

THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA



Final

Labor Management Procedure

**Response – Recovery – Resilience for Conflict-affected
communities in Ethiopia (3R-4-CACE)
(P177233)**

August 2022

Addis Ababa

Table of Contents

- 1. PROJECT BACKGROUND 1**
 - 1.1. Project Development Objective (PDO) 1**
 - 1.2. Components of the Project..... 2**
- 2. RATIONALE OF THE LABOR-MANAGEMENT PROCEDURES..... 6**
- 3. OVERVIEW OF LABOR USE IN 3R-4-CACE..... 7**
 - 3.1. Project Workers..... 8**
 - 3.2. Timing of Labor Requirements..... 10**
- 4. ASSESSMENT OF KEY POTENTIAL LABOR RISKS 10**
 - 4.1. Risks associated with direct workers 10**
 - 4.2. Risks associated with Contract workers..... 13**
 - 4.3. Risks associated with primary suppliers’ workers 17**
 - 4.4. Risks associated with community workers 17**
- 5. OVERVIEW OF ETHIOPIAN LABOR LEGISLATION: TERMS AND CONDITIONS 22**
 - 5.1. Minimum Age for Employment and Prohibition of Child and Forced Labor..... 23**
 - 5.2. Provisions Related to Women 24**
 - 5.3. Leaves 24**
 - 5.4. Sexual Harassment and Violence..... 25**
 - 5.5. Wages 25**
 - 5.6. Hours of Work 26**
 - 5.7. BRIEF OVERVIEW OF LABOR LEGISLATION ON THE OCCUPATIONAL HEALTH SAFTY 27**
 - 5.7.1. Benefits in the Case of Employment Injuries 28**
 - 5.8. COVID-19 prevention at workplace 28**
 - 5.9. The World Bank Environmental and Social Standards: ESS 2 30**
 - 5.10. The World Bank Environmental and Social Standards: ESS 4 30**
- 6. RESPONSIBILITY OF STAFF MANAGEMENT 30**
- 7. Terms and Conditions 31**
- 8. Roles and Responsibilities for Managing the Labor Management Procedure..... 32**
- 9. Grievances Redress Mechanism 34**
 - 9.1 Introduction 34**
 - 9.2. Proposed Grievance Redress Mechanism for the 3R-4-CACE Project 35**
 - 9.2.1 Grievance Management Process 35**
 - 9.2.2 Grievance Resolution Process..... 36**
 - 9.2.3 Principles and Procedures of the GM related to project workers 38**
 - 9.3 World Bank Grievance Redress System..... 39**

1. PROJECT BACKGROUND

The current wave of conflict in Ethiopia has been driven by a complex web of drivers and grievances, including political rivalries, contestation over localized resources, perceptions of regional and historical inequalities – both in development and political representation; these have been exacerbated by unfulfilled employment expectations among youth, shrinking availability of land for the younger generation, and the impacts of climate change. Conflict has led to large-scale internal displacement: as of 24 September 2021, IOM data indicates that there were 4.17 million internally displaced persons (IDPs) in Ethiopia, one of largest populations of IDPs in the world. The vast majority, 84 percent, have been displaced by conflict, while 11 percent have been displaced by drought and flash floods. The rest were displaced by a combination of social tensions, landslides, swampy lands, volcanic activities, and development projects. Nearly half of all IDPs have been displaced in and from Tigray, primarily due to the conflict in the region, and nearly 90 percent of all IDPs in Ethiopia are located in four regional states: Tigray (2.04 million IDPs, 48.82 percent), Oromia (497,267 IDPs, 11.92 percent), and Amhara (354,014 IDPs, 8.49 percent). These numbers are almost certainly an undercount – IOM data does not cover IDPs who are not located in identifiable IDP settlements, and some parts of Ethiopia (notably Tigray, parts of Western Oromia, and Benishangul-Gumuz) which have been among the most affected by conflict, were not fully accessible for data collection.

The impacts of conflict and displacement have been deeply gendered, and conflict has been characterized by marked increases in sexual and gender-based violence (GBV). IDPs also reported relatively widespread incidences of sexual violence during conflict, mostly against women and girls, but also against men and boys. The broad areas of intervention by international actors in response to the IDP crisis includes food distribution and cash assistance in specific areas (with organizations and the federal government relying on local government for their operations and infrastructure), capacity building at the local government level to support durable solutions (including to ensure that IDPs choices are adequately reflected), addressing drivers of displacement, women’s empowerment projects, as well as projects focused on youth employment.

The Government of Ethiopia (GoE) request the Bank to seek support to assist the implementation of the Integrated Development, Recovery and Resilience Strategy to manage the IDPs crisis, including actions to build capacity for crisis preparedness and response and longer-term recovery from fragility and conflict. The GoE is planning to implement the Response Recovery-Resilience for Conflict Affected Communities in Ethiopia (3R-4-CACE) Project. The Project will be coordinated by the Ministry of Finance (MoF) which will be sign the final agreement on behalf the government of Ethiopia. Besides, the MoF together with National Disaster Risk Management Commission (NDRMC) and Ministry of Women and Skill development (MoWSD) will be responsible for the implementation of the activities in this Labor Management Procedure (LMP)

1.1. Project Development Objective (PDO)

The Project Development Objectives are to (i) rebuild and improve access to basic services and climate-resilient community infrastructure and (ii) improve access to multi-sectoral response services for GBV survivors, in selected conflict-affected communities in Ethiopia. The following PDO-level Indicators will be used to measure the achievement of the PDO:

- a) Beneficiaries with access to new or improved climate-resilient community infrastructure (Number, disaggregated by gender and displacement status)
- b) Beneficiaries with access to new or improved community services (Number, disaggregated by gender and displacement status)
- c) Increase in reported GBV cases who receive access to multi-sectoral response services¹ (Percent, disaggregated by gender).

1.2. Components of the Project

The project has four major components and sub-components. These includes rebuilding and improving access to basic services and climate-resilient community infrastructure, improving access to GBV response services, adaptive project management and contingency emergency response. The first componet and sub-components require land acquisition. Each of the components and sub-components are discussed in detail in the following sections.

Component 1: Rebuilding and Improving Access to Basic Services and Climate-resilient Community Infrastructure (Cost: \$210.0 million)

Component 1 will support conflict-affected communities' access to basic services and climate-resilient community infrastructure in selected Woredas. The project will finance the provision of rapid response basic services as and when needed to lay foundations for more sustainable support with a focus on health, education, WASH, and other services as feasible. Additional temporary support services, such as psychosocial care and/or support for unaccompanied minors, will be financed under Component 2. This component will also finance longer-term recovery through establishment, restoration, or rehabilitation of basic services and community infrastructure.

The component will aim to address climate and FCV risks and strengthen drivers of resilience and socioeconomic recovery.⁵⁹ The project will support response and recovery activities that advance growth and development in the country, and address key risk factors that may exacerbate conflict, for example, climate change and perceived inequities or tensions between host communities and IDPs or between different socioeconomic groups blamed for the conflict and its impacts. Recovery activities will also focus on communities and the strong integration of different local stakeholders, including traditional leaders, to ensure a more inclusive recovery process, thereby addressing some of the institutional and communication gaps between the government and communities and among communities that have contributed to local conflict lines. Finally, the component will allow for targeted additional interventions that may mitigate local-level conflicts, for example conflict sensitivity trainings for local institutions. The implementation of this component will be led by a Federal Project Coordination Unit (FPCU) in MoF (see Section III for details). Financed activities will be grouped into the following three sub-components:

Sub-component 1.1: Community-based Rapid Response Basic Services (Cost: \$53.0 million)

¹ Multi-sectoral services are defined as at least two of the following: medical, psychosocial, police/security, and legal support. This indicator is calculated as the number of GBV cases that receive at least two services (including referrals) out of the total number of GBV cases that access services. This will be further disaggregated by point of entry for services. At the service provider level and as part of a process evaluation, analysis data from available information management tools will also give a deeper understanding of services available, unavailable, or declined by survivors. As not all survivors need or want to access more than one service, it is not expected to see a percentage increase once approximately 75 percent of survivors are accessing at least two services services.

This sub-component will finance rapid response services to meet the basic needs of selected communities, including vulnerable groups (particularly women). These needs have been preliminary identified by the government and humanitarian organizations and will be further refined and updated by the rapid WNCCAs, including climate assessments.⁶⁰ Mobile health response services will include medical assessment, distribution of medicines, and medical services following an approach which builds upon lessons from health interventions recently conducted in the Tigray Region. Education teams will provide informal education support services, for example, through the successfully piloted

Program and more formal education services focusing on accelerated learning, for example, through speed schools with accelerated curricula and community day care services. WASH interventions may encompass provision of potable water via trucks, basic sanitary facilities, and other interventions. Given overlapping vulnerabilities in the selected areas, these services will equally respond to compounded climate-related shocks. Activities will be implemented in coordination with the World Bank-financed Health Sustainable Development Goals Program-for-Results (P123531), General Education Quality Improvement Program for Equity and Additional Financing (P163050/P168829), and the Urban Productive Safety Net and Jobs Project (P169943).

Sub-component 1.2: Community-based Recovery Activities (Cost: \$151.0 million)

This sub-component will finance recovery of local infrastructure and services, informed by conflict and climate needs assessments, and prioritized based on the results of community consultations. Ownership of the recovery process, including joint decision-making power by host communities and IDPs alike, will be facilitated through the establishment of Neighborhood Relations Committees (NRCs), with support from the Woreda administration and Mobile Support Teams from the Federal and regional levels. Communities will prioritize and decide on the recovery and rehabilitation investments/sub-projects, to be outlined in community recovery plans at the Kebele level. Recovery plans could include the reconstruction of existing or construction of new community facilities, such as education, health, and WASH facilities, youth clubs, and training centers, as well as related soft investments, for example, capacity building activities for NRCs, social cohesion interventions to facilitate IDP/host community relations according to allocated financial envelopes.⁶¹ The project may also finance inter-Kebele sub-projects that are prioritized jointly by the relevant communities, within a defined financial envelope. These allocations will be described further in the POM. Construction and reconstruction of community facilities will take into account current and future climate change risks in the facilities' design, materials, and location, and there will be emphasis on the use of energy and resource efficiency measures. The formal Woreda Appraisal Committees will ensure alignment of the recovery plans with the government's longer-term local development plans. Procurement and implementation will be facilitated and supervised by the Woreda in areas where they are functional, with community monitoring facilitated by the NRCs. In HROC Woredas, third-party implementation will lead the procurement and implementation functions. As relevant, activities will be implemented in coordination with the Health Sustainable Development Goals Program-for-Results, the General Education Quality Improvement Program for Equity and Additional Financing, the Development Response to Displacement Impacts Project (DRDIP, P152822), the Economic Opportunity Program (P163829); and the forthcoming Borderlands project, the latter part of the Horn of Africa Regional Initiative.

Sub-component 1.3: Strengthening Institutions for Resilience (Cost: \$6.0 million)

This sub-component will finance capacity strengthening activities to enhance community resilience to the effects of conflict and to current and future climate change impacts. At the Federal level, institutional assessments and technical assistance activities may be financed, while at the Woreda level, capacity enhancement activities will focus on existing local civil servant workforce whose capacity for engaging

with communities will be enhanced, and whose standard working procedures and systems for citizen engagement and deployment of rapid resources will be strengthened. At the Kebele level, interventions will focus on strengthening formal and informal community structures, including Women's Groups, traditional burial associations (*Iddirs*) and other structures. In HROC Woredas, support will be limited to community structures at the Kebele level.

Component 2: Improving Access to GBV Response Services (Cost: \$70.0 million)

This component will primarily finance the strengthening of short- and medium-term GBV response services for survivors of GBV within the targeted regions. This will be complemented by piloting GBV prevention programming, both as a mechanism to encourage service seeking behavior by GBV survivors, facilitate their longer term recovery, and address underlying norms and dynamics that contribute to violence; and strengthening the institutional capacity for policy coordination and delivery for quality, confidential, and survivor-centered care across the country.

The interventions under Component 2 are expected to respond to the multiple needs of GBV survivors to enable short- and medium-term recovery from violence and to strengthen the capacity of vulnerable people to cope with future shocks and stresses that may contribute to GBV incidence, including, among others, those related to conflict and to the impacts of climate variability and change. By targeting prevention and behavior change, this component also will aim to address drivers and risk factors that contribute to acceptance and perpetration of GBV that may be exacerbated by conflict, climate events, or other related shocks. Addressing drivers and impacts of GBV has important implications not only for the physical and psychosocial well-being of survivors, but also for social cohesion and sustainable development of communities more generally. The high prevalence rates of GBV in Ethiopia are linked to underlying social and cultural norms and values that perpetuate power imbalances between men and women, as well as between and across communities, exacerbated by the ongoing conflict, which increases the vulnerability of affected people. Left unaddressed, GBV incidence can contribute to communal instability and result in significant economic costs to families and communities alike, extending from lost productivity, lost earnings, and out of pocket medical expenditures. Prevention activities may unlikely prevent the explicit use of GBV as a targeted weapon of war, but they should support an environment where overall tolerance for GBV is reduced and the communal support for survivors increases. Component 2 will be implemented by MoWSA in coordination with relevant government agencies, including MoH, Ministry of Justice (MoJ), the Federal Police Commission, and the Ministry of Education, and in partnership with nongovernment partners with technical expertise in GBV prevention and response, particularly UNICEF (see Section III for details). This component's activities will be grouped into the following three sub-components:

Sub-component 2.1: Expanding and Strengthening GBV Services in Conflict-affected Communities (Cost: \$51.0 million)

A mapping exercise will be carried out, looking at existing referral services and providers within the selected Woredas, their capacities and need for training, an assessment of the quality of care they provide, and vulnerabilities to climate change. This information will inform service strengthening needs and capacity building activities and, more broadly, enable improved coordination across stakeholders. Activities to be financed under this sub-component include (i) strengthening of existing and new OSC facilities as needed, including training of OSCs' critical personnel to perform core services (including medical, case management, psychosocial, police, and legal support), and procurement of essential medical supplies and other materials for the OSCs and (ii) expanding and strengthening community-level response and referral mechanisms for GBV survivors through the delivery of essential GBV response services and training of key personnel, including community-based actors, frontline providers, and health

personnel in core services, including social services, MHPSS, emergency response, and referral support for GBV survivors by specialized implementing partners. The project will support capacity building of technical staff, such as health professionals and social workers, to provide medical care (including clinical management of rape), case management support, and MHPSS, and will pilot delivery of mobile GBV services in target Woredas where access to OSCs or health facilities is not available. This sub-component will finance the provision of MHPSS through training and deployment of mental health and psychosocial service providers, as well as through contracting of specialized external providers, to serve GBV survivors, as well as conflict- and displacement-affected people more broadly.

The project will explore establishment or rehabilitation of safe houses or safe spaces and programming for vulnerable children, such as establishment of Women and Girl Friendly Spaces (WGFS, also referred to as Girl Clubs) to enable multi-layered access to key support activities, including case management, counseling, and other social activities. It will also explore the feasibility to support innovative reporting systems, including hotlines/helplines. Recognizing the importance of survivors' economic independence as a measure to reduce economic dependence on perpetrators and improve resilience to violence, the project will support opportunities to integrate economic empowerment interventions in community-level response programs or, at a minimum, to enable referral to existing livelihoods and income generation programming outside of this project. Activities will be implemented in coordination with the Health Sustainable Development Goals Program-for-Results, the General Education Quality Improvement Program for Equity and Additional Financing, and the forthcoming Strengthening Primary Health Care Services Program-for-Results (P175167). All activities will be informed by and build on relevant international and regional frameworks, as well as global and regional good practice for safe, ethical, and survivor-centered care.

Sub-component 2.2: GBV Prevention and Behavior Change (Cost: \$15.0 million)

This sub-component will pilot evidence-based GBV-related prevention and behavior change activities at individual, household, and community levels in selected conflict and climate-affected Woredas. Activities may include provision and facilitation of gender transformative dialogue groups and/or couple-based trainings, activism training, community awareness raising and mobilization (including traditional leaders), and behavior change communications campaigns to increase people's awareness of risks and impacts of GBV and of available GBV support services. Opportunities to integrate climate-resilient livelihood support and economic empowerment programming into prevention interventions will be explored by financing, for example, gender transformative training that is integrated into women's entrepreneurship interventions, business or savings groups, village savings and loan associations, or other related economic empowerment interventions.

Sub-component 2.3: Support to Coordination, Policy Development, and Research for GBV Prevention and Response (Cost: \$4.0 million)

This sub-component will finance relevant capacity building activities to strengthen the coordination mechanisms for GBV programming between relevant ministries and regional bureaus with a mandate for GBV prevention and response; review and strengthening of the policy and legal framework for addressing GBV, which may include the dissemination of recently finalized and launched Standard Operating Procedures for OSCs, development of a National Strategy for GBV Response, a National GBV Policy, or other policy priorities identified by government partners; and technical assistance actions aiming to strengthen the government's capacity to conduct targeted analyses that inform GBV prevention and response programming as needed.

Component 3: Adaptive Project Management (Cost: \$20.0 million)

Component 3 will finance the incremental costs of the various project management aspects associated with the implementation of activities under components 1 and 2 (for example, the costs of the FPCU, Federal Project Implementation Unit [FPIU], and other coordination and oversight structures), as well as learning activities that will help improve the effectiveness of project-financed activities and adapt them to changed settings. Component 3 will be implemented by MoF as the lead Implementing Agency for this project, and by MoWSA, which will be responsible for implementation of Component 2. Activities will be grouped into the following two sub-components:

Sub-component 3.1: Project Management (Cost: \$15.0 million)

The sub-component will finance project management and coordination costs, including the costs of the steering committees at the different levels, the FPCU in MoF, an FPIU in MoWSA, respective regional and Woreda coordination units, the FPCU's Mobile Support Teams, and other project implementation structures as needed. It will also finance operational assessments such as the WNCCAs. This sub-component will also finance project communication costs, making sure that project activities are well known to beneficiaries with details outlined in the Stakeholder Engagement Plan (SEP).

Sub-component 3.2: Learning and Adaptive Implementation (Cost: \$5.0 million)

This sub-component will finance the contracting of an operations-focused consulting firm to provide quality control and learning services to the project. This will include analyses of the effectiveness of activities under components 1 and 2 and improvement recommendations, and continued evaluation of the project's targeting mechanisms. This sub-component may be completed by World Bank-contracted third-party monitoring (TPM, see Section III.B).

Component 4: Contingent Emergency Response Component (Cost: \$0.0)

A CERC is included in the project in accordance with Investment Project Financing (IPF) Policy, paragraphs 12 and 13, for Situations of Urgent Need of Assistance and Capacity Constraints. This will allow for rapid reallocation of credit/grant uncommitted funds in the event of an eligible emergency as defined in OP 8.00. An Annex to the POM ('CERC Annex') will be prepared within 6 months of credit effectiveness to guide the activation and implementation of the CERC, and a CERC Environmental and Social Management Framework (ESMF) will also be prepared within 6 months of credit effectiveness with the CERC environmental and social (E&S) assessment and initial requirements. For the CERC to be activated and financing to be provided, the Government will need (i) to submit a request letter for CERC activation and the evidence required to determine eligibility of the emergency, as defined in the CERC Annex; and (ii) an Emergency Action Plan, including the emergency expenditures to be financed; and (iii) to meet the E&S requirements as agreed in the Emergency Action Plan and the Environmental and Social Commitment Plan (ESCP).

2. RATIONALE OF THE LABOR-MANAGEMENT PROCEDURES

For successful implementation of the 3R-4-CACE project, the use of government, private sector, and cooperatives human resources is anticipated at all levels from Federal to Region, Zone, and Kebele. The Government of Ethiopia recognizes that comprehensive management of human resources is important in augmenting the positive outcomes of the project. The Labor-Management procedure (LMP) identifies the labor requirements and risks associated with the project. It is expected that the LMP and the procurement documents will inform each other and key aspects of the LMP will be incorporated as

contractual obligations of the private sector, cooperatives, contractors, and subcontractors. The main objectives of ESS 2 are the following:

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

This LMP is a living document, which is developed by Ministry of Finance (MOF) together with National Disaster Risk Management Commission (NDRMC) and Ministry of Women and Skill development (MoWSD) during 3R-4-CACE project preparation and will be reviewed and updated throughout the development and implementation of the project.

Note. The project will ensure compliance with national law requirements as well as World Bank guidelines regarding the COVID-19 situation.

3. OVERVIEW OF LABOR USE IN 3R-4-CACE

The 3R-4-CACE project will be implemented per the Ethiopian Labor Proclamation No. 1156/20192 and the World Bank's ESS2. The project implementing agencies (MoF, NDRMC and MoWSD) are responsible to ensure compliance by their employees as well as potential contracted institutions. Labor and working conditions in the project are relevant to direct workers (including government civil servants seconded from their home agencies to work concerning the project) employed or engaged by the project implementing agencies, contracted workers, and primary supply workers. The main subprojects and activities project workers will be engaged on include:

- Emergency services and facilities such as shelter, water trucking, water supply facilities, sanitation facilities, power sources, and mobile clinics
- Reconstruction of existing and construction of new healthcare facilities
- Reconstruction of existing and construction of new education facilities
- Reconstruction of existing and construction of new WASH facilities
- Reconstruction of existing and construction of new youth clubs, farmers training centers, and other facilities
- Reconstruction of existing and construction of one stop centers and safe houses
- Procurement of medical equipment
- Procurement of ambulances, pickup vehicles, and motorcycles

- Procurement of medicine
- Mobile GBV services
- Livelihood transition trainings
- Mental Health and Psychosocial Support (MHPSS) services
- Procurement of dignity kits

The project will anticipate mobilization of community workers as defined in ESS2 - people engaged and employed in providing community labor. These include neighborhood relations and kebele development committees which are established at community level to mobilize the community.

This LMP will also include potential labor risks anticipated in the project; terms and conditions that will be applicable for workers, as per the Government of Ethiopia Labor Proclamation; GoE’s legal frameworks on OHS; responsibility of staff management and Workers Grievance Mechanism.

As per paragraph 9 of ESS2, Labor Management Procedure should be developed and implemented for project-related workers. Thus, implementing agencies (MOF, NDRMC and MoWSD) has prepared this LMP which will be implemented defining the potential project workers, the risks, and impacts with issues of labor and working conditions. The procedures identified in this LMP apply to the direct, contracted, and primary supply workers. The project components’ activities will involve workers which include both males and females.

3.1. Project Workers

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

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

- A. **Direct Workers:** According to the EES2, a “direct worker” is a worker with whom the Borrower has a directly contracted employment relationship and specific control over the work, working conditions, and treatment of the project worker. The worker is employed or engaged by the Borrower, paid directly by the Borrower, and subject to the Borrower’s day-to-day instruction and control.

For the 3R-4-CACE project, the direct workers are likely to include project manager, operators, supervisors who will be assigned to work for this project under MOF, NDRMC and MoWSD office. However, it is difficult to estimate the exact number of direct workers who will be engaged concerning the 3R-4-CACE Project (mainly for Components 1, 2, and 3).

It is expected that direct workers would also include independent consultants, who are

specialized in certain disciplines (such as training including GBV, supervision, and environment and social safeguards, etc.). This kind of expertise is planned to be supported by 3R-4-CACE project Component 3 (Learning and Project Management). These consultants will be hired under individual contracts and/or firm, with a specific definition of the assigned tasks and responsibilities (such as with defined Terms of Reference (ToR)).

In addition to staff employed by the project, there are different civil servants who will be involved in project implementation at federal, regional, zonal and woreda levels including MoWSD with key stakeholder that it will work with Ministry of Health (MoH) and Attorney General as well as NDRMC with relevant stakeholders including Ministry of Agriculture, Ministry of Urban Development and Infrastructure (MoUDI), Ministry of Peace, among others.

Terms and conditions of these workers are guided by Federal Civil Servants proclamation no. 1064/2017 at federal level and by the Civil Service Proclamations of their respective regional states.

B. Contracted Workers: Contracted workers would be hired for (re)construction and rehabilitation public facilities related to Components 1 activity. Each contractor might need the engagement of subcontractors. The subcontractors' workforce will also be considered as contracted workers. At this time, it is difficult to estimate the number of contract workers that will be engaged in the components 1, as the number of contractors and subcontractors required for the set of project activities. The contractors will qualify to bid as per the World Bank's procurement procedures and guidelines which includes environmental, social, Health and safety performance declaration. Further, the project will also procure professional services (consultants) to undertake specific activities like baseline study, midterm evaluation, terminal evaluation, financial audit, procurement audit, environmental and social audit, gender assessment, etc. The short-term consultants are guided by written contractual agreement between the project and the consultancy firm.

C. Primary Supply Workers: Primary supply workers would be engaged by implementing agencies to supply to the project activities materials include suppliers of construction materials for any civil works to be supported by the project, protection/safety materials like glove and masks and control equipment.

D. Community worker: people employed or engaged in providing community labor (i.e., Projects may include the use of community workers in a number of different circumstances, including where labor is provided by the community as a contribution to the project, or where projects are designed and conducted for the purpose of fostering community-driven development or providing targeted assistance in fragile and conflict-affected situations. Given the nature and objectives of projects, the application of all requirements of ESS2 may not be appropriate. In all such circumstances, the Borrower will require measures to be implemented to ascertain whether such labor is or will be provided on a voluntary basis as an outcome of individual or community agreement). Currently, labor is provided by the community, not

clear now, as a contribution to the project, or for the purpose of fostering community-driven development.

3.2. Timing of Labor Requirements

It is expected that the construction phase of the (re)construction and rehabilitation public facilities four to five years. All semiskilled, skilled, and unskilled labor during the(re)construction and rehabilitation public facilities will be recruited from local communities based on the availability of manpower. All direct project workers are required continuously throughout the project life while experts from relevant ministries and agencies will be involved intermittently as required. In addition, the duration of engagement of consultants/contractors varies with the task and number of woreda/implementing areas to be covered e.g. Six months for baseline survey, three months for midterm evaluation, four months for terminal evaluation, two months for financial audit, and so on. Also, the duration of engagement of the community workers varies depending on the requirement of the project activities.

4. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

4.1. Risks associated with direct workers

Direct workers of the 3R-4- CACE may face potential labor related risks such as in connection with the process of hiring and employment (terms in conditions of contracts), discriminations and exclusion of vulnerable/disadvantaged groups, health and safety risks, accidents, gender-based violence (GBV and SEA), child labor, worker's organization and absence of grievance redress mechanisms.

- A. **Risks of inadequacy in terms and conditions of employment:** risks of exclusions or omissions of basic rights of workers related benefits, work hours, wages, compensations, etc... in employment contracts in violation of national labor law provisions; engaging workers without a valid contract agreement in place; un-clarity in the language of the contract; lack of awareness and understanding on the terms and conditions (rights and obligations);lack of awareness on the relevant labor laws and procedures;
- B. **Risks of discrimination and exclusion of vulnerable/disadvantaged groups:** workers may face this risk during hiring and recruitment of employees and while at work. There might be discrimination of workers based on their identity, physical ability or disability, political affiliation, HIV/AIDS, religion, and gender; discrimination can also happen in relation to provision of compensations, benefits and other opportunities such as access to training, job assignment, promotions; application of disciplinary measures and penalties; termination of employment or retirement, working conditions and terms of employment; discriminations may arise due to favoritism, nepotism and corruption;
- C. **Risks of child labor and forced labor:** though it is legally prohibited to formally employ a worker of underage, there might be cases of engaging underage as direct worker. In the Ethiopian civil servant proclamation, any person less than 18 years of age is not legally allowed to be employed.
- D. **Risks of restrictions on worker's organization:** employer may interfere and restrict workers from forming worker's organization or joining other similar organization for collective rights

negotiations, to express grievances, to enable collective voicing on conditions of work, benefits, protection of rights, etc....

- E. **Gender-Based Violence, Risks of sexual harassment and assault:** women workers may face risks of sexual harassment and assault by employees, clients, work colleagues, hosted community as well as migrates during hiring and employment process, and/or while at work in office and/or outside of office during field works in project implementation areas;
- F. **Risk of absence of a mechanism to express grievances and to protect rights of workers:** labor related grievance redress mechanism may not be in place at work place and workers may not be aware of how and where to file complaints, violations of rights and prevention of harassments;
- G. **Inadequate awareness and implementation of occupational health and safety requirements:** workers may face risk of contracting and/or transmitting COVID-19 at work place, and/or in places of potential exposure such as social gatherings, travel to and from work, public transportation, in offices, and field work sites; workers may also be exposed to the risk of HIV/AIDS infections due to contaminations at work places, during accidents, in medical facilities and/or due to law awareness on protection measures. Also, security situations that may affect the community's safety in the project implementation area.

The major occupation health and safety risks on direct workers during project implementation period include:

- Risk from work area temperature
- Risk from indoor air quality and ventilation
- Risk from noise
- Risk of slip, trip, and fall from electric and data cords, low drawers, wet floors, etc.
- Risk from communicable and infectious diseases due to lack of ventilation in the work area; improper disposal of biological wastes; and lack of pest control services
- Risk from hazardous materials and waste in the work area
- Risk of electrocution from faulty wiring and damaged electrical equipment and appliances; improper grounding; wet conditions in the work area; and inadequate training on the use of electrical equipment and appliances
- Risk of fire from overheated equipment and appliances; overloaded electrical outlets; blocked walkways and fire escape; and lack of emergency action plan
- Risk of ergonomics injuries including those resulting from poor work area design and furniture
- Risk due to poor housekeeping in the work area
- Risk due to lack of first aid and trauma kits
- Risk due to lack of welfare facilities
- Risk due to lack of emergency response plan for the work area
- Risk during travel to and from the office and during field visits
- Security risks during travel and field work

Similarly, occupational health and safety risks of direct workers during operation of the project include:

- Biological risks at healthcare facilities from blood-borne, airborne, and contact infections
- Ergonomics risks
- Risk of slip, trip, and fall
- Risks from poor housekeeping
- Risk due to insufficient ingress and egress from and to facilities
- Risks from hazardous materials and waste
- Risk from chemicals used for cleaning, disinfection and other operations
- Risk of electrocution during handling of electromechanical equipment at WASH facilities
- Risk of fire
- Risk of contamination from wastewater from WASH facilities
- Risks during maintenance of facilities including the most common risks such as work at height, struck by objects, cuts and abrasions, manual handling, lifting operations risks, etc.
- Risk during travel from and to the facilities
- Risk due to lack of security
- Risk from security personnel
- Risk due to lack of welfare facilities
- Risk due to lack of first aid and trauma kits
- Risk from lack of emergency response plan

H. **Risks of accidents and inappropriate use of personal protective equipment (PPE):** workers may be exposed to accidents related to travel (car, motorbike, bus) and field work in remote hosting community during inventory, monitoring and routine facilitation and coordination activities of project. Further, during the construction/rehabilitation of public centers including hospitals or health centers, there might be a risk related and inappropriate use of personal protective equipment (PPE) as well as machineries and/or material which may lead to accidents in the worker.

Mitigation measures are listed below for the above identified risks

- Conduct awareness creation program related terms and conditions of employment including their rights and obligations
- Nondiscrimination working environment to all workers/employee through posting the country labour law and ESS 2 in local language, obey obligations of the vulnerable groups, create supportive environment in terms of expressing the grievance/ complain related any issues
- Create monitoring mechanism to check all employee are hired as the per Ethiopian civil servant proclamation and testimonials or credentials from legally authorized body should be provided as proof of proper age in cases of doubtful or contentious age claims;

- Provide managerial support during the formation of the workers association/organization
- In place workers grievance redress mechanism in all project implementation sites
- Worker should have to train the occupational, health and safety issues related to the project activities including
 - 3.1. All necessary safety and rescue equipment must be available on site before entry into confined space;
 - 3.2. Maintain housekeeping of work area to prevent risk of fire (remove unnecessary accumulated debris, flammable liquids/gases, wooden materials, plastics, etc.) ;
 - 3.3. Investigate the stability of existing structures adjacent to excavations before the work commences and if there is a need consider measures such as shoring before excavations begin;
 - 3.4. First aid and trauma kits should be made available at the work area and should be replenished after use;
 - 3.5. Provide training on the use of first aid kits as well as trained first aider should be available at the work area at all times;
 - 3.6. Provide Orientation to use appropriate types of PPE for each work type, wear high visibility vest, hard hat, and safety boots at all times and other related issues;
- Availing security personal as indicated in the security risk assessment and action plan
- Conduct initial security situation assessment before traveling to the project sites

4.2. Risks associated with Contract workers

- A. **Risk of Gender-Based Violence, Sexual Exploitation and Abuse, and Sexual harassment:** contract workers from sub-contractors may be exposed to this risk. Due to the nature of the project, contract workers from third parties may be engaged for the (re)construction and/or rehabilitation public centres (civil works) in the project implementation areas, where there is a chance that workers and beneficiary communities interact in isolations, which might cause potential risks of Gender-Based Violence, Sexual Exploitation and Abuse, Sexual Harassment in the program implementing areas.
- B. **Risk of non-compliance by the contracting entity:** in case of sub-contracting and outsourcing maintenance and construction works of public services provided centers in the project implementing areas, sub-contractors will be required to be legitimate sources and reliable entities, present evidences of compliance to the ESS2, incorporate the requirements of the ESS2 into contractual agreements.
- C. **Risk of absence of access to grievance mechanisms during engagement:** workers from sub-contractors may not have appropriate access to grievance mechanisms and may not be able file complaints. The sub-contractor will be required to provide grievance mechanisms for such workers and/or they will be provided access to existing grievance mechanisms.
- D. **Risks related to Occupational Health and Safety:** Contracted workers with subproject contractors or third parties are exposed to many occupational health and safety risks and impacts. These risks

are mainly associated with contracted workers working in reconstruction of existing and construction of new facilities. These risks include:

- Collapse of excavation sides and trapping persons working inside excavation (excavations could collapse due to (i) unstable cut angles, (ii) due to surcharge weight on the rim of pits/trenches by excavation spoil, (iii) due to surcharge weight on the rim of pits/trenches by materials placed/stored, and (iv) due to surcharge weight on the rim of pits/trenches by equipment/machines stationed, (v) due to surcharge weight on the rim of pits/trenches by adjacent existing structures)
- Persons falling into excavations due to lack of edge protection or barriers around open excavations (pits, trenches)
- Plant and materials falling into excavations and trapping workers in side pits/trenches due to lack of edge protections or barriers around open pits/trenches and due to lack of coordinated work procedures
- Weakening of adjacent or existing structures (if any) due to excavations
- Striking existing services/utilities (if any) during excavations
- Work at height (any activity done at a level equal or higher than 2 m is considered as work at height)
- Collapse of formwork during formwork assembly, during concrete casting, after concrete is casted and during formwork stripping
- Falling materials or debris hitting workers
- Struck by moving objects/equipment, including pulley systems, cranes, earth moving machines
- Risk from lifting operations
- Risk of confined space entry, particularly to strip formwork from pit latrines and septic tanks
- Risk of fire during operations such as hot works, grinding, cutting and machines/equipment operation, also due to improper storage of flammable materials
- Risk of electrocution during hot works, using electrical equipment, and during installation and testing of electrical installations
- Ignition of flammable materials during hot works, particularly if flammable materials are stored nearby
- Metal spatter during hot works including during welding, cutting, and grinding
- Prolonged exposure to heat during hot works
- Infrared light given off by welding arc
- UV radiation given off by electric arc welding
- Slips, trips, and falls in the work area due to poor housekeeping
- Manual handling, particularly heavy weights
- Cementitious materials contamination
- Inhalation of dust, including cement
- Eye injury due to flying debris

- Eye irritation due to Volatile Organic Carbons (VOCs)
- Inhalation of Volatile Organic Carbons (VOCs)
- Cuts and abrasions
- Construction traffic risk
- Lack of welfare facilities.

Mitigation measures for the above risks are presented below:

- Construction area should be fenced off to create an exclusion zone
- Excavations should be supported by sloping, battering, shoring, etc...
- Do not stack/place excavation spoils on the rim or top of pits/trenches
- Do not stack/place construction materials on the rim or top of pits/trenches
- Do not place machines/equipment on the rim or top of pits/trenches
- Investigate the stability of existing structures adjacent to excavations before the work commences and if there is a need consider measures such as shoring before excavations begin
- Excavations should have proper ingress and egress and the access should be positioned in the supported excavation area
- Excavations must have edge protections or barriers around the rim or top so that persons will not fall in
- Machine operations should take special care when operating near excavation rim/top
- Never throw tools or materials down to someone in an excavation
- Check availability of existing utilities before excavation begins (if possible) and take care during excavation not to inadvertently striking existing utilities, where there is doubt hand dig carefully
- All work at height should be done on proper scaffolds, working on drums, barrels, wooden planks, stacks of HCBs and bricks is strictly prohibited
- Scaffolds should be fully boarded, fitted with guard rails, toe boards, and outriggers
- Scaffolds should have proper access ladders/stairs
- Scaffolds should be placed on a firm and level ground
- Scaffolds should be inspected periodically for their integrity and safety
- Ladders can only be used for short duration work or inspection which can be done safely
- Wooden ladders should not be used
- Formwork should be structurally designed and checked before installation, accounting its self-weight, weight of wet concrete, weight of persons standing on it during erection and concrete casting, and weight of equipment on the formwork such as vibrators
- Formwork stripping should be done by competent workers with safe procedures
- Make sure that workers (other than the trained workers) are not under the formwork during stripping
- Do not throw materials and debris from heights, use chutes instead

- During operating machines, make sure that workers are not working near the machine and access is restricted around the machines in operation
- Make sure that weights to be lifted are within the capacity of the lifting machines/equipment
- Properly secure the load or any part of the load which might slip and fall during lifting operations
- Workers should not be underneath the weight to be lifted during the operation, access to the lifting area should be restricted
- Adequate fresh air ventilation must be provided in confined spaces
- Under no circumstances should workers enter a confined space without instructions from supervisor(s)
- All necessary safety and rescue equipment must be available on site before entry into confined space
- Maintain housekeeping of work area to prevent risk of fire (remove unnecessary accumulated debris, flammable liquids/gases, wooden materials, plastics, etc.)
- Provide fire arrest equipment, with volume commensurate to the volume and type of flammable materials available at construction area
- Insulate all open electric conductors
- Electrical equipment should not be operated in wet environment
- Hot works should not be done near flammable materials
- Hot works area should be covered by screens and only the assigned worker should be in the screened area
- Hot works should not be done for continuous period of time, rather allow breaks during hot works to avoid overheating of workers
- Do not leave construction debris/refuse lying about in the work area, clean up frequently
- Ensure that all waste is disposed of in the correct bin, segregate wastes
- Do not obstruct walkways or access with tools or materials
- Make sure that spilled oil, grease or liquids are cleaned up from floors
- Appropriately and frequently dispose cutoff or excess timber, reinforcing bars, and any other material
- Position all cables and hoses out of the way, do not lay cables and hoses across a pedestrian walkway
- Use mechanical equipment as much as possible to avoid manual handling
- Workers should be given work based on their physical capabilities and jobs they can reasonably handle
- Always check the weight of a load before manually lifting
- Know the correct way of lifting weight before attempting
- When working with hand tools, select proper tools for the job, make sure they are in good condition, and use them correctly
- Use appropriate types of PPE for each work type, wear high visibility vest, hard hat, and safety boots at all times

- Speed of construction machines, trucks and vehicles should be controlled in the work area
- Flagmen should be assigned to coordinate traffic
- Traffic signs should be used during specific works in progress
- Safety zones must be created in the work area with the speed of the traffic taken into account
- Safety signs should be used to communicate with workers, visitors and the public
- First aid and trauma kits should be made available at the work area and should be replenished after use
- Training first aider should be available at the work area at all times.

4.3. Risks associated with primary suppliers' workers

- A. **Risk of child labor and forced labor:** supply workers may face such risks. The Ethiopian Labor Law prohibits children under the age 18 years to be considered as able workers, cannot be engaged in contract agreements. The law also requires any work assigned to workers should be done voluntarily, without any form of threat of force or penalty. Primary supply workers will be required to comply with the requirements of the ESS2 and be consistent with the Ethiopian Labor Law and relevant proclamations. If child labor or forced labor cases are identified, the supplier will be required to take remedial measures.
- B. **Risks related to Occupational Health and Safety:** Construction materials, equipment, furniture, and consumables suppliers are exposed to a number of occupational health and safety risks. Risks on primary suppliers include:
- Risks during extraction or production of materials (each supplier has specific risks associated with its industry)
 - Risk during loading and unloading of materials
 - Risk during hauling or transport of construction materials including traffic, weather and security risks
 - Risk of handling and transporting hazardous materials and products (including petroleum products and medicine)
 - Risks during operation of lifting equipment
 - Ergonomic and manual handling risks

4.4. Risks associated with community workers

- A. **Risk of Gender-Based Violence, Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH):** The project activities will be conducted in the program implementation sites, which creates the conditions where community workers and beneficiary communities will have close interactions and chances of interactions in isolations, which might cause potential risks of GBV/SEA/SH in the in the project implementing areas. The potential risks include:

- (i) increasing risk of violence when women specially migrate women are confronted with traveling long distances to access opportunities (including job) or forced to travel for project related activities like access to service;
- (ii) due to an interaction between community workers (including hosting communities) and other project workers with nearby communities especially the vulnerable groups
- (iii) issues related to labor influx and labor/working conditions where there will be weak capacity to enforce the national labor laws and absence of workers' code of conduct;
- (iv) The prevalence of insecurity of women's rights to land and property and economic dependence on male relatives notably common in the rural and peri-urban areas.

B. Risk of Community Health and Safety: activities related to civil work, for the public service facilities contraction and rehabilitation may require the involvement of community workers from local sources or elsewhere. Community workers live in project implementation areas and there is a substantial risk of transmission of communicable diseases such as Sexually Transmitted Diseases (STDs), HIV/AIDS, and COVID-19. Further, security situations that may affect the community's safety in the project implementation area. The main community health and safety risks include:

- Risks from insufficient structural integrity or strength of buildings, WASH and other facilities
- Risks from faulty equipment
- Risk from inadequate services by education, health, and WASH facilities
- Community exposure to health risks such as waterborne diseases, vector diseases, communicable diseases, and non-communicable diseases resulting from subproject implementation and operation (such as poor-quality water from the WASH facilities, wastewater released into the environment, standing water at WASH facilities creating breeding place for vectors, construction sites, education and health facilities creating media for spread of communicable diseases such as COVID-19)
- Risk from traffic safety
- Risk from handling and management of hazardous materials and wastes
- Risk from lack of emergency preparedness and response plan
- Risk from security personnel on the subproject users and the general public

Mitigation measures for the above risks are provided below:

- Structural designs of buildings and other facilities should satisfy national and international requirements and should be designed in such a way to withstand extreme events such as earthquake, floods, and winds;

- Structural designs of buildings and other structures should obtain approval from the concerned local authorities (typically structural designs are submitted to the authorities for check and approval)
 - Buildings and other structures shall be constructed satisfying standard requirements and good international industrial practices; major components of the buildings (such as concrete, reinforcement steel, hollow concrete blocks, and bricks) shall be tested in-situ for compliance with design requirements
 - All structures shall be constructed by licensed and competent contractors; construction using local artisans is strictly forbidden, particularly for load-bearing structures
 - All equipment used during construction and operation periods (such as electro-mechanical equipment, water supply and power related equipment) shall satisfy safety requirements and shall be properly operating with all the design safety components intact
 - Avoid or drain standing water in subproject areas, both during construction and operation periods
 - Maintain the physical, chemical, and bacteriological quality of potable water from the WASH facilities
 - Conduct operations in education and health facilities to avoid spread of communicable diseases (for instance, maintain social distancing to control spread of COVID-19; monitor the health of students and if communicable diseases are identified, practice quarantine and other measures; avoid releasing wastewater into the environment and in case of unintentional release, immediately clean the affected environment)
 - Construction traffic should be managed properly in line with best practices in the sector
 - Hazardous materials and waste shall be managed in compliance with a waste management plan
 - Develop emergency response plan for manage natural and manmade emergencies at the subproject sites/areas with details on emergency preparedness and response once the emergencies happen
 - Develop protocol for hiring, training, equipping, and monitoring of facilities security personnel and develop code of conduct
- C. **Risk of child labor and forced labor:** there will be a potential risk of engaging underage children as community worker in project implementation areas, particularly in the component 1 activities. Besides, there will be a risk of involuntary assignment of a community worker to jobs; and activities that are assigned with threat of penalty or force to a community worker. The Ethiopian Labor Law and proclamations prohibit such practices and has provisions on rules and guidelines.
- D. **Risk of labor influx:** project activities such as the public service infrastructure rehabilitation and/or (re) construction works may create causal jobs and cause labor influx to the project implementation areas and may inflict social conflicts, gender-based violence, violence against children;

E. Accidents /injuries/inappropriate use of personal protective equipment (PPE)

In accordance to ESS2, due to the hazardous nature of project work involving the use of hazardous materials and the Ethiopian Labor Proclamation 1156/2019, Article 89, sub-article 3 defines that young workers should not be involved in any work that endangers their lives or health. Further, Article 89, (4) outlines the barred areas for young workers, one of which is related to work connected with rehabilitation and (re) construction of the public service activities. Hence, given the nature of the project civil work (mainly Component 1 of the project), the project will not recruit any labor under 18 years of age; while the project prohibits recruiting child labor in any of its activities. To manage the risk that child and/ or young worker (as relevant) under deployment/ engagement with works, the project will carry out important steps like documentation and verification of age to prevent employment or engagement of child labor. Hence, obtaining written confirmation from the applicant of their age; and where there is any reasonable doubt as to the age of the applicant, requesting and reviewing available documents to verify age (such as a birth certificate, national identification card, medical or school record, or other document or community verification demonstrating age, when available) will be undertaken before the employment or engagement of a project worker and kept on file.

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

Considering the nature proposed project activities, most of the project labor requirements could be fulfilled from local employment except few skilled laborers. Hence, the potential for an influx of immigrant labor to the proposed project areas is expected to be relatively low. However, the project needs specific requirements to manage risks associated with labor influx, related to the interaction between project workers and local communities. In such a way, the Gender-Based Violence Action Plan (GBV), will be managed through contractual requirements, code of conduct, and training programs. These procedures are guided by the ESS2 and Ethiopia Labor Law.

Gender-Based Violence (GBV) risk assessment of the project (as part of the Social assessment) will undertake following the World Bank's Good Practice Note 2018. An initial screening of the labor influx profile of the project deemed to be substantial and based on different other factors, the project has been

assessed to have a moderate risk of GBV/SEA/SH due to high levels of poverty, the rural context of the project, the low rates of help-seeking on SEA/SH, social acceptance of at least one reason for spousal abuse, etc.

The implementing agencies has developed an Environmental and Social Management Framework (ESMF) that includes measures to mitigate GBV risks, including the need for capacity enhancement of implementing agencies and codes of conduct for contractors and other implementers. The ESMF has further indicated that Contractor/s will be required to implement measures to manage GBV risks at the project level; among others, assigning a GBV specialist who will be responsible to manage the risks and that works in close contact with Woreda Women, Youth, and Children Affairs Offices, to put in place administrative measures to prevent and minimize GBV, to prepare administrative measures (for example through Code of Conduct) to Prevent Sexual Harassment in the workplace and acknowledging zero tolerance for GBV as well as strengthen GRM and other monitoring mechanisms to ensure safe and ethical reporting systems to alert cases of GBV and assure them to access adequate response. implementing agencies shall ensure that an area/ site specific assessment of GBV/SEA/SH risks is undertaken within subsequent project ESIA/ESMPs and that prevention and response measures are put in place. The detailed SEA/SH requirements, including training, COC, awareness is included in the complementary project SEA/SH plan, which will be implemented together with the LMP.

Concerning community health and safety, construction will actively collaborate and consult with communities in promoting the understanding, and methods for, the implementation of community health and safety, including HIV/ AIDS and other communicable diseases prevention and informing communities about the requirements of workers' Codes of Conduct. Further, subproject ESMPs will provide detailed OHS requirements with operational details for community workers. These requirements will be included in contract documents. The requirements will include provision of OHS equipment (such as PPE) and trainings. The community workers compliance with OHS requirements shall be closely supervised. Contractors will also provide project workers with training on respectful relations with communities, including on health and safety practices. While the civil works to be financed are limited in scale and scope, to ensure the health and safety of communities and contracted workers during the construction and operation phases of the project, the project will develop and implement ESMPs/C-ESMPs in line with World Bank Group Environment, Health, and Safety Guidelines (EHSG) for construction activities. Similarly, ESMPs with OHS requirements will be developed for primary suppliers and the supply chain process will be supervised for compliance.

The project ESMF and ESCP prepared for the project revealed that implementing agencies are committed to providing awareness/orientation sessions on OHS/ Community health and safety, STD/ HIV/AIDS, GBV/SEA/SH, GRM, etc. related aspects which aimed at staff from implementing agencies, Woreda level relevant offices, Private sectors, Cooperatives, Contractors of civil works, etc. Occupational Health and Safety (OHS) related risks might be expected during construction and operation activities of the project components; thus, will be mitigated with the use of personal protective equipment (PPEs) and rigorous

and regular occupational H&S training and awareness-raising activities, including training on the appropriate use of PPE at work sites.

There will be Workers' Grievance Redress Mechanism for labor issues, drawing from national law and procedures. Worker accommodation and influx will need to be managed in line with ESS2 and ESS4. To ensure the health and safety of workers during the construction and operational phases of the project subproject ESMPs/C-ESMPs will be developed with detailed OHS requirements with operational details. Further, OHS requirements will be included in contract documents. In line with Good International Industry Practice (GIIP) shall be prepared and tailored to each ESMP of the subprojects.

Further, all contractors will be required to develop and implement written labor management procedures, including procedures to establish and maintain a safe working environment as per requirements of ESS2.

In addition, Security Risk Assessment (SRA) will to be carried out by the implementing agencies to minimize the risk of conflict and insecurity situation in conflict-affected regions on the project. Based on the SRA, Security Management Plan (SMP) may be prepared. This Assessment and Plan will present means for delivery of activities in the context of the evolving security situation.

5. OVERVIEW OF ETHIOPIAN LABOR LEGISLATION: TERMS AND CONDITIONS

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

- Labor Proclamation No. 377/2003
- Federal Civil Servants Proclamation 1064/2017
- Labor Proclamation No.1156/20193 (does not replace, Labor Proclamation No. 377/2003, but complements).
- Proclamation No. 632/2009, Employment Exchange Service Proclamation
- Proclamation No. 568/2008, Right to Employment of Persons with Disability

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

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

The Government of Ethiopia Labor Proclamation No. 1156/2019 is enacted to secure durable industrial peace, sustainable productivity, and competitiveness that will contribute to the overall development of the country. The Proclamation has introduced new concepts. It has also modified some of the existing provisions which were unclear, and therefore, prone to various interpretations. GoE has reformulated the existing labor law (Proclamation 377/2003) to attain the below-stated objectives and under and in conformity with the international conventions and other legal commitments to which Ethiopia is a party.

The major objectives of the proclamation include the following:

- To ensure that worker-employer relations are governed by the basic principles of rights and obligations;
- To lay down a working system that guarantees the rights of workers and employers to freely establish their respective associations and to engage, through their duly authorized representatives, in social dialogue and collective bargaining, as well as to draw up procedures for the expeditious settlement of labor disputes, which arise between them;
- To create a favorable environment for investment and achievement of national economic goals without scarifying fundamental workplace rights by laying down well-considered labor administration; and determine the duties and responsibilities of governmental organs entrusted with the power to monitor labor conditions; occupational health and safety; and environmental protection together with bilateral and tripartite social dialogue mechanisms; political, economic and social policies of the Country.

5.1. Minimum Age for Employment and Prohibition of Child and Forced Labor

A worker who has attained a minimum age of 15 years is capable of being employed under the new labor law of Ethiopia; while the minimum age for Hazardous Work is set as 18 years. Moreover, the definition of young workers⁴ has been amended to include workers between 15 and 18 years of age. It is prohibited to assign young workers to work, which on account of its nature or due to the condition in which it is carried out endangers their lives or health. The Ministry of Labor and Social Affairs may prescribe the list of activities prohibited for young workers which shall include in particular:

- Work in the transport of passengers and goods by road, railway, air, and internal waterways, docksides and warehouses involving heavy weightlifting, pulling or pushing, or any other related type of labor;
- Work connected with electric power generation plants, transformers, or transmission lines;
- Underground work such as mines and quarries;
- Work in sewers and tunnel excavation.

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

Forced Labor is prohibited under the Constitution of Ethiopia and is a punishable offense under the Criminal Code 5. If a person compels another by intimidation, violence, fraud, or any other unlawful means to accept particular employment or particular conditions of employment is punishable, upon complaint, with simple imprisonment at least three (3) months, or fine.

The anti-trafficking legislation⁶ also prohibits trafficking in persons for exploitation at the pretext of domestic or overseas employment. The definition for exploitation includes labor exploitation, forced labor, or servitude. It is a punishable offense with rigorous imprisonment ranging from 15 to 25 years and with a fine from 150,000 to 300,000 Eth. Birr.

Due to the hazardous nature of the project activities under 3R-4-CACE project (mainly component 1) Work connected with (re)contraction and rehabilitation of public facility, the project will not employ/engage any person under the age of 18 years of age.

MOF, Project Coordination Unit (PCU) will undertake monitoring, at a minimum every six months, of all project workers, to ensure that there are no workers under 18 years of age and that all contractors and subcontractors involved, private sectors and cooperatives, etc. in the project are not employing/engaging anyone less than 18 years of age for work with the project.

The project will use the following process, before the employment or engagement of an applicant for work on the project, to verify the person's age. The PCU will ensure that each contractor/subcontractor also uses this process and provides the PCU with written confirmation that each worker they employ or engage with the project is at least the minimum age of 18 years. The following information will be kept on file in the PCU administrative offices:

- Written confirmation from the applicant of their age; and
- Where there is reasonable doubt as to the age of the applicant, requesting and reviewing available documents to verify age (such as a birth certificate, national identification card, medical or school record, or other document or community verification demonstrating age).

If a person under the minimum age of 18 years is discovered working concerning the project, the PCU will take measures to terminate the employment or engagement of that person in a responsible manner, considering the best interest of that person.

To ensure that the best interests of the child under 18 years are considered, the PCU will undertake, and ensure that all contractors/ subcontractors, private sector, cooperative also undertake, remediation within a reasonable period agreeable to the World Bank. The remediation activities could include, among other options:

- Enrolling the child in a vocational training/apprenticeship program, but which does not interfere with the child's completion of compulsory school attendance under national law.
- Employment of a member of the child's family, who is at least 18 years of age, by the primary supplier, contractor, or subcontractor for project-related or other work.

5.2. Provisions Related to Women

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

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

- Women shall not be discriminated against in all respects based on their sex. Without prejudice to the generality of this provision, priority shall be given to women if they get equal results with men when competing for employment, promotion, or any other benefit.
- It is prohibited to assign women to works that may be listed by the Ministry of Labor and Skill Development to be particularly dangerous to women or hazardous to their health.
- No pregnant woman shall be assigned to night work between 10 p.m. and 6 a.m. or be assigned overtime work.
- She shall be transferred to another place of work if her job is hazardous to her health or the fetus as ascertained by a physician.

5.3. Leaves

Proclamation 1156/2019, Article 76-86 amended the provisions of different leaves including the number of days under the Labor Proclamation 377/2003. Every worker is entitled for annual leave after completing one year of continuous service with full pay as follows:

- A. **Rest:** Workers are entitled to a weekly rest period consisting of not less than twenty-four non-interrupted hours in the course of each period of seven days. The weekly rest period shall be calculated to include the period from 6 a.m. to the next 6 a.m. Where the nature of the work or the service performed by the employee is such that the weekly rest cannot fall on a Sunday another day maybe made a weekly rest day as a substitute.
- B. **Maternity Leave:** A pregnant woman is granted a total of 120 days of maternity leave; 30 consecutive days of prenatal and 90 consecutive days of post-natal leave. It also granted leave for medical examination connected with her pregnancy, as confirmed with a medical certificate. Besides, in the case where a woman encounters miscarriage of pregnancy and it is confirmed by a medical certificate, the provisions for reduction of wage upon sickness will not apply. Despite the reduction of wage applicable to a worker who has been sick for more than a month, a woman who encounters miscarriage will be entitled to 6 months sick leave with payment of 100% of her salary.
- C. **Annual leave:** every worker is entitled for sixteen (16) working days of annual leave for the first year of service; where, plus one working day for every additional two years' service. Sub article (5) states that, Where the length of service of a worker is below one year, the worker shall be entitled to an annual leave proportional to the length of his service.
- D. **Sick leave:** a worker should complete six months for sick leave entitlement of up to six months within a year. However, should notify the employer the next day from absence from work. The worker should present a sick leave certificate from issued by a duly recognized medical facility. The worker will be paid (i) first one month, with payment of 100% of his/her wages; (ii) for the next two months, with payment of 50% of his/her wage; and (iii) for the next three months, without pay.
- E. **Family events:** workers are entitled for leave with pay for events such as marriage, paternity leave, maximum of two rounds of leave for exceptional and serious events.
- F. **Union members:** a worker representing a union will be entitled for leave in cases in labour disputes, negotiating collective agreements, attending union meetings, participating in seminars or training courses.

5.4. Sexual Harassment and Violence

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

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

5.5. Wages

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

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

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

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

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

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

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

5.6. Hours of Work

- *Arrangement of Weekly Hours of Work:* Hours of work shall spread equally over the working days of a week, provided, however, where the nature of the work so requires, hours of work in any one of the working days may be shortened and the difference be distributed over the remaining days of the week without extending the daily limits of eight hours by more than two hours.
- *Averaging of Normal Hours of Work:* Where the circumstances in which the work has to be carried out are such that normal hours of work cannot be distributed evenly over the individual week, normal hours of work may be calculated as an average over a period longer than one week, provided, however, that the average number of hours over a period shall not exceed eight hours per day or forty-eight hours per week The labor law defined that normal

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

5.7. BRIEF OVERVIEW OF LABOR LEGISLATION ON THE OCCUPATIONAL HEALTH SAFETY

Ethiopia has legal frameworks on OHS. The Constitution (1995) under Article 42/2 stated the Rights of Labor as "workers right for healthy and safe work environment" Proclamation No. 4/1995. There are also different legal frameworks on OHS which include: the National Occupational Health Policy and Strategy, Occupational Health and Safety Directive (2008), Occupational Health and Safety Policy and Procedures Manual, and On Work Occupational Health and Safety Control Manual for Inspectors (2017/18) which will apply to this project. OHS promotion is also included as a priority in the National Health Policy Statement (1993). Ministry of Labor and Skills (MOLS) and its regional counterparts are responsible for OHS at Federal and Regional levels. MOLS has OHS & Working Environment Department responsible for OHS responsibilities. Each administrative region has an OHS department within the Labor and Skill development office with the responsibilities of inspection service.

In the new Labor Proclamation of Ethiopia (Proc. No. 1156/2019), Occupational Safety, Health, and Working Environment the following are indicated under Obligations of an Employer and an employee respectively.

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

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

As obligations any worker shall:

- Co-operate in the formulation of work rules to safeguard the workers' health and safety, and implement same;
- Inform forthwith to the employer any defect related to the appliances used and incidents of injury to health and safety of workers that he is aware of in the undertaking;
- Report to the employer any situation which he may have reason to believe could present a

hazard and which he cannot prevent on his own, and any incident of injury to health which arises in the course of or in connection with work;

- Make proper use of all safety devices and other appliances furnished for the protection of his health and safety or the protection of the health and safety of others;
- Observe all health and safety instructions issued by the employer or by the Competent Authority

It is prohibited that no worker shall:

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

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

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

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

5.7.1. Benefits in the Case of Employment Injuries

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

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

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

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

5.8. COVID-19 prevention at workplace

The Ministry of Health has published a national guideline “National Comprehensive COVID-19 Management Handbook” in April 2020 for health care professionals, decision makers and the larger

public to prevent the spread of COVID-19. The Hand book has various protocols and procedures for prevention practices. The guideline is implemented at national level and the prevention protocols for the larger public are provided in section IV of the guideline.

This Infection Prevention and Control (IPC) protocols are based on WHO infection prevention and control during health care SARS CoV-2 infection interim guidance, Ethiopian National Infection Prevention and Control Guideline, WHO guideline on hand hygiene in health care.

Alos, the World Bank's ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects guideline will help in addressing the risk of COVID 19 epedemic.

(a) General Precautions

The general precaution part of the protocol will be applicable after the infection is confirmed in country. Once the outbreak is declared:

- Cough hygiene should be implemented by the general public including covering mouth during coughing and sneezing with tissue or flexed elbow.
- All personnel should wear surgical masks.
- Do not shake hands, and if you do Apply ABHR or wash hands thoroughly with soap and water
- Avoid contact with a patient who is suspected or conformed for COVID-19
- Limit movement to essential purpose only
- Ensure adequate ventilation at homes
- Avoid thirst of throat, maintain rehydration

(b) List of IPC Materials Required

- Face mask
- Long sleeved disposable gown
- Disposable glove
- Temperature monitoring device
- Alcohol Based Hand Rub (ABHR)/ Sanitizer
- 70% Alcohol
- Leak prof biohazard bag
- 0.5% Chlorine Solution

(c) Hand Hygiene Procedures

- All team members should perform consistent and appropriate hand hygiene procedures:
- Hand hygiene is the process of removing soil, debris, and microbes by cleansing hands using soap and water, ABHR, antiseptic agents, or antimicrobial soap.
- Hand washing is the process of mechanically removing soil, debris, and transient flora from hands using soap and clean water

- Alcohol-Based Hand Rub (ABHR) is a fast-acting, antiseptic hand rub that does not require water to reduce resident flora, kills transient flora on the hands, and has the potential to protect the skin (depending on the ingredients).

The PCU will provide protective materials; providing illustrative procedures for hand washing, social distancing and other procedures; enforce compliance to COVID-19 protocols in all work places. All workers the project will be required to comply with the COVID-19 procedures.

Besides, PCU will provide training to community workers and local community members to create awareness on the prevention, precautions and procedures of COVID-19 protocols.

5.9. The World Bank Environmental and Social Standards: ESS 2

ESS 2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. The objectives are as follows:

- To promote safety and health at work
- To promote the fair treatment, non-discrimination and equal opportunity of project workers
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate
- To prevent the use of all forms of forced Labor and child Labor.
- To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law
- To provide project workers with accessible means to raise workplace concerns

5.10. The World Bank Environmental and Social Standards: ESS 4

ESS4 recognizes that project activities, equipment, and infrastructure can increase community exposure to risks and impacts. In addition, communities that are already subjected to impacts from climate change may also experience an acceleration or intensification of impacts due to project activities. The objectives of ESS 4 include:

- To anticipate and avoid adverse impacts on the health and safety of project-affected communities during the project life cycle
- To promote quality and safety, and considerations relating to climate change, in the design and construction of infrastructure
- To avoid or minimize community exposure to project-related traffic and road safety risks
- To have in place effective measures to address emergency events
- To ensure that the safeguarding of personnel and property is carried out in a manner that avoids or minimizes risks to project affected community

6. RESPONSIBILITY OF STAFF MANAGEMENT

The responsible body for workers' management varies depending on the type of workers. The direct workers will be managed by PCU that will be established at federal and regional levels whereas the contract and primary supply workers will be managed by their respective Companies, Contractors/

Subcontractors, etc. engaged to conduct the implementation of the activities under components 1 (and 2). The management of government civil servants working on the project will be the responsibility of the implementing agencies (MOF, MoWSD and NDRMC). However, the child labor and forced labor, as well as OHS requirements, apply to all categories of workers in 3R-4-CACE project activities, including seconded civil servants.

PCU and its implementing entities at different levels will provide the required, workers training and occupation health and safety equipment and address worker grievances. This responsibility of managing staff will also pass to contractors and sub-contractors. Woreda Project Coordination Teams and third-party implementers manage the health and safety of community workers. The Contractors and sub-contractors need to assure the necessary safeguards in terms of employment security, minimum wages, and amenities. The company code of conduct would be followed to ensure harmonious personnel relations at the site with a focus on safe working conditions and access to basic facilities for the workforce deployed at the site and the workers. Contractors must engage a minimum of one health & safety representative. The health and safety representative is responsible for monitoring the day-to-day compliance to safety precautionary measures indicated in ESMF, SA, LMP, ESMPs, C-ESMPs, OHS requirements in contract documents, etc., and records of any incidents and reports to the PCU. Whereas the FPCU is responsible to promptly notify the World Bank of any incident or accident related to the project within 48 hours, which will be followed by formal investigation towards a root-cause analysis within 14 days and identification of a set of corrective actions. Contractors are responsible to timely notify the FPCU of any incidents and accidents. Besides, the MOF, MoWSD and NDRMC and Regional Offices shall regularly monitor labor and working conditions. The monitoring will be carried out Quarterly and annually throughout the project implementation period. Any identified non-compliance will be included in these monitoring reports accompanied by relevant corrective actions. In addition to the periodic monitoring done by these institutions, OHS of contacted and community workers shall be supervised on a day-to-day basis by the contractors' ESH staff, supervision consultants, woreda PCTs, and third-party implementers.

7. Terms and Conditions

The project will depend on the various laws; such as, (i) Labor Proclamation No. 42/1993 (replaced by Labor Proclamation No. 377/2003), (ii) Labor Proclamation No. 377/2003, (iii) labor Proclamation No.1156/2019 (complements (do not replace, Labor Proclamation No. 377/2003), (iv) Proclamation No. 632/2009, Employment Exchange Service Proclamation, (v) Proclamation No. 568/2008, Right to Employment of Persons with Disability. Further, Ethiopia is a signatory to the international UN conventions and has ratified the major international human rights instruments. Ethiopia has also ratified the following ILO conventions:

- Forced Labor Convention No. 29/1930;
- Freedom of Association and Protection of the Right to Organize Convention, No. 87/1948;
- Employment Service Convention, No. 88/1948;
- Right to Organize and Collective Bargaining Convention, No. 98/1949;
- Abolition of Forced Labor Convention, No.105/1957;
- Minimum Age Convention No. 138/1973;

- Occupational Safety and Health Convention, No. 156/1981;
- Termination of Employment Convention, No. 158/1982;
- The Rights of the Child Convention, 1989; and
- The Worst Forms of Child Labor Convention No. 182/1999.

Hence, the terms of condition follow stringent international requirements where the gaps of the national law are filled by WB requirements and ILO convention. Hence, the terms of the condition include the name and legal domicile of the employer; the worker's name; the worker's job title; the date employment began; where the employment is not permanent, the anticipated duration of the contract; the place of work or, where the work is mobile, the main location; benefit packages; hours of work, rest breaks, leave entitlements and other related matters; rules relating to overtime and overtime compensation; the pension and other welfare arrangements applicable to the worker; the length of notice that the worker can expect to give and receive on termination of employment; the disciplinary procedures that apply to the worker, including details of representation available to the worker and any appeals mechanism; and details of grievance procedures, including the person to whom grievances should be addressed.

Given the nature of the workforce involved, the project will not recruit children for project related works and project monitoring will include this aspect.

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

In such case of differences between the international conventions, national legislation, regulation, and the World Bank Environment and Social Standards, the more rigorous provision will be applied.

8. Roles and Responsibilities for Managing the Labor Management Procedure

This section defines the role and responsibilities for the labor management procedure in terms of (i) Occupational Health and Safety; (ii) Engagement and management contractors; and (iii) Training of workers. Accordingly, the implementing agencies (MOF, MoWSD and NDRMC) have the overall responsibility to oversee all aspects of the implementation of the LMP including occupational safety, health and welfare of workers, and ensure contractor compliance. The PCUs will address all LMP aspects as part of procurement for works as well as during contractor induction/training. Contractors will be responsible for implementation of the plan on a daily basis and providing the required human, financial and training resources for effective compliance. However, implementation of the project will be done in collaboration with several other stakeholders at national, regional, zonal, woreda and community levels

who will also be expected to assist in the management of workers within their areas of jurisdiction in the project.

A. Occupational Health and Safety: Pursuant to the terms and conditions of WB standard procurement documents contractors shall manage all construction sites in such a way that the workers and the community are properly protected against possible OHS risks. Key elements of OHS measures should include (a) identification of potential hazards to workers; (b) provision of preventive and protective measures; (c) training of workers and maintenance of training records; (d) documentation and reporting of occupational accidents and incidents; (e) emergency preparedness including the application of guidelines for the management of COVID 19 epidemic risks.; and (f) remedies for occupational injuries and fatalities. Contractors must assign a minimum of one person responsible for Health and Safety in every work site to ensure the day-to-day compliance with specified health and safety measures and records of any incidents. Minor incidents and near misses will be reported to the regional level implementing agencies (through the social development specialist) on a monthly basis, serious incidents should be reported immediately and not later than 24hrs. Minor incidents will be reflected in the quarterly reports to the World Bank, while major accidents/deaths should be flagged to the World Bank within 48hrs.

Similarly, the OHS of community workers shall managed through identification and mitigation of OHS risks; provision of PPE, and through capacity building trainings. Subprojects emergency response plan shall cover community workers, as well. Any occupational injuries and accidents shall be recorded and reported timely to the FPCU. In case of accidents, remedial measure shall be provided to community workers.

Primary suppliers are required to maintain the occupational health and safety of their workers based on terms and conditions in their contracts. The FPCU, FPIU, and RPCUs are responsible to monitor the primary suppliers' compliance to these terms and conditions.

B. Labor and Working Conditions: All contracts shall have contractual provisions to comply with the minimum age requirements including penalties for noncompliance, gender equality in the work place, non-discrimination of vulnerable groups, safety in the workplace, and to recruit unskilled labor from the local communities. Contractors will keep records in accordance with specifications set out in the contract agreement. The **regional implementer** may at any time require records to ensure that Labor conditions are met. Where issues are spotted, the **regional implementer** will ensure that immediate remedial actions are implemented. A summary of issues and remedial actions will be included in quarterly reports to the NPCU.

C. Awareness/Training: Awareness will be given to community who will participate in the work about the work norm, quality of the work, safety precautions, attendance, payment arrangement, and others before starting the work. The contractor will provide routine safety trainings for workers. Trainings will form part of the contractor's responsibility. The contractors contact persons will provide safety instructions to contractor staff. The RPCUs (**regional implementer**) will liaise with contractors to deliver trainings to address risks associated with labor influx including GBV. The contractor will be obligated to make staff available for this training, as well as any additional mandatory trainings required by the RPCUs, as specified by the contract Occupational Health and Safety compliance. The contractor shall comply with all provisions of the LMP, site-specific ESMPs/C-ESMPs, and EHS requirements in contract documents.. In addition, contractors shall procure the identified PPE and First Aid kit for use during project implementation and these will be included in the Bill of Quantities (BoQs). The Contractor shall organize training for workers on the use of PPE and First Aid kit.

9. Grievances Redress Mechanism

9.1 Introduction

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

The grievance redress mechanism for addressing and managing workplace and employment-related conflicts or complaints as well as gender-based violence (GBV), SEA/SH are crucial for the 3R-4-CACE project. A project worker who has a complaint or grievance has the right to present it and obtain proper redress through the Worker Grievance Mechanism (WGM) established by the project for this purpose. In this project, a grievance mechanism will be provided for all direct, contracted, and primary supply workers. The grievance mechanism which will be proportionate to nature and scale and the potential risks and impacts of the project will be put in place. Designed in such a way that to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate independently and objectively. The workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use. The measure will be put in place to make the grievance mechanism easily accessible to all such project workers.

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

The Grievance Redress Mechanism (GRM) addresses grievances in an efficient, timely, and cost-effective manner, that arise in the Project, either due to actions by MOF, MoWSA, MOP, NDRMC, or the contractor/subcontractors employed, from affected communities and external stakeholders. A separate grievance redress mechanism is developed to address worker grievances. MOF, MoWSA, and MOP will be responsible for managing the GRM and cascade the responsibilities to contractors and subcontractors engaged with the respective implementing entity. MoF, MoWSA, and NDRMC environmental and social experts shall monitor the grievance resolution process at different levels and respective implementing entities. Project Affected Persons (PAPs) and other potential complainants should be fully informed of the GRM, its functions, procedures, timelines, and contact persons both verbally and through written materials (often used Kebele Center notice boards for posting) and information brochures during consultations meetings and other stakeholder engagement activities. MOF, MoWSA, and MOP will keep a log of the complaints at hand. MOF, MoWSA, and MOP will implement an effective GRM, to help third parties to avoid resorting to the

judicial system as far as possible. Complainants can seek redress from the judicial system at any time. The step-by-step process does not deter them from approaching the courts. All grievance related correspondence shall be documented, and the grievance resolution process will be systematically tracked. Also, labor Proclamation No. 1156/ 2019, Chapter 3, Article 141, has also introduced that employers and workers or their respective associations may use social dialogue in order to prevent and resolve labor disputes amicably.

9.2. Proposed Grievance Redress Mechanism for the 3R-4-CACE Project

The project-based grievance procedure does not replace existing legal processes. Based on consensus, the procedures will seek to resolve issues quickly in order to expedite the receipt of entitlements, without resorting to expensive and time-consuming legal actions. If the grievance procedure fails to provide a result, complainants can still seek legal redress.

During the discussions made with many of the participants in the stakeholders' consultations, many of the grievances were resolved using traditional ways mainly via village elders and leaders. The traditional forms of managing issues can even be recognized and used by the government structures and thus it is imperative to use such kind of grievance redress mechanism in addition to the formal and project related GRM.

9.2.1 Grievance Management Process

The GRM will be a distinct mechanism that will allow stakeholders, at the community level in particular, to provide feedback on project impacts and mitigation programs. The project will also establish and functionalize project GRM for affected parties and a separate grievance mechanism for all direct and contracted workers to raise workplace concerns, as provided under ESS2. An environment and social risk management expert will be assigned at MoF to follow up complaints related to affected parties by the project. The complaint, to be filed, should be related to the project components and/or to its implementation and management. Any complaint not directly related to the project will be referred to the appropriate responsible government body. The 3R-4-CACE project grievance resolution process will involve the following main steps:

- ✓ *Receipt of grievances:* anyone from the affected communities or believing they are affected by the Project can submit a grievance (written, verbal, text message, telephone, etc. as appropriate for the complainant).
- ✓ *Registering the complaint:* the focal person who received the complaint will use the GRM logbook for registering.
- ✓ *Referral and examination of complaints:* a GRM Committee shall be established at each project implementation site/ Kebele (comprising of members from representatives of implementing agencies, PAPs, elders, a representative from Woreda Women and Children Affairs office, etc.) who will examine the complaint, resolve, or refer to the appropriate body.
- ✓ *Notifying the complainant:* the decision/solution/action by the grievance committee shall be communicated to the complainant as per the stipulated timeline for feedback.
- ✓ *Closing the complaint:* where the decision/solution of the complaint is accepted by the complainant, or complaint that is not related to the project or any of its components, or a

Complaint that is being heard by the judiciary will be closed following the appropriate procedure.

In addition, the project Grievance Redress committee will be established at Woreda and *Kebele* level. The committee will constitute of three to five members varying at *Kebele* and woreda levels. The Woreda Committee will be drawn from the different Offices of including from office of Women, Children and Youth Affairs and the *Kebele* GRM committee members will be drawn from *Kebele* Cabinet members and representative of PAPs. Special considerations will be given for women and persons with disability in the composition of the committee.

The functions of each GRM Committee are as follows:

Woreda GRM

- Receive responses of complaints from Kebele GRM;
- Accept/receive grievance, complaints and discontents from PAPs;
- The GRM committee will look at the scene/spot or investigate any available data to give fair decision; and
- Give response within one week

Kebele GRM

Complaints of PAPs provided on any aspect shall first be lodged either in writing or orally to the committee, which will be resolved by using customary rules and existing grievance resolution mechanisms. The Grievance Resolution Committee will try as much as possible to arrive at a compromise for the complaints raised. This will be obtained through series of consultations, mediations and negotiations exercises conducted with the PAPs. If the grievance is not resolved, the case will be forwarded to Woreda GRM. The seat of the Kebele GRM committee will be at Kebele administration.

Both Woreda and Kebele GRM committee will follow the following procedures:

- **Receipt of grievances:** anyone from the affected communities or believing they are affected by the Project can submit a grievance (written, verbal, text message, telephone, etc. as appropriate for the complainant).
- **Registering the complaint:** the focal person who received the complaint will use the GRM logbook for registering.
- **Referral and examination of complaints:** a GRM Committee shall be established at each project implementation site/ Kebele (comprising of members from representatives of implementing agencies, PAPs, elders, a representative from Woreda Women and Children Affairs office, etc.) who will examine the complaint, resolve, or refer to the appropriate body such as formal courts.
- **Notifying the complainant:** the decision/solution/action by the grievance committee shall be communicated to the complainant as per the stipulated timeline for feedback.
- **Closing the complaint:** where the decision/solution of the complaint is accepted by the complainant, or complaint that is not related to the project or any of its components, or a Complaint that is being heard by the judiciary will be closed following the appropriate procedure based on the acknowledge and signed of complainant.

9.2.2 Grievance Resolution Process

The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency. All the grievances will be managed through the Grievance Resolution Committees. Complaints will be received in writing or orally and will be filled in a Grievance Registration Form by the committee. The Steps for grievance redress are as follows:

First step

Registration of the grievances with the Grievance Resolution Committee at *Kebele* level as discussed above. The committee will seek to eliminate nuisance claims and engage with legitimate claimants endeavoring to reconcile the aggrieved PAP(s) concern or depending upon the issue to negotiate for a resolution. Where the committee cannot resolve the complaint and grievance, the complaint is referred to the Woreda GRM Committee.

Second step

The Woreda GR committee receives grievance forwarded by the *Kebele* GRM committee concerning the aggrieved PAP(s) to negotiate and forward possible resolution. The Woreda GRM Committee having heard the concern, the meeting will respond to the aggrieved PAP(s) within one week of the date of the meeting.

Third step

In instances where the project, in this case 3R-4-CACE is unable to resolve the matter, the same will be referred to the Courts for settlement. The aggrieved PAP(s) have the right to pursue the matter up to the Supreme Court if necessary. The Woreda GRM committee will give all the necessary documents and information to the aggrieved PAPs, who are dissatisfied with the committee decision.

Fourth step

Expropriation of land will be used as a last resort when either all the above procedures have failed or caused extensive delays to the project are foreseen with the deposition of the compensation amount in the closed account opened on his/her behalf. The decisions of the action to be taken will be communicated to all involved parties mainly in Grievance resolution form.

All measures will be undertaken to ensure that the grievance is solved amicably between the concerned parties and the courts will be the last resort. Efficiency in solving of the grievances will be of paramount importance.

Appeal to Court: Whenever misunderstandings and disputes arise between the principal parties (e.g. local government bodies and affected parties) involved in the resettlement and compensation process, the preferred means of settling disputes is through arbitration (Proclamation No.1161/2019). The concerned parties may determine the number and composition of the arbitration tribunal. Though Proclamation No.1161/2019 provides for appeals from valuation decision, such action will not delay the transfer of possession of land to the proponent. Courts of law shall be considered as a “last resort”, which in principle should only be triggered where first instance amicable mechanisms (which has similar role with the GR committee but formally established by government) have failed to settle the grievance/dispute. However, the Constitution allows any aggrieved person the right of access to court of law.

The table below summarizes the project GRM Management Process with its timeframe

Table 9: Project GRM Management Process

Process	Description	Time Frame
Establishment of GRM	✓ GRM Committee will be established at the subproject kebele level comprising of members from representatives	Before project implementation

Committees Kebele Level	of implementing agencies, local elders, beneficiaries, Woreda/Kebele representative, and Woreda Women Youth and children officer.	
Identification of grievance	<ul style="list-style-type: none"> ✓ Face to face, telephone call, letter, text message, mail, e-mail; website, recorded during public/community interaction; others ✓ The grievance can also be passed through other parties 	48 hours
Grievance assessed and logged	<ul style="list-style-type: none"> ✓ Grievances assessed and recorded or logged (i.e., in a logbook). ✓ The committee will have a grievance record book where the grievances are recorded for follow up. ✓ Grievances concerning sexual exploitation and abuse/SEA/SH should be treated as confidential. Only the nature of the complaint and the processing outcome should be recorded. Woreda Women, Children, and Youth Offices will be responsible for SEA/SH case management. MoF shall allocate budget to this office for capacity building and related SEA/SH aspects. 	Within a week
Grievance is acknowledged	<ul style="list-style-type: none"> ✓ Acknowledgment of grievance through appropriate medium 	Within 4 days
Development of response	<ul style="list-style-type: none"> ✓ Grievance assigned to the appropriate party for resolution and develop response with input from GRM Committee 	Within 10 days
Response signed off	<ul style="list-style-type: none"> ✓ Redress action approved at appropriate 	Within 15 days
Feedback/communication of response	<ul style="list-style-type: none"> ✓ Redress action implemented and update of progress on resolution communicated to the complainant. 	Within 20 days

9.2.3 Principles and Procedures of the GM related to project workers

- These workers' GRM is not the same as the grievance mechanism to be established for project affected stakeholders.
- All forms of workers involved in this project will be informed of the Workers Grievance Redress Mechanism (WGRM) at the time of recruitment and the measures put in place to protect them against any reprisal for its use.
- The Workers Grievance Redress Mechanism (WGRM) will be easily accessible via the disclosure of a hotline and/or office hours and transparently disclosed to all employees to raise workplace concerns.
- The WGRM shall be transparent in using clear procedures.
- There will be no discrimination against those who express grievances, and all grievances will be treated confidentially.
- Anonymous grievances will also be accepted and treated equally as other grievances whose origins are known.
- The PCU and other responsible project management will treat grievances seriously and take timely and appropriate action in response.
- The aggrieved parties shall be informed within 10 days of their grievance application, either with a

- respective solution or with a request for an extension in cases where more information is needed.
- The aggrieved party shall have the option to refer to a grievance log with key information that will be established by the regional bureau of agriculture and pastoral development office.
- The grievance logbook will be maintained in the project office.
- The WGRM, however, does not replace or override the requirement that the PCU provide for workplace processes for project workers to report work situations that they believe are not safe or healthy, such as reporting requirements regarding workplace injuries and accidents.
- The WGRM will not prevent workers to use judicial proceedings or administrative remedies that might be available under the law or existing arbitration procedures or substitute for collective agreements grievance mechanisms if preferred.
- The quarterly environment and social implementation will include reports on grievances related to project labor and working conditions issues. If not satisfied with the outcome of the regional level, the aggrieved party shall be able to access a second level committee at thelevel.

The project WGRM is oriented toward providing solutions and incorporates the principles of transparency, accessibility, due diligence, and responsiveness. The project will recognize customary and/or traditional conflict resolution mechanisms. The project will provide resources to ensure the functioning of the GRM system. Grievance information will be recorded and reported in the regular implementation progress reports. The project will equally ensure that grievances related to GBV are recognized and referred to respective service providers based on a survivor-centred approach (that is always based on the demands of survivors and ensuring confidentiality as outlined in SA). Such grievances shall not be handled according to standard GRM procedures but by the Woreda Women and Children Affairs Office who will be trained to provide basic referrals. If an effective and functional grievance redress committee exists at Woreda or region level, the existing GRM will serve as a location for addressing grievances related to this project (components 1 and 2) with the provision of appropriate training for the committee members regarding the requirement in the project.

- Step 1: Grievance discussed with the respective Woreda focal person and/or development agent
- Step 2: Grievance raised with the Woreda Grievance Office
- Step 3: Appeal to the Regional Grievance Office
- Step 4: Appeal to the Ethiopia Independent Ombudsman and/or implementing agencies including (MOF, MoWSD and NDRMC)
- Step 5: Once all possible redress has been exhausted and if the complainant is still not satisfied then they should be advised their right to take their case to the formal legal recourse.

The complaints recorded, resolved and referred will be reported quarterly with the environmental and social implementation performance report to the World Bank and other relevant stakeholders.

9.3 World Bank Grievance Redress System

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the 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. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit, <https://www.worldbank.org/en/projectsoperations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit, www.inspectionpanel.org.