Palestinian Authority
MINISTRY OF Finance (MoF)

LABOR MANAGEMENT PROCEDURES (LMP)

For:

WEST BANK EMERGENCY SOCIAL PROTECTION COVID-19 RESPONSE PROJECT

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1. Introduction

The Labor Management Procedures (LMP) is developed by Ministry of Finance (MoF) for the West Bank Emergency Social Protection COVID-19 Response Project to ensure the project sustainability in compliance with Environmental and Social Standard 2 on Labor and Working Conditions (ESS2) of the World Bank's Environmental and Social Framework (ESF) and the national legislation and regulations of the Government of Palestine. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues. The LMP sets out general guidance relevant to different forms of labor but also issues and concerns that relate to COVID-19 considerations.

The Project's Environmental and Social Assessments including ESMF for component 1 and 2, identified key risks and impact associated with Project implementation, associated with workers as well as community health and safety, and the risk associated with labor impact. The rated environmental and social risk of the Project is **substantial** which indicate a **substantial** likelihood of adverse impacts associated with project implementation, including risks related to labor. The LMP addresses the labor related risks and provides mitigation measures to minimize those risks.

The Ministry of Finance (MoF) through the Project Coordination Unit (PCU) at MoF and three partner Ministries/entities will be responsible for implementing each Project's component as follows; Component 1 – Cash Transfer, Ministry of Social Development (MoSD) and Ministry of Labor (MoL); Component 2 - Cash for Work (C4W), MoL in concert with the Palestinian Fund for Employment and Social Protection (PFESP) who will also select the NGOs employing the workers in conjunction with the C4W component. The MOF/PCU will evaluate risks and impact and develop procedures to prevent any further risk.

The focus of the LMP is on workers engaged by MoF/PCU, MoSD, MoL (who will be engaged with the project implementation, depending on the resource arrangements (i.e. civil servants and consultants), workers engaged with NGOs in the West Bank through C4W component.

Adhering to procedures, MoF prepare these specific procedures to be inserted in the contract as part of contractors' legal obligations. The approach will be assessed as part of the initial screening of environmental and social risk and impact carried out by MoF/PMU.

2. Overview of Labor Use in the Project

The West Bank Emergency Social Protection COVID-19 Response activities will include different categories of workers, some of whom will be engaged in activities that raise COVID-19 exposure concerns. As per ESS2, project workers can be classified into the following four groups: direct workers, contracted workers and community workers. Due to the nature of the work that will be done in this project, direct and contract workers will be mostly used for the implementation. Also, contracted and community workers will be engaged with NGOs through the C4W component. However, since the purchase of equipment like computers and other materials under the Project will not be done on an

ongoing basis, the category of 'Primary Supply Workers' will not apply. The engagement of these different categories of workers is described below.

Direct Workers

Direct workers will comprise the civil servants at MoF-PCU and the environmental and social officer (ESO) and the health and safety specialist (HSS) hired at PCU to work on the project by MoF, who is the lead Ministry. Direct workers will also include the workers from partner Ministries, including; workers from MoSD, MoL and PSESP who will be assigned by the respective ministries to work on the screening/selecting eligible beneficiaries, facilitating the applications, undertaking stakeholder campaigns, conducting home visits and managing the complaints and inquiries. Direct employees/workers, either male or female, will be skilled labors engaged according to the work needs including managers, IT operators, social workers, etc. The estimated number of direct workers is not likely to exceed 50 workers.

Contracted Workers

Contracted workers will be engaged for short temporary employment with selected NGOs through C4W component including teachers, social workers, psychologists, data collectors/data entry, health support staff, guards, etc. Contracted workers engaged with selected NGOs in the fields of social services, health services, education and agriculture sectors will be skilled laborers depending on the nature of work. However, lower-educated laborers will be given preference for lower-skilled work. The estimated number of contracted workers is approximately 3,060 of which at least 1,530 will be women. The duration of work for the contracted workers will be six months.

3. Assessment of Key Potential Labor Risks

Project activities: Component 1 of the project will finance a one-time cash transfer to poor households and those households vulnerable to poverty affected by COVID-19 in the West Bank by utilizing the established systems and tools for data verification, selection of beneficiaries, enrollment, and delivery. Component 2 of the project will take place mainly in rural and urban populated areas where the selected NGOs employed targeted beneficiaries in the health, education, agriculture and other social services. Given the number and types of workers involved, the project will need to consider labor risks and management issues.

Key Labor Risks**:** The key labor risks associated with the project include:

- Occupational Health and safety risks:
- Exposure to installation risks including noise and dust, falling and falling objects, and exposure to electrical hazards from the use of tools; working at height.
- Exposure of direct and contracted workers to populations, may pose a certain level of health and safety risk associated with COVID-19 infection, especially if proper hygiene, safety precautions and social distancing measures are not adhered to.

- OHS risks to project workers related to the nature and type of the working space including exposure to hazardous chemicals and pesticides for benefiting workers to be employed in agriculture related NGOs and potential injuries from agricultural instruments and machineries.
- potential risks of gender-based violence linked to registration and increase in domestic violence due to financial strains on households and the receipt of financial transfer or linked to the social services of workers interact with other staff and community members; and (iii) social tension between project beneficiaries and non-project beneficiaries, especially if there is lack of transparency in the application and decision-making process.
- Labor and working conditions: The project will involve civil servants working at the ministries responsible for project implementation and contracted and community workers engaged with NGOs. labor risks such as overtime, unpaid salary in part or in full, minimum age and child labor risks, rights of association are not in accordance with the requirements of national law and ESS2 are possible.
- Ensuring that the terms and conditions for these workers are in accordance with the requirements of national law and this ESS (covering terms and conditions of employment; non-discrimination and equal opportunities; discrimination in relation to recruitment; prohibition of forced labor & child labor; indiscriminate benefits; grievances and workers' rights), is important. Further, given the urgency to process a large number of applications for selecting the NGOs in a short timeframe, all workers may be at risk of stress, fatigue or burnout due to overworking to manage the excessive demand.
- Gender-based Violence (GBV)/Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH): Risks of GBV, SEA and SH may also increase as a result from the emergency situations due to COVID-19 pandemic and as a result of interactions between the community workers during home visits, especially for homes without any male presence. There are also risks of project workers being harassed by unhappy claimants while working at the ministries during the verification stages.
- The community workers and other benefiting workers who will directly engage with the public in health education, community organizations and other social services provided by selected NGOs, would be interacting with communities. These interactions may increase the risk of exposure to the virus for these workers and also pose a similar risk for the communities, especially the vulnerable groups.

However, these impacts have been assessed to moderate that can be minimized, if appropriate mitigation measures are applied, as required by and based on the recommendations in this report.

4. Key Labor Legislation in Palestine

The Palestinian Authority has enacted the Palestinian Labor Law (No. 07 of 2000) and the Council of Ministers Act 11, 2012 to ensure proper working conditions, promotion of safety and health at work, fair treatment and non-discrimination, prevention of forced labor and child labor and resolving disputes between employers and employees. In addition, the Palestinian Child Law (PCL) #7, 2004 and the amended Child Act 2012 are also applicable.

Several resolutions and ministerial instructions were issued detailing health conditions and standards related to occupational health and safety at different workplaces. These include:

- The ministerial decrees No. 15, 17, and 21 of 2003 concerning health conditions and standards at workplaces, medical assistance procedures at the workplace, and safety standards at companies.
- The Decision of the Council of Ministers No. (49) of 2004 concerning the preventive list of work hazards and career diseases and work accidents.
- Instructions by the Minister of Labor no. (1) of 2005 concerning the precautions to protect workers in construction sites.
- Instructions by the Minister of Labor no. 2-6 of 2005, defining the range of chemical exposure limits and standards, exposure to ionizing radiation, noise, and safe levels of brightness of light and temperature at the workplaces.
- Palestine is also committed to several international agreements and has ratified the Forced Labor Convention, the Abolition of Forced Labor Convention, the Discrimination (Employment and Occupation) Convention and the International Labor Organization (ILO) Social Security (Minimum Standards) Convention, and international good practices.

Terms and Conditions

Following is the overview of the key aspects of Palestinian Labor Law (No. 07 of 2000), the Council of Ministers Act 11, 2012, and the terms and conditions of work in ESS2, para 11.

Wages

The minimum wage limit is regulated by the Palestinian Labor Law. The specific minimum wages for workers is 65 NIS/day and the minimum wages for employees is 1450 NIS/month). A labor agreement will determine the form and amount of remuneration. Remuneration will be paid at least once a month.

The insurance made by employers for workers will pay compensation to the workers for work-related damage that caused any deterioration to the employee's health and will cover the subsequent, necessary treatment costs.

Deductions from payment of wages will only be made as allowed by the national law, and project workers will be informed of the conditions under which such deductions will be made.
The project selected workers under C4W component will be employed for six months and paid a monthly stipend of NIS1,350 (around US$380), just below the minimum wage of NIS1,450 to discourage applications from candidates that are already working or can easily find a job, while providing a meaningful safety net.

Working hours

The maximum number of hours per day that contracted workers must perform on the project is 8 hours; (Saturday through Thursday) and the allowed work week of 48 hours. For direct workers (civil servants), the number of hours per day is 7 hours; (Sunday through Thursday) and the work week of 35 hours. The

daily working hours shall be reduced by at least one hour in all hazardous or health damaging occupations, in addition to nightly jobs.

Rest breaks

The employees will have one-hour meal break each workday taking into consideration that the worker shall not work for more than five consecutive hours. The duration of rest between working days is one day on Friday for contracted workers and two days for direct workers.

Leaves

An employee will have the right to enjoy paid leave for at least 14 working days, sick leave of 14 days, and unpaid leave for 14 calendar days per annum. Leave does not include maternity leave which is 70 days. The worker shall have the right to a paid leave on religious and official holidays, which is not considered or counted as annual leaves. Employees have the right to enjoy paid national and religious holidays

Women

Palestinian Labor Law includes provision for prohibition of discrimination between men and women. Employment of women is prohibited in the following jobs or under the following conditions: dangerous or hard works, extra working hours during pregnancy and during the first six months after delivery, and during night hours except for the works defined by the Council of Ministers.

Overtime work

The extra working hours should not exceed twelve hours a week. The worker shall be paid the wage of one and a half hour for each extra working hour he/she works.

Labor disputes

Palestinian Labor Law includes provision for workers exemption from legal fees arising from work-related disputes and allows to unionize. A bipartite committee will settle any disputes that may arise from the implementation of agreement. The court has jurisdiction over labor related disputes.

The Palestinian Labor Law applies to direct workers and contracted workers, who are employed on full-time basis. Terms and conditions of direct/contracted workers hired on part-time basis are determined in their individual employment contracts.

Compensation

According to PPL, if the work injury prevented the worker from performing his/her work, he/she shall be entitled to (75%) of his/her daily wage starting from the date such injury took place and during the whole period of his/her temporary disability, provided that such disability to work does not exceed (180) days. If the work injury resulted in the death or in a permanent total disability, the heirs in the first instance and the injured worker in the second one shall be entitled to a cash compensation that is equal to the wage of (3500) working days or (80%) of his/her basic wage for the remaining period until he/she reaches the age of sixty years, whichever is greater. If the work injury resulted in a permanent partial disability, the injured worker shall be entitled to a cash compensation, which equals percentage of such

disability compared to the permanent total disability. If the work injury resulted in more than one permanent partial disability, the injured worker shall be entitled to a cash compensation for the total percentages of the disabilities, provided that the total amount of such compensation does not exceed the compensation prescribed for the permanent total disability.

Occupational Health and Safety (OHS)

Obligations of the Employers (Ministries and NGOs):

The Palestinian Labor Law No. 07 of 2000, the Council of Ministers Act 11, 2012, and the health conditions and standards related to occupational health and safety at different workplaces apply to direct workers. The same laws will be also applicable to the contracted workers. The following points among others set out in ESS2 and World Bank Group's Environmental Health and Safety Guidelines (EHSGs) will be ensured:

- All potential risks to project workers' health and safety will be identified by all parties who employs workers and develop and implement procedures to establish and maintain a safe working environment to prevent hazards to project workers, including workplaces, machinery, equipment and processes under their control and sets out measures for emergency prevention and preparedness and response arrangements to emergency situations;
- Protection measures for workers from exposure to COVID-19 depending on the type of work performed and exposure risk are put in place. Employers will adapt infection control strategies based on a thorough hazard assessment, using appropriate combinations of health and safety and administrative controls, safe work practices, and personal protective equipment (PPE) to prevent worker exposures;
- Provide resources necessary to carry out the work with safety;
- Project workers will receive OHS training including protection against COVID-19 at the beginning of their employment. Training will cover the relevant aspects of OHS associated with daily work, including the ability to stop work without imminent danger and respond to emergency situations. Training records will be kept on file. These records will include a description of the training, the number of hours of training provided, training attendance records, and results of evaluations;
- Project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest;
- Conduct regular health checks for employees involved in any work that may cause physical ill health or for employees working with chemical or biological materials that may pose a threat to their health;
- Ministries provide appropriate medical care and insurance for their direct workers during the course of their employment. NGOs provide for the contracted workers, injuries insurance during the course of employment. Any injuries caused during the course of employment will be covered and compensated according to the Palestinian labor law;
- Facilitate first aid to employees who are involved in emergencies or accidents;
- Provide or facilitate with transport facilities to minimize the exposure risk;
- Develop and implement reporting system for any accidents, diseases, incidents and near misses. Every incident will be reported, investigated and relevant measures will be designed to avoid the incident in the future. Also remedies for adverse impacts such as occupational injuries, disabilities and diseases will be provided.

Obligations of the Employees: Employees are required to:

- Maintain safe practices at work to avoid danger to the safety and wellbeing of the workers, which may be caused by inattentiveness to safety and security measures;
- Assist the employer and co-workers in maintenance of measures designed to ensure health and safety in the work place;
- Regardless of specific exposure risks, it is always a good practice the following:
  - Frequently wash your hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand rub with at least 60% alcohol.
  - Avoid touching your eyes, nose, or mouth with unwashed hands.
  - Practice good respiratory etiquette, including covering coughs and sneezes
  - Avoid close contact with people who are sick.
  - Stay home if sick.
  - Recognize personal risk factors. According to the WHO, certain people, including older adults and those with underlying conditions such as heart or lung disease or diabetes, are at higher risk for developing more serious complications from COVID-19;
- Use safety equipment and protective gear as instructed in accordance with the training provided for use of such equipment and gear;
- Report to the employer any damage, loss of or destruction of protective gear or safety equipment;
- Inform the employer or his designated supervisor immediately of the occurrence of any incident which the employee believes may cause danger and which the employee is unable to resolve;
- Inform the employer or his designated supervisor of any accidents or damage sustained at work or related to work.
- Employees have the right to abstain from work where there is serious threat to health or life.

The NGOs will develop and implement Grievance Redress Mechanism (GRM) through which workers are able communicate their complaints to the NGO. The workers' grievance mechanism is discussed in details in section 8 below.

5. Policies and Procedures for Management of Labor Issues Under the Project

This section sets out the mitigation measures that will be adopted by the project to address the risks mentioned in section 3, including those relating to specific risks to workers posed by COVID-19.

Terms and Conditions of Employment

These provisions will apply for direct workers

- All project workers will be provided with an employment contract with clear terms as per the Palestinian Labor law including information regarding their terms and conditions of employment including hours of work, wages, overtime, compensation and benefits, holidays, leaves, etc.
- All direct workers employed for the purpose of the project will be above 18 years.
- Maximum working hours for workers will not exceed 48 hours a week, unless otherwise stated in their employment contract in accordance with the Palestinian Labor Law.
- Equal training opportunity will be available to all workers working in the project without discrimination, based on gender or otherwise

- All workers will be entitled to breaks from work of one-hour meal break each workday taking into consideration that the worker shall not work for more than five consecutive hours. The duration of rest between working days is two day on Friday and Saturday. They will also be provided with the entitled leaves under the Labor Law.
- All project workers will be covered with injury insurance
- Workers will be provided a pension contribution and deductions will be made from their salaries for their contribution in accordance with the Labor Law.
- All direct workers from MoF, MoSD, MoL and PSESP will be made aware of the GM (as specified under this LMP) available at their respective Ministries/Agency. They will also be able to lodge complaints to the special referral pathways for grievances on GBV, SEA, SH.
- Ensure Non-discrimination and equal opportunity in the project.
- Ban the use or support of child, forced or compulsory labor.

Note: Where government civil servants are engaged, they will be bound by their work contracts, and the provisions in this labor management procedure will not apply to that category of workers, except in regards of OHS. Terms and conditions of part-time direct workers are determined by their individual contracts.

These provisions will apply for contracted and community workers

- All project workers will be provided with an employment contract with clear terms as per the Palestinian Labor law including information regarding their terms and conditions of employment including hours of work, wages, overtime, compensation and benefits, holidays, leaves, etc.
- List of contracted workers to be employed in relation to the C4W subprojects, with evidence of employment will be submitted to MoF-PCU by the selected NGOs.
- As per the provisions of the employment, all workers employed by selected NGOs will be above 18 years of age. NGO will provide document evidence (passport or ID) confirming age of employees to PMU prior to involving them on activities of the project.
- Maximum working hours for workers will not exceed 48 hours a week, unless otherwise stated in their employment contract in accordance with the Palestinian Labor Law.
- An internal transparent and accountable system will be established within the selected NGOs to tackle issues of GBV and SEA/SH. Details of this system will be shared with PCU prior to signing any contracts.
- The leave policy of the NGO will be shared and confirmed that it is in line with the Palestinian Labor Work.
- All workers will be made aware of the workers' GRM (as specified under this LMP) available at NGO, and will also be able to lodge complaints to the special referral pathways for grievances on GBV, SEA, SH.
- Ban the use or support of child, forced or compulsory labor.

COVID-19 Specific Occupational Health and Safety

These provisions will apply for all categories of project workers

- The workers' temperature will be checked and sanitizers will be provided at the entrance of the work placessick workers will be refused entry to the work places.
- Adherence to the Government and WHO protocols guidelines related to COVID-19.

- Trainings for workers on hygiene and other preventative measures will be carried out, and a communication strategy for regular updates on COVID-19.
- Adjustments will be made to work practices to reduce the number of workers and increase social distancing following the government and WHO guidelines procedure if a worker becomes sick.
- Adequate supplies of PPE (masks); hand washing facility, soap and/or alcohol-based sanitizer, will be made available at the worksites.

While preparing the OHS plans involving labor, the following guidance materials will be used:

- WHO IPC interim guidance: For guidance on infection prevention and control (IPC) strategies for use when COVID-19 is suspected. https://www.who.int/publications/i/item/10665-331495.
- WHO interim guidance on use of PPE for COVID-19: For rational use of PPE. https://www.who.int/publications/i/item/rational-use-of-personal-protective-equipment-for-coronavirus-disease-(covid-19)-and-considerations-during-severe-shortages.
- WHO guidance getting your workplace ready for COVID-19: https://www.who.int/docs/default-source/coronaviruse/getting-workplace-ready-for-covid-19.pdf.
- WHO interim guidance: For guidance on water, sanitation and health care waste relevant to viruses, including COVID-19. https://apps.who.int/iris/bitstream/handle/10665/331846/WHO-2019-nCoV-IPC_WASH-2020.3-eng.pdf.

Age of Employment

A child under the age of 15 will not be employed or engaged in connection with the Project (This is according to the Palestinian Labor Law No. 7 of 2000, article No. 93; and ESS2 requirements). However, according to the Palestinian Child Law No. 7 for the year 2004, article 14 and International labor Organization (ILO) agreement and due to the nature of the project, where the activities involve possible exposure to COVID-19, no child under age 18 will be employed to work in the project due to the hazardous nature of the work.

The NGOs will be required to verify and identify the age of all workers. This will require workers to provide official documentation, which could include a birth certificate or ID's. NGO's shall keep the records/documents which will be checked on sites by MoF.

If underage workers are found working on the Project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner. A regular review and checkup will be conducted by MoF to make sure no underage workers are still working on the Project.

6. Responsible Staff

The West Bank Emergency Social Protection COVID-19 Response Project will be implemented by the PCU at MoF in coordination with the responsible parties for implementation of the subprojects including MoSD, MoL and PFESP.

The PCU will consist of 5 staff: (a) one Project Coordinator, (b) one Procurement Specialist, (c) one Financial Management Specialist, (d) one Environmental and Social Officer (ESO), (e) Health and Safety Specialist (HSS). While the PCU and the Project Director will be responsible for the overall implementation of this LMP as well as reporting back to the Association, the focal person for labor related issues will be the ESO and the HSS for the project.

As mentioned above, the MoF will act as the formal Project Counterpart (PC) to the project and as the overall implementing entity through its Project Coordination Unit (PCU), together with the MoL and the MoSD for Component 1 and the PFESP for Component 2. MoL and MoSD and PFESP will assign employees from the ministries staff who will be carrying out the work under component 1, 2 and 4 as described in the Project Operation Manual (POM) prepared by MoF.

The following table shows the responsible parties within the project to engage and manage project workers:

Activity	**Responsible Staff**
Engagement and management of the Project direct workers at MoF, MoSD, MoL and PFESP under both cash transfer and C4W components	PCU/MoF, MoSD, Mol and PFESP, respectively
Engagement and management of the Project contracted workers under component C4W	Selected NGOs in coordination with the Environmental and Social Officer (ESO) at PCU
Addressing contracted workers' grievances	Selected NGOs in coordination with the ESO at PCU

The ESO recently hired at MoF-PCU will oversee the implementation of the environmental and social measures and OHS measures across the project and will be responsible for the following:

- Implement this LMP to direct workers;
- Monitor that the NGOs are meeting obligations towards contracted workers in line with ESS2, World Bank Group's Environmental Health and Safety Guidelines (EHSGs), WHO guidelines on COVID-19 and the Palestinian Labor Law;
- Monitor that NGOs are implementing the labor management procedures;
- Monitor training of the Project workers;
- Ensure that the grievance mechanism for the Project workers is established and monitor its implementation;
- Monitor implementation of the workers Code of Conduct (CoC); A sample CoC is presented in the Annex.
- Report any incident or accident immediately to the Bank after occurrence.

The HSS recently hired at MoF-PCU , will oversee the implementation of the OHS measures across the project and will be responsible for the following:

- Ensure that selected NGOs prepare OHS plan prior to involving contracted workers on activities of the project by including into the bidding documents specific OHS standard requirements that all NGOs will meet under the project including risk assessment, mitigation measures, method statements and system of monitoring and reporting. The OHS standards shall be consistent with local regulations, WBG EHS guidelines and Good International and Industry Practices (GIIP) and WHO guidelines in respond to COVID-19 situation. Details on NGOs management are in section 7.
- Monitor that OHS standards are met at workplaces in line with OHS plan.
- Develop and implement reporting system for any accidents, diseases and incidents. Every accident will be reported to MoF-PCU, investigated and relevant measures will be designed to avoid the accident in the future. Also remedies for adverse impacts such as occupational injuries, disabilities and diseases will be provided. Any incident or accident shall be notified immediately by MoF to the Bank as described in the ESCP.

The NGOs will be responsible for the following in relation to contracted workers under C4W subprojects:

- Implement this LMP to contracted workers;
- Prepare OHS plan which will apply to contracted workers. This plan will be submitted to ESO at MoF for review and approval before the workers starting their work;
- Appoint qualified staff to be responsible for implementing LMP and OHS plan;
- Maintain records of recruitment and employment process of contracted workers;
- Engage and manage the contracted workers;
- Communicate clearly job description and employment conditions to contracted workers.
- Develop, submit to MoF for approval and implement Code of Conduct (CoC), A sample CoC is presented in the Annex, reflecting the NGOs core values and overall working culture and including provisions relating to GBV and SEA/SH.
- Provide monthly report on the performance of labor, occupational health and safety issues which will be reviewed by the MoF.

7. NGO MANAGEMENT

MoF will use the Palestinian procurement procedures and the Bank's 2017 Standard Procurement Documents for solicitations and contracts which include labor and OHS requirements. MoF after receiving bids from the NGOs ensures that the NGOs are legitimate and licensed according to the Palestinian Labor Law.

This LMP and the other environmental and social requirements form and integral part of the bidding documents to be issued to NGOs, and shall also be part of the awarded contracts to them. In addition, proper training and orientation to NGOs will be made by the ESO and HSS at PCU to ensure full understanding and compliance.

During the process of selecting NGOs who will engage contracted workers, PFESP and MoF may review the following information:

- Business licenses, registrations, permits, and approvals;
- Records of safety and health violations, and responses;
- Documents relating to a labor management system, including OHS issues;

- Workers' certifications/permits/training to perform required work;
- Accident and fatality records and notifications to authorities;
- Proof of workers' experience and enrollment in related projects;
- Worker payroll records, including hours worked and pay received;
- Enrollment of safety members and records of meetings; and
- Copies of previous contracts, showing inclusion of provisions and terms reflecting ESS2.

Performance of NGOs will be managed and monitored by the MoF. Supervision checkups will be conducted to ensure social compliance with the LMP. NGOs' labor management records and reports may include: (a) a representative sample of employment contracts; (b) records relating to grievances received and their resolution; (c) reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions; (d) records relating to incidents of noncompliance with national law; (e) non-compliance remedy for possible violation of E&S provisions; and (f) records of training provided for contracted workers to explain labor and working conditions and OHS including that related to COVID-19 guidelines and procedures.

8. GRIEVANCE Redress MECHANISM (GRM)

The project will have two level grievance mechanisms. One for labor-related grievance and the other for project GRM. Each GRM will include special referral pathways for GBV, SEA and SH grievances.

Labor GRM: Each selected NGOs should provide and apply GRM for contracted workers to restore dignity and empower beneficiaries, discourage corruption and sexual abuse, increase transparency, and ensure adherence to "DO No Harm Principle". The MoF shall provide within the bidding documents, clear labor GRM for the contracted workers who will be employed or engaged in connection with the Project. The selected NGOs will put in place a Grievance Mechanism for their workers to lodge their complaints, concerns, difficulties. The GRM will include special referral pathways for workers' grievances on GBV and SEA/SH. If civil works will be involved during the project's lifetime, the implementing entities will require contractors to develop and implement a grievance mechanism for their workforce prior to the start of civil works.

Workers' GM also addresses child labor, GBV and sexual harassment related grievances. As a result, it develops features to accept and respond to the anonymous complaints. The anonymity of the complains is communicated to all affected parties during the consultation. Selected NGOs will be requested to inform the workers about the available tools to lodge grievances such as telephone number and email. A GRM staff will be assigned to receive and handle complaints related to the project in every selected NGO. The GRM staff will be responsible for managing and sorting complaints and for recording and tracking resolution of grievances in the complaints log. The GRM staff will report to the project's ESO on the received and handled complaints on monthly basis. The project's ESO will monitor the compliance of NGOs regarding the implementation of the GRM procedures and shall regularly evaluate the effectiveness of the existing complaints mechanism.

The workers grievance mechanism will include:

- a procedure to receive grievances such as comment/complaint form, suggestion boxes, email, a telephone hotline;
- stipulated timeframes to respond to grievances;

- a register to record and track the timely resolution of grievances;
- An anonymous feature that receives anonymous complaints and ensures privacy.

The workers grievance mechanism will be described in staff induction trainings, which will be provided to all project workers. Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of "suggestion/complaint boxes", and other means as needed. If civil works will be involved during the project's lifetime, the implementing entities will monitor the contractors' recording and resolution of grievances, and report these in the progress reports

Project GRM: Project-level grievance redress mechanisms will be established in each partner Ministry/Agency (MoF, MoSD & MoL and PSESP) as described and detailed in the Stakeholder Engagement Plan (SEP). Affected parties who believe that they are adversely affected by the project may submit complaints to the project's GRM. Mechanisms for lodging complaints at each ministry, including phone number, GRM email and electronic form on ministries website, are detailed under sections 6.3.1 and 6.3.2 in the SEP. In addition, the project GRM will also be used for their direct workers to raise and resolve workplace-related concerns including those that are related to GBV, SEA and SH with the same principles and provisions for the Labor GM mentioned above. The persons responsible for managing complaints in each ministry will be instructed to liaise with the MoF-PCU to inquire into any complaints or grievances related to the Project. The ESO at PCU will provide the needed information or investigation into the complaint to the persons responsible at the ministry level. All procedures for filing and responding to complaints will follow the procedures of the GRM manual to be prepared for the project. Detailed GRM measures and procedures are described under section 6.3 in the SEP.

Gender Based Violence Grievances

The GRM system will include special referral pathways for the GBV complaints and grievances including grievances on Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH). Information about the existence of the GBV grievance mechanism will be communicated to all stakeholders through different methods (i.e., public consultations, posters and leaflets, local radios and social media). Training will also be provided by a GBV expert for the ESO on detection of cases of GBV and handling of inquiries, complaints and grievances related to GBV. Staff assigned for handling complaints at the MoSD and MoL will also be trained on detecting, receiving and handling GBV. Relevant NGO staff, responsible for implementing Cash for Work activities, will also be trained. The following sexual harassment and sexual abuse grievance procedures, in line with the MoSD GBV regulations will be followed:

I- Refer the victim to a specialized gender unit at the MoSD or the Ministry of Women Affairs to provide support.

II- In the case the survivor decides to seek justice the following procedures will be followed after obtaining the survivors' permission:

1- The ESO will be assigned to receive and handle SEA/SH complaints. A special telephone number and email will be designated for lodging SEA/SH complaints (email address (pcu.eso@pmof.ps) and telephone number (0593071711). Telephone information line, email address and procedures will be communicated to beneficiaries during consultation and induction sessions. The telephone number can also be used by employees/workers to discuss questions or concerns about the harassment without having to express an identity. The ESO will be trained to deal with SH issues and to explain what action can be taken by employees.

2- Follow clear procedure for addressing the SEA/SH that will include the following steps:

i. private interview with the complainant and articulate the allegations in writing;
ii. investigate the claim. Investigation can be done by a special committee for the prevention of sexual harassment. The committee should be gender balanced and could include a member of senior management, and trained sexual harassment staff member. Investigation will be conducted in total confidentiality to prevent any humiliation of the complainant.
iii. a finding is made as whether the complaint is substantiated;
iv. a written report documenting the investigation process, evidence, findings and recommended outcome(s) is submitted to the Head of PMU/Minister of Labor/Minister of Social Development.
v. the Head of the PMU/Minister of Labor/Minister of Social Development implement the recommended outcome(s) or decide on an alternative course of action.
vi. determine the forms of disciplinary action and sanction. Disciplinary and sanction should be included in the organization regulations and/or the labor agreement.
vii. refer the victim to a specialized gender unit at the MoSD or the Ministry of Women Affairs to provide support.

Annex: Sample Code of Conduct (CoC)

CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL

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

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

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

REQUIRED CONDUCT
Contractor's Personnel shall:

1. carry out his/her duties competently and diligently;
2. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
3. maintain a safe working environment including by:
   a) ensuring that workplaces, machinery, equipment and processes under each person's
   b) control is safe and without risk to health;
   c) wearing required personal protective equipment (PPE);
   d) using appropriate measures relating to chemical, physical and biological substances and
   e) agents; and
   f) following applicable emergency operating procedures.
4. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
5. treat other people with respect and not discriminate against specific groups such as women,
6. people with disabilities, migrant workers or children; 6. not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
7. not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. In Bank financed operations/projects, sexual exploitation occurs when access to or benefit from Bank financed goods, Works, Consulting or Non-consulting services is used to extract sexual gain;

8. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal coercive conditions;
9. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
10. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
11. report violations of this Code of Conduct;
12. not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism.

RAISING CONCERNS

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

1. Contact [*enter name of the Contractor's Social Expert with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters*] in writing at this address [ ] or by telephone [ ] or in person at [ ]; or
2. Call [ ] to reach the Contractor's hotline (*if any)* and leave a message.

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

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

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

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

FOR CONTRACTOR'S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that
if I have any questions about this Code of Conduct, I can contact [*enter name of Contractor's contact person(s) with relevant experience (including for sexual exploitation, abuse and harassment cases) in handling those types of cases]* requesting an explanation.

Name of Contractor's Personnel: [*insert name*]

Signature: _____
Date (day/month/year/): _____

Countersignature of authorized representative of the Contractor:
Signature: _____
Date (day/month/year/): _____