided it is done in good faith;
6. Regarding children (under the age of 18):
  - Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger.
  - Not sleep close to unsupervised children unless necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
  - Refrain from physical punishment or discipline of children.
  - Refrain from hiring children for domestic or other labour, which is inappropriate given their age, or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
  - Comply with all relevant local legislation, including labour laws in relation to child labour.

7. Refrain from any form of theft for assets and facilities including from surrounding communities.
8. Remain in designated working area during working hours;
9. Refrain from possession of alcohol and illegal drugs and other controlled substances in the workplace and being under influence of these substances on the job and during workings hours;
10. Wear mandatory PPE at all times during work;
11. Follow prescribed environmental occupation health and safety standards;
12. Channel grievances through the established grievance redress mechanism.

I understand that the onus is on me to use common sense and avoid actions or behaviors that could be construed as misconduct or breach this code of conduct.

I acknowledge that I have read and understand this Code of Conduct, and the implications have been explained with regard to sanctions on-going employment should I not comply.

Signed by: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

**FOR THE EMPLOYER**

Signed by: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_