

**Recovery and Advancement of Informal Sector Employment (RAISE)**

**Wage Earners' Welfare Board (WEWB),  
Ministry of Expatriates' Welfare and Overseas Employment  
(MEWOE)**

**And**

**Palli Karma-Sahayak Foundation (PKSF)**

## **Labor Management Procedure (LMP)**

**Oct, 2020**

## Executive Summary

This Labour Management Procedures (LMP) for the Recovery and Advancement of Informal Sector Employment (the Project) has been prepared to meet the objectives and requirements of the World Bank Environmental and Social Framework (ESF) Environmental and Social Standards (ESSs) 2 and 4, as well as the national Labor Laws of Bangladesh.

This LMP assesses the potential risks and impacts of assignment of labor for the implementation of the Project activities by the Implementing Agencies (IAs)—Wage Earners' Welfare Board (WEWB) of Ministry of Expatriates' Welfare and Overseas Employment (MEWOE) and Palli Karma Sahayak Foundation (PKSF) and addresses them through mitigation measures in line with ESSs and Bangladesh Labor policies and provisions. It is to be noted that for PKSF acting as Financial Intermediary, ESS2 provisions will apply to whole of PKSF.

Various types of workers (Direct and Contracted), their estimated numbers, characteristics etc, as well as key potential environmental and social risks—such as unscrupulous labor practices, Occupational Health and Safety (OHS) issues, community risks, exclusion of the disadvantaged and the vulnerable from project benefit and engagement, exploitation of child/ forced/trafficked labor/beneficiaries as well potential health and safety issues while working under COVID-19 pandemic situation, have been assessed and presented in this LMP. Given the size of the project, the potential Environmental and Social (ES) risks and impacts, the capacity of the implementing agencies to manage and mitigate the ES risks and the context under which the project is being implemented, the ES assessment has determined the overall ES risk to be Substantial for this project.

Provisions of ESSs, Labor Act 2006 (including Amendments of 2013 and 2018), National Child Labor Elimination Policy 2010. Governmental and WHO guidelines for COVID-19 etc, have been thoroughly studied and cited to meet their requirement and obligations. Major points of consideration that include Conditions of Employment, OHS, and Child/Forced Labor etc. have also been referred to as guidelines.

A Grievance Redress Mechanism (GRM) for workers has been established so that any potential dissatisfaction or concern can be raised by anyone employed by the IAs, Partner Organizations (POs) and the PMUs.

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## List of Acronyms and Abbreviations

BCC	Behavioral Change Communications
CBA	Collective Bargaining Agent
CoC	Code of Conduct
COVID-19	CORONA Virus Disease-19
EHSG	Environmental and Health Safety Guidelines
EMP	Environmental Management Plan
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESF	Environmental and Social Framework
ESS	Environmental and Social Standards
GBV	Gender-Based Violence
GIIP	Good International and Industry Practices
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
IA	Implementing Agency
IVC	Independent Verification Consultant
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
MEWOE	Ministry of Expatriates' Welfare and Overseas Employment
OHS	Occupational Health and Safety
PKSF	Palli Karma Sahayak Foundation
PO	Partner Organization
PMU	Project Management Unit
SBD	Standard Bidding Documents
SHEQ	Safety, Health and Environmental Quality
WB	The World Bank
WEWB	Wage Earners' Welfare Board
WHO	World Health Organization

## 1. INTRODUCTION

The fundamental element of conducting project work is the labor force, hence, management of the labor resources are essential to effective project implementation. These Labor Management Procedures (LMP) are prepared meeting the Bangladesh Labor Act 2006 as well as the World Bank's Environmental and Social Framework (ESF), specifically Environmental and Social Standard 2: Labor and Working Conditions (ESS2) and Standard 4: Community Health and Safety (ESS4). Further, the application of internationally accepted protocol to address COVID-19 outbreak has also been considered in this LMP.

The LMP covers the direct and contracted workers to be engaged in the Project. The Implementing Agencies (IAs – WEWB of MEWOE and PKSf) may prepare specific procedures to be inserted in the contract as part of any their PIUs/Partner Organizations (POs) legal obligations. The approach will be assessed as part of the initial screening of environmental and social risks and impacts carried out by the Project Management Units (PMUs).

## 2. OVERVIEW OF LABOR USE IN THE PROJECT

The LMP applies to all Project workers (trainers, master craftsmen, case managers, administrative and operational staffs, outreach program staffs) whether full-time, part-time, temporary, seasonal workers. The LMP is applicable, as per ESS2 to the Project in the following manner:

- a. Direct Workers: People employed or engaged directly by the IA or the Project Management Units (PMUs) on its behalf to work specifically in relation to the Project;
- b. Contracted Workers: People employed or engaged by Partner Organizations (POs) and Welfare Offices to perform work related to core function i.e. training provision, counseling etc.;

The project is not likely to engage primary suppliers, community labor or security forces. However, if primary supply workers are engaged necessary steps will be taken to ensure that no child and/or forced labor is involved and OHS requirement for the laborers are followed.

Government civil servants, who will provide support to the Project, will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement. However, ESS2 provisions of health, safety, child and forced labor will apply in this regard.

### **The Implementing Agencies (IA)**

PKSF is a semi-autonomous government institution under the Financial Institutions Division (FID) with a mandate of sustainable poverty reduction through employment generation, with a focus on ultra and moderate poor and micro-entrepreneurs. PKSf through its network of Partner Organizations (POs), many of which have operations in multiple locations, has significant outreach and implementation capacity at the community level. Each PO would establish a Project Implementation Unit (PIU) and these PIUs will be responsible to organize initial orientation workshop and provide essential life skills, business management and technical training, the self-employment support package, and provide microcredit. Cash stipends and microcredit for beneficiaries would be

channeled through the existing PKSf-PO financial management system, whereby funds would be transferred from PKSf to the PO and onward to the beneficiary, and the PO would report back to PKSf with transaction details. All the POs of PKSf are registered both as NGOs and MFIs. As per paragraph 13 of ESSg, relevant aspects of ESS2 will apply to the entire PKSf, given PKSf is treated as FI in this project. Further, since Bank support is provided to clearly defined FI subprojects, requirement of ESSg will apply to each of the FI subprojects.

The MEWOE is responsible for ensuring the welfare of expatriate workers and enhancing overseas employment opportunities through increased labor market access for Bangladeshi workers and skills development of the workforce. The WEWB is a statutory body under the Ministry that was created by the Wage Earners Welfare Act 2018. The Act lays out the formation and work-plan of the Wage Earners' Welfare Board. The Welfare Board is authorized to initiate and implement projects, provide emergency support to migrants, extend support upon return to ensure protection and social and economic reintegration, repatriation of remains, and provide a range of social protection-related services for migrant workers and their families. The Board's parent Ministry is responsible for ensuring the welfare of expatriate workers and enhancing overseas employment opportunities through increased labor market access for Bangladeshi workers and skills development of the workforce. WEWB would implement Component 3 by engaging welfare offices and welfare offices to support migrants psychosocial support, referral services and other service provisions. The WEWB would also be responsible for facilitating intra- and inter-ministerial coordination to establish interoperability between information and delivery systems targeted for migrants, including linkages to the case management system to be developed under Component 1 by PKSf.

Both IAs will establish independent Project Management Units (PMUs), headed by (i) a Project Coordinator reporting directly to PKSf senior management, including the Deputy Managing Director-1 and (ii) a Project Director, reporting directly to the Director General of WEWB. The PMUs would comprise Deputy Project Coordinator/Director, technical staff, fiduciary specialists and ES specialists.

### **Project Worker Required for the Project**

There will be a number of different categories of Project workers engaged in the implementation:

**Case Management Officers** PKSf's Partner Organizations (PO) will hire, train and assign Case Management Officer, who will counsel less educated poor beneficiaries and help them determine their aspirations (Direct Workers). *Approximate 100.*

**Master Craftsmen.** The POs will make a pool of master craftsmen under whom the beneficiaries will undertake on-the-job learning through informal apprenticeships in microenterprises and who, in turn, will receive certain financial incentives (Direct Workers). *Approximate 7,000* POs will provide/arrange orientation training for master craftsmen following the approved module developed by third party consulting firms.

**Master Craftsmen Trainer/ Module Developer.** They will be employed through a third party contract who be responsible to develop training module. *Approximate 30.*

**Trainers.** Will also be employed (who will be from the existing staffs of the POs, Direct Workers as well as contracted through training provider organizations, thereby Contracted Workers) who will provide mandatory 40-hour training and workshop on essential life skills. Trainers will also be recruited to train WEWB's Welfare Officers. *Approximate 200.*

**Outreach Program Staffs.** POs will also employ their own staffs (Direct Workers) to conduct outreach program to reach out to intended beneficiaries for their subsequent selection. *Approximate 100*

**Job Placement Staffs.** POs will employ own staffs for job placement and self-employment assistance. *Approximate 100.*

**Operational and Administrative Staffs/ ES Consultants.** Besides, there will be a focal person (regular staff from the PIU) 01 coordinator, 01 case management officer, 01 officer (Life skills and entrepreneurship) and 01 accounts officer. *Approximate 200*

**Returnee Migrants Service Staffs/Welfare Officers.** They will be employed from both the existing staffs (Direct Workers) and also contracted to provide identification, psychosocial support and other assistance including referral services to returnee migrants. *Approximate 150 (with 5 Welfare Officers per District Welfare Office set at District Employment and Manpower Offices)*

The worker/labor requirement above is an estimation and will be confirmed at contract award.

### **Timing of Labor Requirement**

The Direct Workers will be recruited as soon as the project is approved, especially those forming part of PMUs. The employment of trainers, master craftsmen, field level staffs will be done after Project effectiveness.

### **Characteristics of Labor Force**

The staffs will be mostly trainers, operational, field and administrative staffs, who are expected to be skilled. It is estimated that women would be employed equally as males. There will be no child or forced labor assigned for the project.

## **3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS**

Given the nature of intervention—training, apprenticeship, motivation, psychosocial counselling and cash transfers labor related risk will not be as high as one would expect from any construction related project. As with any other project of similar kind, following are the key labor risks that have been identified by the environmental and social assessment:

- Employment practices that are not compliant with either labor laws of the country or ESS 2. For example, wages not proportionate with tasks performed or industry standards, discrimination towards women and workers with disabilities or other vulnerabilities, unlawful termination, withholding of benefit etc.
- Assignment of child and forced labor and use of unscrupulous labor practices are not envisaged.
- The conduct of hazardous work, such as working at heights or in confined spaces, use of heavy machinery are not envisaged.
- Lack of Occupational Health and Safety (OHS) practices and procedures, especially in the context of COVID-19 outbreak.
- Since the staffs, trainers and the beneficiaries will have to be in close proximity to one another during training and cash transfers, risk of communicable disease spread, especially COVID-

19 among them as well as their immediate family members is high. Lack of knowledge, lack of provision of PPEs and training, lack of social distancing measures may exacerbate the situation. WHO provides detailed advice on what should be done to treat a person who becomes sick or displays symptoms that could be associated with the COVID-19 virus.

- There could be cases of Gender Based Violence (GBV) and Sexual Exploitation Abuse and Harassment (SEAH) by the trainers on the female beneficiaries, though as per the GBV assessment the GBV risk of the project is Low. Potential GBV/SEAH cases will be mitigated through Codes of Conduct, training of workers on GBV/SEAH and monitoring in the field.
- Supply of essentials as well as Project related goods and equipment may be hampered due to supply chain disruption due to COVID-19 lockdown.

## 4. OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

Terms and Conditions of employment is guided by **The Bangladesh Labor Act, 2006 and Amendment 2013** that illustrate the basic conditions of employment which are materially consistent with ESS2. The Act makes it mandatory for employers to furnish employees with written particulars of employment stating, hours of work, wages, leave entitlements, job description, grievance procedure, benefits if any etc. This Act also contains:

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

Chapter 6 of The Bangladesh Labor Act 2006 (**Safety**) specifically details the safety and working condition of the assigned workers. The salient aspects that this chapter illustrates are:

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

Chapter 7 of the same Act (**Special Provision Relating to Health, Hygiene and Safety**) details:

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



**Communicable Diseases (Prevention, Control and Eradication) Act 2018.** The Act was passed in 2018 and the objective is to protect the people from the national and international spread of infectious diseases, to prevent, control and eradicate such diseases, to issue global alerts and to increase mutual support for the outbreak of the disease, to increase the capacity for precise risk management and to spread related education, to review the progress of diseases, to protect rights including systematic loss.

PKSF has a Social management Framework (SMF) and HR Policy, Gender Policy and Sexual Harassment Policy. According to ESSg, since PKSF is acting as a Financial Intermediary, the provisions of ESSg will apply to whole PKSF. The SMF and HR policies have been reviewed by the World Bank team and following recommendations are made:

- a. There should be a training policy and calendar for staffs on E&S issues and development of a complete training manual/ curriculum including audio visual presentations;
- b. Clear description of relevant national Labor laws and their adoption in the HR policy;
- c. OHS measure as per Good International Industry Practices and employment of child between 14 to 18;
- d. Measures to address formation of labor/workers/ employee organizations.

## 5. RESPONSIBLE STAFF AND PROCEDURES

The summary of responsibility with respect to labor issues is appended below:

**Overall Management.** Both the IAs' PMUs have the overall responsibility to oversee all aspects of the implementation of the LMP. PMUs will address all LMP aspects as part of procurement for intervention as well as during Partner Organizations (POs)/PIUs and staff induction. The POs/PIUs of PKSF and WEWB PMU will subsequently be responsible for management of workers' (trainer, staffs etc) issues in the field. They will be required to adopt and implement good labor management practices acceptable to the IA. The Social Development Specialist (SDS) of PKSF and the Social and Environmental Specialist (SE) of WEWB will be the focal points of overall management of labor issues.

**Occupational Health and Safety (OHS).** POs must ensure day-to-day compliance with acceptable safety measures and will record safety incidents. Minor incidents are reported to PMUs on a monthly basis, serious incidents are reported immediately. Minor incidents are reflected in the quarterly reports to the WB, major issues are flagged to the WB immediately.

**Labor and Working Conditions.** POs will comply with the provision of labor conditions including non-discrimination, wages, safer working conditions etc. PMUs will carry out periodic monitoring to ensure that labor working conditions are met as per national legislation.

**Worker Grievances.** A Grievance Redress Mechanism (GRM) has been detailed with this LMP including the setup of Grievance Redress Committees (GRCs). PMUs/PIUs/POs will be required to abide by the provisions of the GRM. The Social Development Specialists/ Consultants will review records on a monthly basis and will report to Project Coordinator. PMUs will keep abreast of resolutions and reflect in half yearly reports to the World Bank. Given the anticipated number of the project personnel/workers the workers' GRM will be a separate document apart from the Project level GRM, though personnel in the committees (GRC) on both the GRMs may have overlapping functions. Reporting Channels for the GRMs may also be same.

**GBV/SEAH, communicable diseases.** PMUs will be fully responsible to ensure that their personnel know and are trained on their obligations with respect to avoidance of any form of GBV/SEAH, safe disposal of waste (PPEs etc) and reporting of communicable diseases if they contract any, especially during COVID-19 outbreak situation. Continuous motivation, monitoring and reporting on the same is the responsibility of the POs. The PMUs will have a monitoring team to ensure the same.

**Additional Training.** PMUs and POs are required to ensure that the assigned personnel are adequately trained and briefed with overall safety arrangement, use of equipment (especially PPE), GRM procedure, working conditions of the project. Training on use of PPE, hygiene facilities and behavior, GBV/SEAH and preparation and obtaining signed code of conduct are also their responsibility.

**Verification, Monitoring and Evaluation (M&E).** M&E will be an integral part of the project under the responsibility of the PMUs. Both the IAs will be responsible for managing their web-based platforms, which will be developed to track the project's progress based on the results framework. The platform will support a participatory M&E, which will allow project stakeholders—such as the MFIs/POs, the local IA officials, and consultants—to collect data on project progress. PMUs will deploy a number of Independent Verification Consultants (IVCs) to continuously monitor and verify the project outputs during the entire project timeline.

### 5.1. Specific Responsibilities of Borrower to Address COVID-19 Outbreak before Employing Personnel/Workers

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

- The PMUs should request details from the PIUs/POs/responsible staffs of the measures being taken to address the risks. The contract should include health and safety requirements, and these can be used as the basis for identification of, and requirements to implement, COVID-19 specific measures. The measures may be presented as a contingency plan, as an extension of the existing project emergency and preparedness plan or as standalone procedures. This request should be made in writing (following any relevant procedure set out in the contract between the IAs and the POs).
- In making the request, it may be helpful for the PMUs to specify the areas that should be covered. This should include current and relevant guidance provided by national authorities, WHO and other organizations.
- The PMUs should require their responsible staffs/ teams/ POs to convene regular meetings with the project health and safety specialists/ medical staff (and where appropriate the local health authorities), and to take their advice in designing and implementing the agreed measures.
- Where possible, a person should be identified as a focal point to deal with COVID-19 issues. This person can be responsible for coordinating preparation of the training centers and making sure that the measures taken are communicated to all, those entering the premises and the local community. It is also advisable to designate at least one back-up person, in case

the focal point becomes ill; that person should be aware of the arrangements that are in place.

- The PMUs may provide support to projects in identifying appropriate mitigation measures, particularly where these will involve interface with local services, in particular health and emergency services. In many cases, the PMUs can play a valuable role in connecting project representatives with local Government agencies, and helping coordinate a strategic response, which takes into account the availability of resources. To be most effective, projects may consult and coordinate with relevant Government agencies and other projects in the vicinity.
- Everyone should be encouraged to use the existing project grievance mechanism to report concerns relating to COVID-19, preparations being made by the project to address COVID-19 related issues, how procedures are being implemented, and concerns about the health of their co-workers and other staff.

## 6. POLICIES AND PROCEDURES

This section outlines main policies and procedures to be followed during the implementation of the project and will be updated and amended as needed, after contracts have been awarded. Bangladesh has in place the **Bangladesh Labor Act 2006** and **Amendment 2013**, **National Occupational Health and Safety Policy 2013** and **Communicable Diseases (Prevention, Control and Eradication) Act 2018** that illustrate rights and responsibilities of employers and workers, conditions of employment, child and force labor issues, OHS requirements, requirement related to communicable disease such as COVID-19 etc. The principles and procedures presented below represent minimum requirements but are not an exhaustive list of requirements. It is to be noted that as per ESF, the term *labor* includes Direct Workers, Contracted Workers, Primary Supply Workers and Community Workers—a more inclusive term than that of Bangladesh Labor Law/Act. Further, ESF makes it mandatory to develop an LMP and ensuring provisions Occupational Health and Safety (OHS) guidelines. ESF also includes non-discrimination provisions to protect disadvantaged or vulnerable individuals (including women workers, persons with disability workers etc) or groups, and to allow them to access employment opportunity and equality in terms of opportunity, payment and other labor issues. Also, as opposed to the Labor Law/Act, the ESF also establishes the requirement for a grievance mechanism *separately* for workers besides other stakeholders of the Project. World Bank Directives (including Good Practice Notes and Guidance Notes) on Addressing Risks and Impacts on Disadvantaged or Vulnerable Individuals or Groups requires staff to consider the extent to which a project identifies those that may be disadvantaged or vulnerable and identified measures for managing and mitigating such risks and impacts. The Directive provides examples of disadvantaged or vulnerable individuals or groups, and includes considerations relating to age, including minors. These provisions have been considered in the ESMS of PKSF.

The employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, such as recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be developed by the Welfare offices /POs and monitored by PMU to ensure fair treatment of all employees:

- As per Labor Code requirements, recruitment procedures will be transparent, public and non-discriminatory with respect to ethnicity, religion, disability, gender, and other grounds

included in the Labor Code

- Applications for employment will be considered in accordance with the application procedures established for the project by PMUs/POs
- PMUs will ensure that no one will not pay any hiring fees.
- The contracts may be developed in *Bangla* so as to be understandable by all
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to all who may have difficulties with understanding the documentation
- While communicating with women workers, it is to be ensured that they understand their rights and process of raising issues and grievances related to their employment
- PMUs will ensure that no forced or child labor would be allowed

The health and safety procedure illustrated in the Labor Acts, WB Environmental and Health Safety Guidelines (**EHSG**), ESS 2, Communicable Diseases (Prevention, Control and Eradication) Act 2018 as well as guidelines to address COVID-19 issues (see Annex) will be referenced all activities under the Project. PMUs are expected to carry out field visits and inspections of the construction from time to time. However, the WBG's EHSG may not have sufficient details and specific requirements to deal with various occupational health and safety issues posed by the project, thus the IA should put in place specific standards meeting Good International and Industry Practices (GIIP) in the contracts reflecting appropriate level of risk.

PMUs will include into the contract specific OHS standard requirements that all POs/ Welfare Offices /PIUs will meet under this project. The standards will be consistent with local regulations, WBG EHS guidelines, COVID-19 Protocols and GIIP. The following OHS standard requirements should be borne in mind:

- Risk Assessment Procedure;
- Rules for hazardous and life-threatening works;
- Emergency response procedure;
- Respiratory prevention to chemical and airborne hazards (including dust, silica and asbestos); Electrical safety (hazardous energies control, safe distance work, wiring and design protection, grounding, circuit protection, arc fault protection, PPE etc); hazards communication; Noise and vibration safety; fire safety; material handling safety;
- PPE and other protective gear including training on usage;

POs, training centers and the workshops will provide a safe workplace; therefore a risk assessment will be completed before the commencement of any activities, and safety measures will be implemented in accordance with applicable safety standards. PPEs and other preventive measures will be provided at no cost to employees and beneficiaries. Periodic OHS meetings will be conducted to discuss preventive measures, deviations and non-compliances, accidents and corrective actions. POs will conduct internal OHS surveys and audits to verify compliance of OHS practices. Non-compliances will be documented and reported internally. A time frame for a corrective action will be set and followed up. Daily OHS briefings will be conducted before the commencement of the training highlighting the hazards and preventive measures from each job, especially those related to COVID-19 outbreak. POs will document and report to PMU all accidents and illness, especially symptoms of COVID-19, fatalities or serious injuries that may happen. There must be on site resources for first aid and for more serious injuries there must be a pre-approved health facility for medical treatment, as well as appropriate transportation of injured/sick/symptomatic workers. POs will control the access to the training site only to authorized people and verify if trainers and trainees are meeting training and capacity requirements to carry out their jobs. All must complete at minimum an OHS induction to have access to the training/apprenticeship site/workshops.

PMUs will arrange periodic supervision of PIUs/PO's/Welfare Offices OHS performance, including visits, at least monthly. These supervisions will cover compliance with above mentioned standards, accidents, violations of rules, recommendations, and progress of ongoing corrective actions.

PMUs will inform WB promptly about any incident or accident related to the project which has, or is likely to have a significant adverse effect on the environment, the affected communities, the public or trainers and beneficiaries (labor, health and safety, or security incident, accident or circumstance) as soon as reasonably practicable. Such events can include COVID-19 cases and symptoms, protests, serious injuries or fatalities, project-caused injuries to community members or property damage.

The POs/ PIUs/Welfare Offices will develop and implement Code of Conduct (CoC). The CoC will reflect core values and overall working culture, provisions relating to GBV/SEAH, waste management and disease prevention, work ethics and special illustration on COVID-19 protocols. CoCs will have to be understood and signed by all. The content of the CoCs will be included in the Agreement.

They will be required to provide the periodic information on the performance in terms of labor, OHS issues. The information will be included in their monthly report and will be reviewed by the PMUs.

## 7. AGE OF EMPLOYMENT

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

According to the World Bank standards and guidelines, the minimum age of employment for this project shall be 18 years (given the potential hazardous situation posed by COVID-19) and to ensure compliance, all employees will be required to produce National Identification Cards as proof of their identity and age which is the national identification document required for employment.

If anyone employs a person under the age of 18 years, measures to address the same will be taken by PMUs.

## 8. TERMS AND CONDITIONS

The terms and conditions of employment in Bangladesh are governed by the provisions of Bangladesh Labor Act, 2006 in connection with The Control of Employment Ordinance, 1965. The Act makes it obligatory for employers to provide service book containing written particulars of employment, signed by both parties upon employment. For this project, PMUs/POs/PIUs/Welfare Offices will be required to provide all its employees with written particular of employment.

They will also be required to comply with the most current decision of Wages Board assigned by the government, as of December 2018, the amendment of the labor act was implemented regarding the labor wage. The wages can be settled based on local wage rate prevailing at the market but not less than standard wage rate contained in the most current wages regulation issued by the government recommended by the Wages Board Chairman. In this case, written appointment letter with all terms and conditions would be given to the employees.

As a monitoring mechanism, no entity shall be entitled to any payment unless it has filed, together with claim for payment, a certificate: - a) stating whether any wages due to employees are in arrears; b) stating that all employment conditions of the contract are being complied with. It will be a material term of the contract to allow the IAs to withhold payment should they not fulfil their payment obligation to their workers.

### 8.1 Worker's Organization

The Bangladesh Labor Act, 2006 (Section 176) ratifies the Rights of Workers, guarantees all workers of their right to freely form, join or not join a trade union for the promotion and protection of the economic interest of that worker; and collective bargaining and representation and in the Bangladesh Labor Act, 2006, a worker's welfare society holds the right to negotiate the terms and conditions of employment and other related matters and any worker has the right to join the welfare society. PKSF will follow their existing ESMS regarding Worker's Organization that reflects Bangladesh Labor Act.

## 9. GRIEVANCE REDRESS MECHANISM

The Labor Act 2006 **Section 33** provides for the Formal Grievance Procedure in case a worker who has been laid-off, retrenched, discharged, dismissed, removed, or otherwise terminated from employment. PKSF's Service Rule (embedded in the ESMS) also provides similar GRM and procedure.

The PMUs will require the POs/PIUs/Welfare Offices to develop and implement a Grievance Redress Mechanism (**GRM**) for their own workforce prior to the start of design stage. They will prepare their own workers' GRM. The GRM must be well circulated and written in a language understood by all. The workers GRM will include:

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

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

- The process will be transparent and allow workers to express their concerns and file grievances.
- There will be no discrimination against those who express grievances and any grievances will be treated confidentially.
- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- Management will treat grievances seriously and take timely and appropriate action in response. Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of "suggestion/complaint boxes", and other means as needed.
- The Project workers' grievance mechanism will not prevent workers to use conciliation procedure provided in the Labor Act 2006.

A PMU representative will monitor the recording and resolution of grievances, and report these to PMUs in their monthly progress reports. The process will be monitored by the GRM Focal Point of PMUs (preferably the Social Consultant).

## DETAILS OF GRM STRUCTURE

Grievance Redress Committee (GRC) will be formed in each PO/PIU and Welfare Office by whom the Project will be implemented. This GRC will have overlapping staff function as the Project GRC as mentioned in the SEP. Prior to the start of project activities, PMU officials will confirm establishment of such committees and notify stakeholders including WB Task Team, with the understanding that they will have to meet when complaints are received. As a minimum the composition of the GRC in each District will be as follows:

- PO/PIU and Welfare Office senior representative - GRC Chair and Convener
- One PO/Welfare Officer/ staff/worker - GRC Committee Secretary
- One representative from the Trainers - GRC Committee member

## STEPS TO A SOLUTION

**Step 1:** The complainant will be advised to first attempt to settle the complaint through the local GRC. GRC at PO/Welfare Office level will endeavor to solve the problem within a week. The problem and solution will be recorded in the Grievance Log kept with the GRC.

**Step 2:** If Step 1 fails to resolve the issue, the PMU (Project Director/Coordinator) will be involved centrally to solve the issue in question within 2 weeks and the complainant will be informed of the timeline to solve the issue. The problem and solution will be recorded in the Grievance Log kept with the GRC.

The complainant will not be barred to seek legal remedies.

Any grievance filed with the GRC, must be reported in the Annual report to the PMU who will then submit a consolidated report to WB. The GRCs will record the details of the complaints and their resolution in a register, including intake details, resolution process and the closing procedures. PMUs will maintain the following three Grievance Registers:

**Intake Register:** (1) Case number, (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Father or husband, (6) Complete address, (7) Main objection (8) Complainants' story and expectation with evidence, and (9) Previous records of similar grievances.

**Resolution Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Complainant's story and expectation, (5) Date of hearing, (6) Date of field investigation (if any), (7) Results of hearing and field investigation, (8) Decision of GRC, (9) Progress (pending, solved), and (10) Agreements or commitments.

**Closing Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Decisions and response to complainants, (5) Mode and medium of communication, (6) Date of closing, (7) Confirmation of complainants' satisfaction, and (8) Management actions to avoid recurrence.

The PMUs will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by Bank. The PMUs will also prepare periodic reports on the grievance resolution process and publish these on the IAs website.

## WB GRIEVANCE REDRESS SERVICE (GRS)

Workers who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to the project-level GRM or the WB's 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. Information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS) can be found at <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. Information on how to submit complaints to the World Bank Inspection Panel, visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

## 10. Partner Organization (PO)/PIUs/ Welfare Office Management

As part of the process to select POs/Welfare offices, the PMU will review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies, if applicable;
- Business licenses, registrations, permits, and approvals, if applicable;
- Documents relating to a labor management system, including OHS issues, for example, labor management procedures;
- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses; recordable incidents;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Copies of previous contracts with POs and suppliers, showing inclusion of provisions and terms reflecting/ materially consistent with ESS2.

The PMUs will manage and monitor the performance of the POs/PIUs/Welfare Offices in relation to contracted workers, focusing on compliance by them with their contractual agreements (obligations, representations, and warranties). This may include periodic audits, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by the POs/Welfare Offices. Their labor management records and reports may include: (a) a representative sample of employment contracts or arrangements between third parties and contracted workers; (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 non-compliance with national law; and (e) records of training provided for contracted workers to explain labor and working conditions and OHS for the project.

## 11. PRIMARY SUPPLY AND COMMUNITY WORKERS

The project is not expected to use any primary or community workers and supply workers, as defined by ESS2. However, if primary supply workers are engaged necessary steps will be taken to ensure that no child and/or force labor is involved and OHS requirement for the laborers are followed.

## 12. COMMUNITY HEALTH AND SAFETY

The POs/PIUs/Welfare Offices shall follow the standards set in World Bank ESS4 to ensure the health and safety of the community. During training and apprenticeship, the workshops will be inspected by



PMU staffs to assess any risks or hazards associated. After inspection, the competent professionals from PMUs shall certify which shall reflect on the risk of adverse consequences posed by the nature and use of the structural elements and the natural conditions of the area.

PMUs shall appoint quality management systems to identify and mitigate any risks and impacts that training and microenterprise supported by the project may have on community health and safety.

The spread of COVID-19 should be taken into consideration while interacting with local communities. Social distancing per COVID-19 guidelines between and among workers and community members must be maintained.

## **PARTNER ORGANIZATIONS' (POs)/WELFARE OFFICES' GENERAL GUIDELINE COVID-19 CONSIDERATIONS IN PROJECT IMPLEMENTATION**

**INTRODUCTION.** The PMUs should identify measures to address the COVID-19 situation. What will be possible will depend on the context of the project: the location, existing project resources, availability of supplies, capacity of local emergency/health services, the extent to which the virus already exist in the area. A systematic approach to planning, recognizing the challenges associated with rapidly changing circumstances, will help the project put in place the best measures possible to address the situation. As discussed above, measures to address COVID-19 may be presented in different ways (as a contingency plan, as extension of the existing project emergency and preparedness plan or as standalone procedures). Implementing Agencies (IA) and the POs/PIUs/Welfare Offices refer to guidance issued by relevant authorities, both national and international (e.g. WHO), which is regularly updated (*WHO advice for the public, including on social distancing, respiratory hygiene, self-quarantine, and seeking medical advice, can be consulted on this WHO website: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>*).

Addressing COVID-19 at a project site goes beyond occupational health and safety and is a broader project issue which will require the involvement of different members of a project management team. In many cases, the most effective approach will be to establish procedures to address the issues, and then to ensure that these procedures are implemented systematically. Where appropriate given the project context, a designated team should be established to address COVID-19 issues, including PMU representatives, management (e.g. the project manager) of the POs/PIUs, security, and medical and OHS professionals. Procedures should be clear and straightforward, improved as necessary, and supervised and monitored by the COVID-19 focal point(s). Procedures should be documented, distributed to all POs/PIUs, and discussed at regular meetings to facilitate adaptive management. The issues set out below include a number that represent expected good workplace management but are especially pertinent in preparing the project response to COVID-19.

### **(a) ASSESSING PERSONNEL CHARACTERISTICS**

Project workers (Trainers, administrative and operations staffs etc) will be employed under different terms and conditions and be accommodated in different ways. Assessing these different aspects of the workforce will help in identifying appropriate mitigation measures:

- The POs/PIUs/Welfare Offices will prepare a detailed profile of the project work force, key work activities, schedule for carrying out such activities, different durations of contract and rotations (e.g. 4 weeks on, 4 weeks off).
- This will include a breakdown of workers who reside at home and workers who lodge within the local community. It will also identify workers that may be more at risk from COVID-19, those with underlying health issues or who may be otherwise at risk.
- Consideration will be given to ways in which to minimize movement in and out of training centers/ workshops. This will include lengthening the term of existing contracts, to avoid workers returning home to affected areas, or returning to site from affected areas.

- Consideration will be given requiring workers lodging in the local community to move to site accommodation (subject to availability) where they would be subject to the same restrictions.
- Workers from local communities, who return home daily, weekly or monthly, will be more difficult to manage. They will be subject to health checks at entry to the site (as set out above) and at some point, circumstances may make it necessary to require them to either use accommodation near workshops/ training centers or not to come to work.

**(b) ENTRY/EXIT TO THE TRAINING CENTERS/WORKSHOPS (SITE) AND CHECKS ON COMMENCEMENT OF WORK/ CASH TRANSFERS**

Entry/exit to the training centers/ workshops (site) and Welfare Offices will be controlled and documented for all, including support staff and suppliers. Possible measures will include:

- Establishing a system for controlling entry/exit to the site, securing the boundaries of the site, and establishing designating entry/exit points (if they do not already exist). Entry/exit to the site will be documented.
- Training staff who will be monitoring entry to the site, providing them with the resources they need to document entry of workers, conducting temperature checks and recording details of any worker that is denied entry.
- Confirming that workers (trainers, beneficiaries) are fit for work before they enter the site. Special attention will be paid to workers with underlying health issues or who may be otherwise at risk. Consideration will be given to demobilization of staff with underlying health issues.
- Checking and recording temperatures of workers and other people entering the site or requiring self-reporting prior to or on entering the site.
- Providing daily briefings to workers prior to commencing work, focusing on COVID-19 specific considerations including cough etiquette, hand hygiene and distancing measures, using demonstrations and participatory methods.
- During the daily briefings, reminding workers to self-monitor for possible symptoms (fever, cough) and to report to their supervisor or the COVID-19 focal point if they have symptoms or are feeling unwell.
- Preventing a worker from an affected area or who has been in contact with an infected person from returning to the site for 14 days or (if that is not possible) isolating such worker for 14 days.
- Preventing a sick worker from entering the site, referring them to local health facilities if necessary or requiring them to isolate at home for 14 days.

**(c) GENERAL HYGIENE**

Requirements on general hygiene will be communicated and monitored, to include:

- Training workers and staff on site on the signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular hand washing and social distancing) and what to do if they or other people have symptoms (for further information see [WHO COVID-19 advice for the public](#)).
- Placing posters and signs around the site, with images and text in local languages.
- Ensuring hand washing facilities supplied with soap, disposable paper towels and closed waste bins exist at key places throughout site, including at entrances/exits to work areas; where there is a toilet, canteen or food distribution, or provision of drinking water; in worker accommodation; at waste stations; at stores; and in common spaces. Where hand washing facilities do not exist or are not adequate, arrangements should be made to set them up. Alcohol based sanitizer (if available, 60-95% alcohol) can also be used.

- Review worker accommodations, and assess them in light of the requirements set out in [IFC/EBRD guidance on Workers' Accommodation: processes and standards](#), which provides valuable guidance as to good practice for accommodation.
- Setting aside part of worker accommodation for precautionary self-quarantine as well as more formal isolation of staff who may be infected.

#### **(d) CLEANING AND WASTE DISPOSAL**

Conduct regular and thorough cleaning of all site facilities, including offices, accommodation, canteens, common spaces. Review cleaning protocols for key construction equipment (particularly if it is being operated by different workers). This should include:

- Providing cleaning staff with adequate cleaning equipment, materials and disinfectant.
- Review general cleaning systems, training cleaning staff on appropriate cleaning procedures and appropriate frequency in high use or high-risk areas.
- Where it is anticipated that cleaners will be required to clean areas that have been or are suspected to have been contaminated with COVID-19, providing them with appropriate PPE: gowns or aprons, gloves, eye protection (masks, goggles or face screens) and boots or closed work shoes. If appropriate PPE is not available, cleaners should be provided with best available alternatives.
- Training cleaners in proper hygiene (including hand washing) prior to, during and after conducting cleaning activities; how to safely use PPE (where required); in waste control (including for used PPE and cleaning materials).

#### **(e) LOCAL MEDICAL AND OTHER SERVICES**

Given the limited scope of project medical services, the project may need to refer sick workers to local medical services. Preparation for this includes:

- Obtaining information as to the resources and capacity of local medical services (e.g. number of beds, availability of trained staff and essential supplies).
- Conducting preliminary discussions with specific medical facilities, to agree what should be done in the event of ill workers needing to be referred.
- Clarifying the way in which an ill worker will be transported to the medical facility, and checking availability of such transportation.
- Establishing an agreed protocol for communications with local emergency/medical services.
- Agreeing with the local medical services/specific medical facilities the scope of services to be provided, the procedure for in-take of patients and (where relevant) any costs or payments that may be involved.
- A procedure should also be prepared so that project management knows what to do in the unfortunate event that a worker ill with COVID-19 dies. While normal project procedures will continue to apply, COVID-19 may raise other issues because of the infectious nature of the disease. The project should liaise with the relevant local authorities to coordinate what should be done, including any reporting or other requirements under national law.

#### **(f) INSTANCES OR SPREAD OF THE VIRUS**

WHO provides detailed advice on what should be done to treat a person who becomes sick or displays

symptoms that could be associated with the COVID-19 virus (for further information see [WHO interim guidance on infection prevention and control during health care when novel coronavirus \(nCoV\) infection is suspected](#)). The project should set out risk-based procedures to be followed, with differentiated approaches based on case severity (mild, moderate, severe, critical) and risk factors (such as age, hypertension, diabetes). These may include the following:

- If a worker has symptoms of COVID-19 (e.g. fever, dry cough, fatigue) the worker should be removed immediately from work activities and isolated on site.
- If testing is available on site, the worker should be tested on site. If a test is not available at site, the worker should be transported to the local health facilities to be tested (if testing is available).
- If the test is positive for COVID-19 or no testing is available, the worker should continue to be isolated. This will either be at the work site or at home. If at home, the worker should be transported to their home in transportation provided by the project.
- Extensive cleaning procedures with high-alcohol content disinfectant should be undertaken in the area where the worker was present, prior to any further work being undertaken in that area. Tools used by the worker should be cleaned using disinfectant and PPE disposed of.
- Co-workers (i.e. workers with whom the sick worker was in close contact) should be required to stop work, and be required to quarantine themselves for 14 days, even if they have no symptoms.
- Family and other close contacts of the worker should be required to quarantine themselves for 14 days, even if they have no symptoms.
- If a case of COVID-19 is confirmed in a worker on the site, visitors should be restricted from entering the site and worker groups should be isolated from each other as much as possible.
- If workers live at home and has a family member who has a confirmed or suspected case of COVID-19, the worker should quarantine themselves and not be allowed on the project site for 14 days, even if they have no symptoms.
- Workers should continue to be paid throughout periods of illness, isolation or quarantine, or if they are required to stop work, in accordance with national law.
- Medical care (whether on site or in a local hospital or clinic) required by a worker should be paid for by the employer.

#### **(g) TRAINING AND COMMUNICATION WITH WORKERS**

Workers need to be provided with regular opportunities to understand their situation, and how they can best protect themselves, their families and the community. They should be made aware of the procedures that have been put in place by the project, and their own responsibilities in implementing them.

- It is important to be aware that in communities close to the site and amongst workers without access to project management, social media is likely to be a major source of information. This raises the importance of regular information and engagement with workers that emphasizes what management is doing to deal with the risks of COVID-19. Allaying fear is an important aspect of work force peace of mind and business continuity. Workers should be given an opportunity to ask questions, express their concerns, and make suggestions.
- Training of workers should be conducted regularly, as discussed in the sections above, providing workers with a clear understanding of how they are expected to behave and carry out their work duties.
- Training should address issues of discrimination or prejudice if a worker becomes ill and provide an understanding of the trajectory of the virus, where workers return to work.

- Training should cover all issues that would normally be required on the work site, including use of safety procedures, use of construction PPE, occupational health and safety issues, and code of conduct, taking into account that work practices may have been adjusted.
- Communications should be clear, based on fact and designed to be easily understood by workers, for example by displaying posters on hand washing and social distancing, and what to do if a worker displays symptoms.

#### **(h) COMMUNICATION AND CONTACT WITH THE COMMUNITY**

Relations with the community should be carefully managed, with a focus on measures that are being implemented to safeguard both workers and the community. The community may be concerned about the presence of non-local workers, or the risks posed to the community by local workers presence on the project site. The following good practice should be considered:

- Communications should be clear, regular, based on fact and designed to be easily understood by community members.
- Communications should utilize available means. In most cases, face-to-face meetings with the community or community representatives will not be possible. Other forms of communication should be used; posters, pamphlets, radio, text message, electronic meetings. The means used should take into account the ability of different members of the community to access them, to make sure that communication reaches these groups.
- The community should be made aware of procedures put in place at site to address issues related to COVID-19. This should include all measures being implemented to limit or prohibit contact between workers and the community. These need to be communicated clearly, as some measures will have financial implications for the community (e.g. if workers are paying for lodging or using local facilities). The community should be made aware of the procedure for entry/exit to the site, the training being given to workers and the procedure that will be followed by the project if a worker becomes sick.
- If project representatives, POs or workers are interacting with the community, they should practice social distancing and follow other COVID-19 guidance issued by relevant authorities, both national and international (e.g. WHO).