



## **GOVERNMENT OF THE PUNJAB**

### **Punjab Education Sector Reforms Programme (PESRP)**

#### **Girls' Results Agenda for the Development of Education Sector in Punjab (GRADES) Project**

**(P176594)**



### **FINAL LABOUR MANAGEMENT PROCEDURES (LMP)**

**Programme Monitoring and Implementation Unit (PMIU)**

Punjab Education Sector Reforms Programme (PESRP)

**School Education Department, Government of the Punjab**

**May 2022**



**Punjab Education Sector Reforms  
Programme (PESRP)**

**Girls' Results Agenda for the Development of  
Education Sector in Punjab (GRADES) Project  
(P176594)**

**LABOUR MANAGEMENT PROCEDURES (LMP)**

**Programme Monitoring and Implementation Unit (PMIU)**

Punjab Education Sector Reforms Programme (PESRP)

**Government of the Punjab**

**April 2022**



## LIST OF ACRONYMS

AHH	Affected Household
AP	Affected Person
AEOs	Assistant Education Officers
ARAP	Abbreviated Resettlement Action Plan
BoR	Board of Revenue
C&WD	Communication and Works Department
CBOs	Community Based Organizations
CEO	Chief Executive Officer
CESMP	Contractor Environment and Social Management Plan
CoC	Code of Conduct
CSO	Civil Society Organization
DEO	District Education Officer
DDEO	Deputy District Education Officer
CNIC	Computerized National Identity Card
E&S	Environment and Social
ECA	Employment and Childhood Act
ECE	Early Childhood Education
EDO	Executive District Officer
EDS	Environment Development Specialist
EPA	Environment Protection Agency
EPD	Environment Protection Department
ESF	Environment and Social Framework
ESHS	Environment, Social, Health and Safety
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management. Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FGD	Focus Group Discussion
GBV	Gender Based Violence
GoPb	Government of Punjab
GRADES	Girls' Results Agenda for the Development of Education Sector
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanisms

HH	Household
IDC	International Development Consultants
KPI	Key Performance Indicator
NGO	Non-Governmental Organization
NSB	Non-salary Budget
PAI	Project Area of Influence
PDO	Project Development Objective
PEC	Punjab Examination Commission
PEF	Punjab Education Foundation
PEPRIS	Private Education Provides Registration and Information System
PESRP	Punjab Education Sector Reforms Programme
PMIU	Programme Monitoring and Implementation Unit
PPP	Public Private Partnership
PST	Primary School Teacher
QAED	QUAID-e-Azam Academy for Education Development
RP	Resettlement Plan
RF	Resettlement Framework
SDS	Social Development Specialist
SEA	Sexual Exploitation and Abuse
SED	School Education Department
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
SIS	School Information System
SOP	Standard Operating Procedure
UC	Union Council
WASH	Water Sanitation and Hygiene
WB	World Bank

## Table of Contents

<b>1</b>	<b>INTRODUCTION</b> .....	<b>1</b>
<b>2</b>	<b>AN OVERVIEW OF LABOUR USE ON THE PROJECT</b> .....	<b>3</b>
2.1	Workers Requirements .....	3
2.1.1.	Direct Workers .....	3
2.1.2.	Timing of requirements .....	3
2.1.3.	Contracted Workers .....	4
2.1.4.	Skilled permanent staff of the contractors .....	4
2.1.5.	Skilled workers engaged by sub-contractors.....	4
2.1.6.	Unskilled community members engaged by the contractor/subcontractors .....	4
2.1.7.	Design Consultant .....	4
2.1.8.	Construction Supervision Consultant .....	4
2.1.9.	Independent Monitoring Consultants.....	4
2.1.10.	Community Workers.....	5
2.1.11.	Primary Supply Workers.....	5
2.1.12.	Timing of requirements.....	5
2.1.13.	Primary Supply Workers.....	5
2.1.14.	Timing of requirements:.....	5
2.2	Number of Project Workers.....	5
2.2.1.	Direct Workers .....	5
2.2.2.	Contracted Workers .....	5
2.2.3.	Civil Works Contractors and Workers .....	5
2.2.4.	Contractor Workforce Characteristics .....	5
<b>3</b>	<b>ASSESSMENT OF KEY POTENTIAL LABOUR RISKS</b> .....	<b>6</b>
3.1	Child and Forced Labour .....	6
3.2	Labour influx .....	6
3.3	Gender-based violence.....	6
3.4	Occupational health and safety.....	6
<b>4</b>	<b>BRIEF OVERVIEW OF LABOUR LEGISLATIONS: TERMS AND CONDITIONS</b> .....	<b>7</b>
4.1	Brief Overview of Labour Legislation in Pakistan .....	7
4.1.1.	The Constitution of Pakistan, 1973 .....	7
4.1.2.	Punjab Labour Policy, 2018 .....	7
4.1.3.	Punjab Occupational Safety and Health Act 2019.....	7
<b>5</b>	<b>BRIEF OVERVIEW OF LABOUR LEGISLATION: OCCUPATIONAL HEALTH &amp; SAFETY</b> .....	<b>9</b>
<b>6</b>	<b>RESPONSIBLE STAFF</b> .....	<b>11</b>
6.1	Occupational Health and Safety.....	11
6.2	Labour and Working Conditions.....	11
6.3	Worker Grievances Redress .....	11
6.4	Additional Training .....	12

---

6.5	Raising Awareness .....	12
<b>7</b>	<b>POLICIES AND PROCEDURES.....</b>	<b>13</b>
7.1	Occupational Health and Safety (OHS).....	13
7.2	Labour Influx and Gender Based Violence.....	14
7.3	Labour Camps .....	15
<b>8</b>	<b>MINIMUM AGE OF EMPLOYMENT .....</b>	<b>16</b>
8.1	The process of age verification .....	16
<b>9</b>	<b>TERMS AND CONDITIONS FOR EMPLOYMENT.....</b>	<b>17</b>
9.1	Worker's Organization .....	18
<b>10</b>	<b>GRIEVANCE REDRESSAL MECHANISM (GRM) .....</b>	<b>19</b>
<b>11</b>	<b>CONTRACTOR MANAGEMENT .....</b>	<b>24</b>
<b>12</b>	<b>COMMUNITY WORKERS.....</b>	<b>26</b>
<b>13</b>	<b>PRIMARY SUPPLY WORKERS.....</b>	<b>27</b>
13.1	Selection and Monitoring of Primary Suppliers.....	27



## List of Tables

Table 1:	Gaps in Pakistan Government Legislations with Respect to ESF of the WB.....	7
Table 2:	Conformance of the Pakistan Labour Policies with key Elements of ESS2.....	9
Table 3:	Agencies Involved in E&S Risk Management in Development of GRADES Projects ....	12

## List of Annexures

Annexure 1:	Written Particulars of the Employment.....	29
Annexure 2:	Code of Conduct .....	30
Annexure 3:	Template for Project Workers Code of Conduct .....	32
Annexure 4:	Contractors SHE File Monitoring Form (PMIU).....	34
Annexure 5:	Maintaining Safe & Healthy Conditions for Workers at the Labour Camp .....	35
Annexure 6:	Suggested Measure to be Included in the Civil Contracts.....	38

## Executive Summary

**ES. 1** This Labor Management Procedure (LMP) describes the requirements of the Programme Monitoring and Implementation Unit (PMIU)-Girls' Results Agenda for Development of Education Sector (GRADES) and School Education Department (SED) with regard to labour and working conditions to be applicable during the implementation phase of the proposed Project (GRADES). It aims to guide the management and control of activities that may pose labour-related risks. The LMP will be applied to all types of workers that will be employed by the PMIU, contractors, sub-contractors and labor supply contracting agencies (if applicable), and all personnel related to the execution of the project; and therefore, its use and knowledge is mandatory, as appropriate. There are three components of this project, each with both an investment and results-based sub-component.

Component 1: Reform Agenda

Component 2: Building climate-smart classrooms for a sustainable expansion of the school system

Component 3: Technical Assistance.

The component 2 involves schools construction. The interventions under this sub-component will reduce overcrowding by building new classrooms, lower the travel time to schools by building new schools, increase school safety, all which are known to positively affect girls' participation in primary schools. More classrooms will also improve retention rates of students, in particular girls, who are more likely to drop out in the first grades of primary than boys

### ES. 2 Overview of Labor Use in the Project

Implementation of the GRADES will involve different categories of workers for different activities associated with the subprojects. ESS2 classifies project workers into the following four groups: (i) direct workers, (ii) contracted workers, (iii) primary supply workers, and (iv) community laborers. As per this classification and labor needs of this project, three groups of workers including Contracted Workers, Primary Supplier Workers, and Direct Workers are applicable to this Project. The estimated number of direct workers is not yet defined, but there are likely to be 10-20 people employed by the PMIU. The precise number of project workers to be employed is not known as and when implementation begins. The project will not have community workers as defined under ESS2. Project will source directly goods or materials through Primary supply workers required for the core functions of the sub-projects.

### ES. 3 Assessment of Key Potential Labor Risks

The main labor risks associated with the GRADES Project are assessed to be related to the work environment, the associated risk of accidents and incidents at the work place, child labor and forced labor, labor influx and associated community health and safety risks, including Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH) risks and the capacity of the implementing agency to manage and mitigate the E&S risks and the context under which the Project is being implemented.

Labour related risks will be minimized by following the mitigation hierarchy and use of appropriate personal protective equipment. In 2018, Pakistan Occupational Health and Safety was promulgated to ensure safe and healthy working conditions for the people at work by authorizing enforcement of the rules and regulations developed under the Act. Under the act, federal government established the Pakistan National OHS Council to approve the legislation, regulations, codes, standards and policies relevant to occupational health, safety and welfare. The Council has established the National OHS Policy Directorate.

The World Bank Group (WBG) has guidelines for Environment, Health and Safety (EHS) that serve as useful references for general issues as well as sector-specific activities. Projects financed by the WBG are expected to comply with this guideline as required by the policies and the standards. The EHS guidelines are mainly on occupational health and safety, community health and safety as well as on construction and decommissioning.

### ES. 4 Responsible Staff

The PMIU has the overall responsibility for project management to oversee all aspects of the implementation of the LMP, in particular to ensure contractor compliance. The E&S team in PMIU will implement and monitor the provision of this LMP. The PMIU will procure for training to address risks associated with labor influx and will provide a schedule for trainings required. To minimize gender disparity in their work with communities, staff will receive training on the prevention of SEA/SH, codes

of conduct, as well as on gender and GBV in general.

Punjab School Education Department (SED) would be the responsible agency for the implementation of the project. SED will execute the project through Program Management and Implementation Unit (PMIU). Component 2, focusing on Civil Works, will be jointly implemented by SED and Communications and Works Department (C&W). A joint Departmental Review Committee (DRC) will be established, headed by the Secretary SED with members from all the attached departments and Secretary C&W. The committee will meet on a quarterly basis to review the progress of component 2 and address any challenges faced in the civil works component. Day-to-Day implementation will be headed by C&W department, in accordance with the 'School Construction Strategy' while also ensuring that environment and social safeguard parameters defined by the World Bank are met. Bi-annual updates on the Civil works will be presented to the Project Steering Committee (PSC) chaired by Chairman Planning and Development Department (P&D). The project will be coordinated by a Project Steering Committee chaired by the Chairman Punjab Planning & Development Board. The Government of Punjab, with Bank support, created the Punjab Education Sector Reform Program (PESRP) to coordinate the overall reform effort in the education sector which reports to the same Steering Committee

### **ES. 5 Policies and Procedures**

PMIU will ensure that policies and procedures to be followed during the implementation phase of the Project as well as accidents, occupational diseases and prevention of SEA/SH. These policies and procedures will be updated and modified if necessary, after the allocation of the contracts of the different positions of the PMIU.

### **ES. 6 Age of Employment**

Article 11(3) of the Constitution of Pakistan prohibits employment of children below the age of 14 years in any factory or any other hazardous employment. Under the Factories Act, 1934 no adult employee, defined as a worker who has completed his or her 18th year of age, can be required or permitted to work in any establishment. This will require workers to provide official documentation, which could include a birth certificate, Computerized National Identity Card (CNIC), passport, or medical or school record.

### **ES. 7 Terms and Conditions of Employment**

The employment terms and conditions applying to GRADES employees are set out in the labor rules will apply to all project employees who are assigned to work on the Project (direct workers). Terms and conditions of part-time direct workers are determined by their individual contracts. The normal hours of work of Project workers shall not exceed 8 hours a day for 5 days or 40-hour work week, exclusive of time for meals. Every project worker is entitled to a 2-day rest period during weekends (Saturday and Sunday).

### **ES. 8 Contract Management**

PMIU will ensure that the contractors, are legitimate and reliable entities and that they have procedures established for management of labor in compliance with this LMP. Contracts with contractors will include a provision on the obligation to comply with current legislation on labor and protection at work.

### **ES. 9 Types of Workers**

The construction work under the Project will require primary supplies including construction materials essential for the functions of the proposed infrastructure

Various types of workers (Direct, Contracted, and Primary Supply workers), their estimated numbers, characteristics etc. have been set out in this LMP. Key potential environmental and social risks, such as OHS, community risks, waste generation, risk of GBV, exploitation of child and forced labour have been identified. Given the size of the project, the potential Environmental and Social (ES) risks and impacts, the capacity of the implementing agency to manage and mitigate the ES risks and the context, under which the project is being implemented, the ES assessment has set the project risk classification as Moderate.

The LMP identified the commonalities and gaps between the World Bank's ESF following the ESS2 and present legislation of Pakistan.

### **ES. 10 Grievance Redress Mechanism**

Pursuant to Article 46 of the Industrial Relations Ordinance (IRO) 2002, a worker may bring his or her grievance in respect of any right guaranteed or secured by or under any law. PMIU will establish a GRM (or make provisions in the overall GRM) for the project workers to address labor or workplace-related concerns consistent with the applicable national and provincial laws and ESS2 before the Project Effectiveness. The worker GRM will be based on the requirements of the WB's ESS2 – Labor and Working Conditions. The E&S Specialists will monitor the recording and settlement of grievances by workers and report to the PMIU in its monthly progress reports.

## LABOUR MANAGEMENT PROCEDURES

### 1 INTRODUCTION

Punjab, with support from the Bank has made progress in improving education outcome indicators over the past decade, but important challenges remain, particularly for girls and especially after the extensive school closures during the COVID-19 pandemic. Punjab has improved participation rates to 79% (age 5-16), from about 59% in 2001, while narrowing the gender gap to 4 percentage points in 2018, up from 11 percentage points in 2001. In Punjab, the improvement in participation rate is mostly visible in primary grades, as now 84% of girls and 87% of boys (age 5-10) enroll in primary grades. In absolute terms, an estimated 21 million school age children (age 5-16) in Pakistan are out of school, out of which an estimated 8 million live in Punjab and girls are more likely than boys to never go to school. About 13% of girls in Punjab will never go to school as compared to 9% of boys.

There are still several key constraints for girls' education in Punjab. One constraint that has been relatively neglected is the lack of physical space in schools, which is contributing to high dropout rates. The Government of Punjab estimates that well over 50% (28,000 schools) of schools offering primary education do not have enough classrooms to accommodate every grade in a separate classroom. Another infrastructural constraint that harms girls' participation in particular is the lack of bathrooms with 48% of schools not meeting minimal sanitation facilities including clean water and soap. School construction has been proven an effective method to allow more girls to enroll in schools, given the shorter distance between families' homes and schools, while also making schools safer environments to study, especially in countries with low baseline participation rates.

Girls' participation in school and learning levels may also be affected by factors that are not yet addressed effectively, including the school environment and school safety concerns. For instance, the exclusion of girls from learning opportunities in Pakistan is driven by pervasive social norms. These mechanisms include unequal intra-household investments by families, risk perceptions, and declining but still persistent child marriage, among others. Violence against children, particularly girls, on the way to school and in schools is prevalent. About 9% of schools do not have a boundary wall and about a third of schools do not have razor wire on the existing boundary wall. There have been high profile cases of violence against children on the way to school and in school. Students are also not always safe from their teachers, with well over two-thirds of students reporting that teachers often or sometimes hit their students for behavioral reasons, and about half of students report that teachers sometimes or often hit students for academic reasons such as for obtaining low grades. Schools can also be unsafe for health-related reasons, with about 13 percent of children reporting that they feel sick in a given week, and 6% of children claiming they become sick from drinking water at school. Evidence from Pakistan indicates that, 35% of adolescent female students ages 13-15 years have been bullied on one or more day during the past 30 days.

This proposed project will help the education sector in Punjab deliver better results for girls, while supporting the overall reform direction for education in the province benefiting both girls and boys. The Project Development Objective (PDO) is "to improve the participation of girls and boys in early learning and primary grades (ECE-5), increase girls' retention in middle grades (6-8), while improving literacy for girls and boys in the early grades.

This Labour Management Procedure (LMP) addresses the risks and impacts of labour engagement for Component 2 of the Project under GRADES. The LMP sets out the Project's approach to meeting national requirements as well as the World Bank's (WB) Environmental and Social Framework (ESF), specifically Environmental and Social Standard 2i.e. Labour and Working Conditions (ESS2) and Standard.

The environmental and social assessments for GRADES have assessed that the social risk associated with the Project to be Moderate meaning there are potentially less risk and impacts associated with labour engagement. It also illustrates how labour engagement may give rise to Occupational and Health (OHS) concerns, concerns with engagement of forced and child labour, exploitive use of labour, discrimination against female, vulnerable and disadvantage people, non-compliance with related laws and policies, possible rise in Gender-based Violence (GBV) cases. The resultant Environmental and Social Management Plan (ESMP) provides risk and impact mitigation measures including indication of managing labour issues. This LMP is living document and will be updated as and when labour conditions are altered for project activities.

The GRADES Project's Environmental and Social Management Framework (ESMF) identified risks and impacts associated with its implementation to the related workers. Hence, the project in terms of risk is rated as Moderate.

The Moderate rating indicates that the risks are required to be well understood as they would require possible efforts to be avoided, minimized or managed through certain measures, including procedures set out in this LMP. However, the GRADES Project is committed to evaluate risks and impact to have in place adequate measures and procedures to manage such labour impacts.

The focus of the LMP is on workers engaged by PMIU-GRADES in respective components. Adhering to these procedures, the Project contractors will be required to prepare a Labour Management Plan for larger works. For smaller contracts, The PMIU with assistance from consultants may prepare specific procedures to be inserted in the contract as part of contractors' legal obligations.

The approach will be assessed as part of the initial screening of environmental and social risk and impact carried out by GRADES Project Monitoring and Implementation Unit.

## **2 AN OVERVIEW OF LABOUR USE ON THE PROJECT**

The LMP applies into all Project workers whether full-time, part-time, temporary, seasonal or migrant workers. The LMP is applicable, as per ESS2 to the Project in the following manner:

1. People employed or engaged directly by PMIU and C&W including government officials/officers (from School Education Department or other agencies/ministries), deputed to work specifically in relation to the Project;
2. People employed or engaged by contractors to perform work related to the core function of the project, regardless of location; and
3. People employed or engaged by GRADES's primary suppliers

### **2.1 Workers Requirements**

Implementation of the GRADES will involve different categories of workers for different activities associated with the subprojects. ESS2 classifies project workers into the following four groups: (i) direct workers, (ii) contracted workers, and (iii) primary supply workers. As per this classification and labor needs of this project, three groups of workers including Contracted Workers, Primary Supplier Workers, and Direct Workers are applicable to this Project.

The LMP applies into all types of project workers to be engaged by the Project whether full-time, part-time, temporary, seasonal or migrant workers. The LMP is applicable, as per ESS2 to the Project in the manners of: (i) People employed or engaged directly by PMMIU for GRADES Project to work specifically in relation to the sub-project; (ii) People employed or engaged by PMIU' consultants and contractors to perform work related to the core function of the sub-projects, regardless of location; (iii) People employed or engaged by PMIU or contractors' primary suppliers (where ESS2 provisions apply to primary suppliers with whom the sub-project has a significant and ongoing relationship) as well as any community workers.

#### **2.1.1. Direct Workers**

Direct workers will be divided into three major units. Firstly, the PMIU staff jointly working with C&W depart GoPb for component 2, secondly, the project-based consultants, and finally the contractors. The PMIU will employ consultants and contractors who will be working on contractual basis. The government can hire them to help improvement in its functioning, and help plug gaps in technical expertise within departments. The contracts of employment of such staff are governed under the specified terms. Contracts can be terminated on one month's notice by either side. The consultants will be engaged by the PMIU to undertake short period assignments as necessary. These consultants will be guided by specific contractual agreements between them and the PMIU. Direct workers will include the project-based staff and the permanent staff of the Project Management Units (PMIUs) for implementing a wide range of the project's activities. The staff of the Units will be composed, among others, of a Programme Director (PD), Environment and Social Specialists, a Social and Gender specialist, a Financial Management Specialist and a Procurement Specialist. The PMIU will employ consultants and support staff who will be working on contractual bases as part of the PMIU. Terms and conditions of these consultants will be guided by the national and provincial labor Laws. The consultants will be engaged by the Project to undertake short period assignments as necessary. The health and safety requirements provided in this LMP will also apply to civil servants who will be seconded in to support the project implementation.

The PMIU will be tasked with:

- Overall project responsibilities for financial management, procurement, monitoring and evaluation and E&S management;
- Technical responsibilities to support departments involved in project components implementation; and
- Support services (office manager, assistants, and driver).
- PMIU staff will be hired or seconded for the implementation of this Project including technical and non-technical staff.

#### **2.1.2. Timing of requirements**

Direct workers are eligible to work for a fixed contract period of not more than 1 year. Contracts will be renewed for another/ next year based on satisfactory services. Consultants will be engaged under

a short term period of not more than six months and the labour requirement including the time schedule and deliverables are stipulated in their respective contracts.

### **2.1.3. Contracted Workers**

Based on the requirement in every component, the PMIU and C&W will employ contracted worker in their respective offices and contractors who will hire contracted workers based on their level of skills and project needs. If agreed with the PMIU, sub-contracts of the work could be given. Sub-contractors recruited may supply labourers as per the agreed terms and conditions. Given the COVID19 situation, the labourers employed will be treated as contracted workers. In addition to relevant national laws and World Bank policies, the labour contractor will be required to ensure that the World Bank's interim note on "COVID-19 Considerations in Construction/Civil Works Projects" and the Technical Note on "Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings" are followed in recruiting labourers and during the work. PMIU will involve different contractor/s for carrying out preparation of documents and implementation of different civil works under the Project. PMIU's contracted workers include the consultants preparing the project's feasibility study and detail design; consultant for preparation of ESIA/ESMP/RAP, Construction Supervision Consultant (CSC), Independent Environmental and Social Monitoring Consultant (IEMC), construction contractors and subcontractors and their workers. Civil work contractors and workers include skilled and non-skilled workers. The different categories of anticipated contracted workers are presented below:

### **2.1.4. Skilled permanent staff of the contractors**

The permanent technical staff of the contractors will be engaged in the Project, including project managers, site engineers, construction foreman, environmental social health and safety (ESHS) officer, administrative and finance officers for the project/sub-projects.

### **2.1.5. Skilled workers engaged by sub-contractors**

Depending on the requirements of expertise for each type of sub-project and activities, contractors will mobilize their relevant workers to meet Project requirements. The works requiring skilled workers may include drivers, operators of machines for dredging or excavation, piling, hauling, road roller/soil compaction, sand/quarry loading, and grading etc. The workers will be expected to have expertise relevant to the required works.

### **2.1.6. Unskilled community members engaged by the contractor/subcontractors**

It is expected to reduce large number of migrant workers at sites, the subprojects will be designed to maximize the employment generation through engaging local labours as unskilled workers especially in simple works such as construction of classrooms or new schools, boundary walls, excavation/leveling, loading/unloading materials, supporting for builders, site cleaners, watering working sites. To ensure equal opportunities in employment, the contractor will be contractually required to coordinate with PMIU to prioritize the affected communities and vulnerable groups, including female workers and labours with disabilities at their desire if required.

### **2.1.7. Design Consultant**

Consultants will be engaged by PMIU to provide services of preparation of feasibility study (FS) and detailed design for the civil works under the Project. The procurement process for the consultant team will start during sub-project preparation, but the consultant will be on board in the early stage of project implementation. The FS and detailed design consultant will support PMIU until the approval of the FS and detailed design for the project.

### **2.1.8. Construction Supervision Consultant**

A construction and supervising consultant will be engaged by PMIU to provide day-to-day construction oversight for the civil works. The procurement process for the consultant team will start during project preparation, but the consultant will be on board in the early stage of project implementation. The construction and supervision consultant will support C&W until the completion of the civil works.

### **2.1.9. Independent Monitoring Consultants**

Independent Monitoring Consultants for environment and for social issues are planned to be engaged by PMIU. Independent monitoring consultants are responsible to ensure compliance with approved



plans and programs related to environmental and social issues. The independent monitoring consultants will be engaged at the beginning of the implementation period and will complete their works from 6 months to 1 year after all resettlement/environmental activities have been satisfactorily completed.

#### **2.1.10. Community Workers**

The project will not have community workers as defined under ESS2.

#### **2.1.11. Primary Supply Workers**

About Primary supply workers, project on an ongoing basis, will source directly goods or materials essential for the core functions of the sub-projects.

#### **2.1.12. Timing of requirements**

Contracted workers are eligible to work for a contract period fixed by the C&W, and then recruited by the Contractor. Their contracts will be renewed, if required, based on satisfactory services.

#### **2.1.13. Primary Supply Workers**

Based on the requirement in every component, primary supply workers will be recruited by the contractor in coordination with PMIU. It will be ensured (and monitored periodically by the PMIU) that no children are recruited and supplied as worker. Furthermore, it will also be monitored like above that these workers are not subject to 'forced labour' in any manner. The PMIU will be responsible to make sure that these standards are followed strictly. If any deviation is identified the PMIU will take action as prescribed in the contract/ agreement following the LMP.

#### **2.1.14. Timing of requirements:**

Their tenure service will be based on supplies as procured.

### **2.2 Number of Project Workers**

#### **2.2.1. Direct Workers**

The estimated number of direct workers is not yet defined, but there are likely to be 10-20 people employed for GRADES Project under the PMIU. The staff of the PMIU will be composed, among others, a PD, technical engineering staff, safeguards specialists, gender specialist, a financial management specialist and a procurement specialist. Direct workers will carry out key functions such as coordination, fiduciary, environmental and social management, monitoring and evaluation, and reporting.

#### **2.2.2. Contracted Workers**

The precise number of Project workers to be employed are not known as of now. This will become known as and when implementation begins.

#### **2.2.3. Civil Works Contractors and Workers**

The number of workers expected to be associated with each of the subprojects will be dependent upon the nature of subproject. Thus, the total number of civil works contract workers is yet to be established.

#### **2.2.4. Contractor Workforce Characteristics**

Given the nature of the project workforce (mostly unskilled and semiskilled construction labour) and characteristics of the labor force market in Pakistan, it is likely the workforce, especially the lower-skilled workers, will be predominantly male. Female un-skilled workers are not expected in the Project. The expectation is that the majority of labor will be locally hired with the exception of a few skilled workers. Provisions will be made to train and hire as many as possible from locally available workforce.

### **3 ASSESSMENT OF KEY POTENTIAL LABOUR RISKS**

The main labour risks associated with the program are assessed to be related to the potentially hazardous work environment, the associated risk of accidents and labour influx. Based on current conditions in the sector it is assessed that the risk of a child or forced labour is negligible, and already managed through national legislation.

#### **3.1 Child and Forced Labour**

The risk of child labour will be mitigated through Certification of labours' age. This will be done by using the legally recognized documents such as the National Identification Card, and Birth Certificate. Further, awareness raising sessions will be conducted regularly to the communities to sensitize on prohibition and negative impacts of child and forced Labour.

#### **3.2 Labour influx**

While a substantial number of jobs will be created, it is expected that the program area may experience substantial labour influx. The PMIU's existing operational procedure is to mandate and localize the economic benefits and only allow for outsiders, including expatriate labour where there is a requirement for specialized skills. External workers, which will be few in numbers, will be accommodated at existing housing in the area which has been prior practice by PMIU in previous projects. If it is necessary there will be dedicated camps established for worker accommodation in the project. Specific requirements to manage risks associated with labour influx, related to the interaction between program workers and local communities, such as communicable diseases and gender-based violence, are managed through contractual requirements, code of conduct and training set out in this document. These procedures are guided by national legislation and also follow the guidelines of Bank's ESS2 and ESS4 and the World Bank's interim note on "COVID-19 Considerations in Construction/Civil Works Projects" and the Technical Note on "Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings".

#### **3.3 Gender-based violence**

Construction workers are predominantly younger males and females, in some cases. Those who are away from home on the construction job are typically separated from their family and act outside their normal sphere of social control. This can lead to inappropriate and criminal behavior, such as sexual harassment of women and girls, exploitative sexual relations, and illicit sexual relations with minors from the local community. A large influx of male labour may also lead to an increase in exploitative sexual relationships and human trafficking whereby women and girls are forced into sex work.

#### **3.4 Occupational health and safety**

The PMIU will for contractor training and safety, records of which are inspected monthly and audited bi-annually. The World Bank's Interim Note on "COVID-19 Considerations in Construction/Civil Works Projects" will be considered and followed as appropriate at all levels of project implementation. Whereas, occupational health and safety would be kept as prime in execution of civil works.

#### 4 BRIEF OVERVIEW OF LABOUR LEGISLATIONS: TERMS AND CONDITIONS

Standards for labour and Working Conditions are defined in Punjab Labour Policy 2018. The Policy addresses three main areas: (i) Conditions of service and employment including wages and payment, establishment of Wages Boards, employment of young people, maternity benefits, working hours and leave; (ii) health, safety, hygiene, and welfare, and compensation for injury; and, (iii) trade unions and industrial relations.

**Table 1: Gaps in Pakistan Government Legislations with Respect to ESF of the WB**

WB ESF Standard	Gaps in Government Legislations
ESS2: Labour and Working Conditions	(i) The labour policies does not specifically require that development projects be assessed and reviewed in terms of labour and working conditions including OHS requirements before approval.
	(ii) The labour policies do not require development projects to prepare Labour Management Plans/Procedure or OHS Plan.

#### 4.1 Brief Overview of Labour Legislation in Pakistan

##### 4.1.1. The Constitution of Pakistan, 1973

The constitution of Pakistan contains a range of provisions with regard to labor rights found in Part II: Fundamental Rights for the labours are; Article 11 of the constitution prohibits all forms of slavery, forced labor, and child labor while Article 17 of the constitution provides for a fundamental right to exercise the freedom of association and the right to form unions. The Article 18 of the constitution prescribes the right of its citizens to enter upon any lawful profession or occupation and to conduct any lawful trade or business. Whereas the Article 25, lays down the right to equality before the law and prohibition of discrimination on the grounds of sex alone. Also the Article 37 (e) makes provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment.

##### 4.1.2. Punjab Labour Policy, 2018

The Punjab Labour Policy 2018 with its objectives on improvement in Occupational Safety & Health (OHS) through legislation, preventive measures, capacity development and awareness campaign; rationalization in minimum wages through research and development, improvement in the wage fixation process and strengthening the role of Punjab Minimum Wages Board; extend right of freedom of association and to bargain collectively under ILO's Convention 87 & 98; addressing all types of discriminations in remuneration of men and women for equal value of work and in employment resulting on the basis of sex, creed, ethnicity, origin and religion; work for "social protection and labour welfare for all" who are eligible to work through removing all the bottlenecks and facilitating inclusion of all categories of workers under the social protections coverage guaranteed in the Constitution of Pakistan; ensuring decent working conditions for all workers irrespective of nature of work in compliance with basic International Labour Standards (ILS) on working conditions, working hours, health and safety, rest, holidays and wages; capacity development of inspection staff and equipping them with modern techniques of inspection, conciliation, social dialogue and negotiation through regular on-job training; eliminating child labour, addressing bonded labour in a systematic way; revisiting existing workers' health protection; working on simplification and consolidation of labour laws with the focus to bring these in consonance with the ILO Conventions meaning thereby to improve implementation are the predominant objective out of others of this Policy.

##### 4.1.3. Punjab Occupational Safety and Health Act 2019

Since 2010, labour policy has been a provincial subject in Pakistan, with provincial Departments of Labour mainly responsible for implementing health and safety regulations. The last labour policy approved for the country by the federal cabinet was in 2010, prior to the devolution of labour regulation to the provinces. The Pakistan Labour Policy of 2010 recommends creation of a Tripartite Council on Health and Safety to identify health and safety hazards for workers of all economic sectors, and to make recommendations for safety measures on a continuous basis. The federal government did, however, develop a model OHS law for the provinces to adapt and enact. Subsequently, the GoPbb passed The Punjab Occupational Safety and Health Act 2019. Article 3 of the Act specifies that every

employer is bound to take possible and “reasonably practicable” measures to ensure the health and safety of all employees. Employers are duty bound to identify existing and new hazards at the workplace from time to time, and if necessary, to arrange for health and safety training and vaccinations etc. for employees at their (the employer’s) expense. It is also the employer’s responsibility to provide protective equipment and clothing to staff where needed, and to maintain a record of accidents and injuries at the workplace.

The labour laws of Pakistan clearly describe all things related to labour and workforce including wage and salary, termination, redressing, work environment, female worker, recruitment, unionization, child labour and so on.

## 5 BRIEF OVERVIEW OF LABOUR LEGISLATION: OCCUPATIONAL HEALTH & SAFETY

Generally, the management of community health and safety of development projects is covered under ECA and ECR. Typically, OHS measures extend to the general public at construction sites.

There are basically two components of OHS. One is the physical safety of project communities who are exposed to the project activities during construction and operation, including risks of accidents and risks of violence due to increase in crimes and cultural conflict between locals and migrant population. The other pertains to the exposure and/or increased risks of diseases by the community due to influx of people during construction and operation and due to the changes in the project area, including pollution and ecological change. The physical safety aspects are partly addressed by the OHS provisions in labour policy.

When there has been a breach of a duty imposed upon an employer, any one of individuals defined as an employer can be prosecuted. In addition, when a company is prosecuted, "every director, partner, shareholder or manager or secretary or any other officer or representative directly involved in its administration" shall be deemed guilty unless he can prove the offence has been committed without his knowledge

**Table 2: Conformance of the Pakistan Labour Policies with key Elements of ESS2**

Key Elements of ESS2	Provisions in the Labour Act	Steps planned
Equal Opportunity and Non-discrimination	The law contains important provisions prohibiting discrimination based on sex and disability, including equal wages for equal work.	No steps required.
Timely payment	Wages must be paid before the expiry of the 7 <sup>th</sup> working day after the last day of the wage period.	No steps required.
Working hours and overtime	48 hours per week extendable up to 60 hours with 12 hours overtime.	No steps required.
Worker rights	Regular leaves and benefits. Employer must provide reasons for termination.	The LMP incorporated necessary provisions and actions.
Prevents use of all forms of forced labour and child labour	Below 14 years of age shall not be required or allowed to work in any factory. 14 years of age shall allow working in a factory if s/he is trainee or s/he has certificate of fitness and government permission if the nature of employment is considered non-hazardous. Otherwise, all forms of child labour are banned.	No steps required.
<b>Protection of Workers</b>		
OHS	The law provides for comprehensive OHS and empowers PMIU to conduct inspections of establishments and to impose penalties for violations or non-compliance.	The World Bank's interim note on "COVID-19 Considerations in Construction/Civil Works Projects" will be needed to be considered as appropriate in project management. Whereas, occupational health and safety would be kept as prime in execution of civil works.
Children at Working Age	Children (14 - 18) shall be assigned only light work and not be assigned to hazardous tasks.	No steps required.
Women	8 weeks paid maternity leave for expectant mothers is mandatory.	No steps required.
Person with Disabilities (PWD)	Person with Disabilities (PWD): the rights and protection approach in the Policy provides for rights to discrimination-free employment opportunities.	The LMP incorporated necessary provisions and actions.
Migrant Workers	No special provisions for migrant workers	No steps required.

Contractor Workers	In case where the wages of a worker employed by a contractor are not paid by the contractor, the wages must be paid by the employer of the establishment.	No steps required.
Community Workers	The labour law does not recognize community workers as defined in the ESS2 and hence does not provide any special considerations for such contracting arrangements. The law requires that all labour supply contracting agency will have to be formally registered and workers should first be the responsibility of the contracting agency.	No steps required.
Supplier/ Supply Workers	The law does not assign any responsibility to the project on supplier labourers and their working conditions. Workers of suppliers will have to be the responsibility of the suppliers.	The LMP incorporated necessary provisions and actions.
Freedom of association and collective bargaining	Employees are allowed to form union with at least 20% of the employees participating, but the government does not permit any unionization in the Export Processing Zones.	No steps required.
Access to grievance redress mechanism	Employees can seek direct civil law redress from the Labour Courts for complaints regarding terms and conditions of employment and wages.	The LMP incorporated necessary provisions and actions.
	While health and safety, maternity welfare and child labour offences are subject to criminal prosecution.	
	In general, there is institutional GRM for labour in Pakistan as per the standards/provisions of the Bank's ESS2.	

## 6 RESPONSIBLE STAFF

The overview of responsible staff and oversight mechanisms will be described in further detail in the ESMF. This is an overview – the details will flow from the ESMF and can be taken further forward during the implementation stage from ESMP(s).

SED is the responsible agency for the implementation of the project. SED will execute the project through PMIU. Component 2, focusing on Civil Works, will be jointly implemented by SED and Communications and Works Department (C&W). A joint Departmental Review Committee (DRC) will be established, headed by the Secretary SED with members from all the attached departments and Secretary C&W. The committee will meet on a quarterly basis to review the progress of component 2 and address any challenges faced in the civil works component. Day-to-Day implementation will be headed by C&W department, in accordance with the 'School Construction Strategy' while also ensuring that environment and social safeguard parameters defined by the World Bank are met. Bi-annual updates on the Civil works will be presented to the Project Steering Committee (PSC) chaired by Chairman Planning and Development Department (P&D). The project will be coordinated by a Project Steering Committee chaired by the Chairman Punjab Planning & Development Board. The Government of Punjab, with Bank support, created the Punjab Education Sector Reform Program (PESRP) to coordinate the overall reform effort in the education sector which reports to the same Steering Committee

The GRADE's Programme Director (PD) has the overall responsibility to oversee all aspects of the implementation of the LMP, in particular to ensure contractor compliance. PMIU will have the prime responsibility for:

- Engagement and management of project workers;
- Engagement and management of contractors/subcontractors;
- Occupational health and safety (OHS);
- Training of workers; and
- Addressing worker grievances.

However, to the extent that project workers are public servants, the service rules of the federal and provincial governments (as the case may be) will continue to be applicable to them, as will provisions of the Punjab Occupational Health and Safety Act 2019. The PMIU will address all LMP aspects as part of procurement for works as well as during contractor induction. The contractor is subsequently responsible for management in accordance with contract specific Labour Management Plan/s, the implementation of which will be supervised by PMIU-GRADES' by environmental and social development specialists on a monthly basis or at shorter intervals as defined by specific Plans. The detailed approach is described in the following sections.

### 6.1 Occupational Health and Safety

Contractors will engage a minimum of one safety representative. Smaller contracts may permit for the safety representative to carry out other assignments as well. The safety representative ensures the day-to-day compliance with specified safety measures and records of any incidents. Minor incidents will be reported to PMIU on a monthly basis, serious incidents are reported immediately. Minor incidents are reflected in the quarterly reports to the World Bank, while major issues are flagged to the World Bank immediately.

### 6.2 Labour and Working Conditions

Contractors will keep records in accordance with specifications set out in this LMP. The PMIU at any time may require records to ensure that labour conditions are met. The Project Management Unit will review records against actuals at a minimum on a monthly basis and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.

### 6.3 Worker Grievances Redress

The GRADE's procedures currently in place will remain for Project staff. Contractors will be required to present a worker grievance redress mechanism which responds to the requirements in this LMP. The PMIU's designated officer will review records on a monthly basis. Where worker concerns are not

resolved, the accountability procedure/s will be used as set out in the section, but the Project Management Unit will keep abreast of resolutions and reflect in quarterly reports to the World Bank.

#### 6.4 Additional Training

Contractors are required to, at all times, have a qualified designated officer on board. If training is required, this will be the contractor's responsibility. The safety officer will provide instructions to contractor staff. The PMIU will procure for training to address risks associated with labour influx and will provide a schedule for trainings required. The contractor will be obligated to make staff available for this training, as well as any additional mandatory trainings required by PMIU, as specified by the contract.

#### 6.5 Raising Awareness

The project will take initiative to organize sessions on raising awareness of the communities on issues relevant to the project's compliance and standards e.g. labour standards, gender-based violence, child and forced labour etc. This, in addition to the proposed project's Communication Strategy, will ensure effective and efficient participation of different stakeholders of the project.

**Table 3: Agencies Involved in E&S Risk Management in Development of GRADES Projects**

ESF Standards	Assessment	Planning	Implementation	On-site Coordination and Supervision
ESS2: Labour and Working Conditions	PMIU	PMIU	PMIU and C&W Department, GoPb	PMIU, Concerned District CEO (Education)



## 7 POLICIES AND PROCEDURES

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

Most environmental and social impacts of subprojects resulting from activities directly under the control of contractors will be mitigated directly by the same contractors. As a consequence, ensuring that contractors effectively mitigate project activities related impacts is the core of the Programme approach. The PMIU will incorporate standardized environmental and social clauses in the tender documentation and contract documents, in order for potential bidders to be aware of environmental and social performance requirements that shall be expected from them, are able to reflect that in their bids, and required to implement the clauses for the duration of the contract. Hence, the PMIU will enforce compliance by contractors with these clauses. As a core contractual requirement, the contractor is required to ensure all documentation related to environmental and social management, including the LMP, is available for inspection at any time by the PMIU or PMIU appointed monitors. The contractual arrangements with each project worker must be clearly defined in accordance with national law. A full set of contractual requirements related to environmental and social risk and impact management will be provided in the Programs' Environmental and Social Impact Assessment. All environmental and social requirements will be included in the bidding documents and contracts in addition to any additional clauses, which are contained, in the Programs environmental and social instruments.

Under no circumstances will the PMIU, the School Education Department, contractors, suppliers or sub-contractors engage forced labour. The forced labour includes bonded labour (working against an impossible debt), excessive limitations of freedom of movement, excessive notice periods, retaining the worker's identity or other government-issued documents or personal belonging, imposition of recruitment or employment fees payable at the commencement of employment, loss or delay of wages that impede the workers' right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis can be referenced or annexed to the LMP, together with any other supporting documentation.

### 7.1 Occupational Health and Safety (OHS)

The PMIU is committed to:

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

The PMIU-GRADES Project will have a designated Safety, Health and Environmental Monitor for the workplace or a section of the workplace for an agreed period. At a minimum, the Monitor must:

1. Identify potential hazards;
2. In collaboration with the employer, investigate the cause of accidents at the workplace;
3. Inspect the workplace including plant, machinery, and substance, with a view to ascertaining the safety and health of employees provided that the employer is informed about the purpose of the inspection;
4. Accompany an inspector whilst that inspector is carrying out the inspector's duties in the workplace;
5. Attend meetings of the safety and health committee to which that safety and health

representative is a member;

6. Subject to (g) below, make recommendations to the employer in respect of safety and health matters affecting employees, through a safety and health committee; and
7. Where there is no safety and health committee, the safety and health representatives shall make recommendations directly to the employer in respect of any safety and health matters affecting the employees.
8. Follow the World Bank's interim note on "COVID-19 Considerations in Construction/Civil Works Projects"

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

1. Provide occupational health and safety training to all employees involved in works.
2. Provide protective masks, helmet, overall and safety shoes, and safety goggles, as appropriate.
3. Provide workers in high noise areas with earplugs or earmuffs.
4. Ensure availability of first aid box.
5. Provide employees with access to toilets and potable drinking water.
6. Provide safety and occupational safety measures to workers with Personal Protection Equipment (PPE) when installing pumps to prevent accidents during replacement and installation and follow safety measures in installing submersible pump and cleaning the raiser pipes.
7. Properly dispose of solid waste at designated permitted sites landfill allocated by the local authorities and cleaning funds; and attach the receipt of waste from the relevant landfill authority.
8. Carry out all procedures to prevent leakage of generator oil into the site.
9. Ensure that the head of the well is covered tightly.
10. Provide secondary tank for oil and grease to avoid spills.

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

## 7.2 Labour Influx and Gender Based Violence

Contractors will maintain labour relations with local communities through a code of conduct (CoC). The CoC commits all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable standards of behavior. The CoC shall include sanctions for non-compliance, including non-compliance with specific policies related to gender-based violence, sexual exploitation and sexual harassment. The CoC shall be written in Urdu in a reader-friendly style and signed by each worker to indicate that they have:

1. received a copy of the CoC as part of their contract;
2. had the CoC explained to them as part of induction process;
3. acknowledged that adherence to this CoC is a mandatory condition of employment;
4. It is understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

A copy of the CoC shall be displayed in a location easily accessible to the community and project affected people. It shall be provided in Urdu.

Contractors shall address the risk of gender-based violence, through:

1. Mandatory training and awareness rising for the workforce about refraining from unacceptable conduct toward local community members, specifically women. In considerably unavoidable cases/situation, the training may be repeated;
2. Informing workers about national laws that make sexual harassment and gender-based violence a punishable offence which is prosecuted;
3. Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence;

A system to capture gender-based violence, sexual exploitation and workplace sexual harassment related complaints/issues shall be developed. This process shall be under the portfolio of a

designated Officer who shall identify and engage the relevant stakeholders on GBV issues.

### **7.3 Labour Camps**

While a substantial number of jobs will be created, it is expected that the project areas may experience substantial labour influx. PMIU's existing operational procedure is to mandate and localize the economic benefits and only allow for outside, including expatriate labour, where there is a requirement for specialized skills. External workers, which may be few in numbers, will be accommodated at local housing in the area. If it is necessary there will be dedicated camps established for worker accommodation in the project. It is important to add here that the construction and civil works do not require female external workers. Specific requirements to manage risks associated with labour influx, related to the interaction between project workers and local communities, such as communicable diseases and gender-based violence, are managed through contractual requirements, code of conduct and training are set out in this document. These procedures are guided by national legislation and also follow the guidelines of Bank's ESS 2 and the World Bank's interim note on "COVID-19 Considerations in Construction/Civil Works Projects" and the Technical Note on "Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings".

## **8 MINIMUM AGE OF EMPLOYMENT**

Article 11(3) of the Constitution of Pakistan prohibits employment of children below the age of 14 years in any factory, mines or any other hazardous employment. In accordance with this Article, the Employment of Child Act (ECA) 1991 disallows the child labor in the country. The ECA defines a child to mean a person who has not completed his/her fourteenth years of age. The ECA states that no child shall be employed or permitted to work in any of the occupation set forth in the ECA (such as transport sector, railways, construction, and ports) or in any workshop wherein any of the processes defined in the Act is carried out. The processes defined in the Act include carpet weaving, cement manufacturing, textile, construction and others). PMIU and its contractors will be bound by the ECA to disallow any child labor at the project sites or campsites. Employer will ensure that no construction workers under 18 years are employed.

Under the Factories Act, 1934 no adult employee, defined as a worker who has completed his or her 18th year of age, can be required or permitted to work in any establishment in excess of nine hours a day and 48 hours a week. Similarly, no young person, under the age of 18, can be required or permitted to work in excess of seven hours a day and 42 hours a week. The Factories Act, which governs the conditions of work of industrial labour, applies to factories, employing ten or more workers. The Provincial Governments are further empowered to extend the provisions of the Act, to even five workers.

Under the ILO C138 (Minimum Age Convention, 1973), each Member of the Convention undertakes to pursue a national policy designed to ensure the effective abolition of child labor and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. Article III thereof provides:

(a) the minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18 years; (b) the types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, where such exist; (c) notwithstanding, the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organizations of employers and workers concerned, where such exist, authorize employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.

### **8.1 The process of age verification**

Verification of the age shall be undertaken prior to the engagement of labor and be documented. Check the birthday on official documents such as birth certificate, national ID card or other credible record/s, where available. Contractors will be required to verify and identify the age of all workers. This will require workers to provide official documentation, which could include a birth certificate, CNIC, passport, or medical or school record. If a minor under the minimum labour eligible age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the minor in a responsible manner, taking into account the best interest of the minor.

## 9 TERMS AND CONDITIONS FOR EMPLOYMENT

The employment terms and conditions applying to GRADES Project employees are set out in the labor rules which will apply to all project employees who are assigned to work on the Project (direct workers). Terms and conditions of part-time direct workers are determined by their individual contracts. This section will be updated and modified if necessary, after the allocation of the contracts of the different posts of the PMIU. The terms and conditions applicable to the employees of the PMIU are defined in the contracts, which provide for the rights of the employees in accordance with the Code of work. These internal work rules and regulations will apply to PMIU employees who are assigned to specific work related to the Project (direct workers). The conditions of employment of direct part-time workers are determined by their individual contract.

The PMIU is committed to equal opportunities for all its employees and potential employees where everyone is treated with respect and dignity and where there is equal opportunity for all. All employees, whether part-time, full time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefits will be on a basis of aptitude and ability. Decisions about pay and benefits, terms and conditions of employment, appraisals, dismissal or redundancy will be made objectively and without unlawful discrimination. All employees will be helped and encouraged to develop their full potential, and the talents and resources of the workforce will be fully utilized to maximize the efficiency of the organization.

All the recruiting procedures are documented and filed in the folders in accordance to the requirements of labor legislation of the GoPb. Monthly timesheets are also filed and kept accurately. Forty hour per week employment is practiced and recorded on paper. The work hours for PMIU's workers are 40 hours per week, eight hours per workday. It is noted the Labor Code provides for a work week of 40 hours but allows six-day weeks and this may be required for some project workers. Duration of workday during a six-day week should not exceed 7 hours to meet the 40-hour weekly legal provisions. All project workers will receive at least one rest day (24 hours) after six consecutive days of work. Project Management will ensure that:

- Equality and non-discrimination policy is adhered to within their own area of responsibility;
- Bring the details of the equality in employment policy to the attention of their team members;
- Ensure that information on equality of opportunity is included in all induction processes; and
- Ensure that their team members are available to attend relevant equality training programmes (if any).

As stated in section 3 of this LMP the terms and conditions of employment are governed by the Labour Act. The Act makes it mandatory for employers to give its employees a copy of the written particulars of employment, signed by both parties. For this program, contractors will be required to provide all its employees with written particular of employment.

Contractors will also be required to comply with the most current regulation of wages which is issued by the Government and reviewed on a regular basis. The order specifies the minimum wages, hours of work, overtime pay, leave entitlements, travelling and subsistence allowances and the issue of protective clothing.

The Act states that before a contractor is awarded a public contract, that contractor is required to certify in writing that the wages, hour and conditions of work or persons to be employed by him on the contract are not less favorable than those contained in the most current wages regulation issued. Where a contractor fails to comply with this requirement, the contract with the contractor may be withdrawn as an approved contractor upon recommendations of the PMIU.

In ensuring full compliance with the law in this regard, contractors will be required to furnish PMIU with copies of the Written Particulars of Employment or copies of contract of all its workforces. Contractors will not be allowed to deploy any employee to work in the project if such copy of employment of that employee has not been handed to PMIU.

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

contractor should the contractor not fulfill their payment obligation to their workers. The contractors' labor management procedure will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will be in line, at a minimum, with this labor management procedure, the Factories Act 1934 and specified in the standard contracts to be used by the PMIU under the Project, which will be provided in Project Operations Manual and follow this LMP and the project ESMF.

A contract of employment, written in a language known to the parties, shall be executed between the PMIU and the direct worker that specify the following:

- Parties to the contract, including the name of worker, age, citizenship, civil status, gender, and address;
- Premises with regard to the needed services, acceptance of the parties, qualifications of the worker, and attestation that the worker is not related within the third degree of consanguinity or affinity to the hiring authority and/or its representative, and that the worker has not been previously dismissed from government service by reason of administrative offense;
- Terms and conditions of the contract, including the hours and place of work, remuneration payable to the worker, job description, summary of deliverables, duration of contract, procedure for suspension or termination of contract, state that there is no employer and employee relationship between the contracting parties.

### **9.1 Worker's Organization**

The country has ratified the numerous ILO Conventions aimed at ensuring that member states do protect the notion of collective bargaining. The Punjab Labour Policy 2018 enacted to give effect to the collective bargaining, amongst other purposes. The Act allows for the collective negotiation of terms and conditions of employment. The PMIU provides employees with the right to join and form an organization for purpose of labour representation to negotiate favorable terms and conditions for their members amongst other rights.

## 10 GRIEVANCE REDRESSAL MECHANISM (GRM)

The PMIU has already an established GRM under PESP-III, but for the GRADES under the ESS2 a GRM is proposed for the project workers to address labor or workplace-related concerns consistent with the applicable national and provincial laws and ESS2 before the Project Effectiveness and describe them in the Project Operations Manual (POM). This is a two tier GRM and is linked with the project GRM.

Typical work place grievances include demand for employment opportunities; labor wage rates; delays of payment; disagreement over working conditions; and health and safety concerns in the work environment. Handling of grievances should be objective, prompt and responsive to the needs and concerns of the aggrieved workers. The worker Grievance Redress Mechanism (GRM) will also allow for anonymous complaints to be raised and addressed. Individuals who submit their complaints or grievances may request that their names be kept confidential and this should be respected. Under ESS2, a worker GRM will be provided for all project, including, direct workers and contracted/supply workers, to raise workplace concerns, including SEA/SH relating to the workplace. A direct worker, or a contractors'/primary suppliers' worker, who has any complaint or grievance has the right to present it and eventually get a proper response on it.

According to ESS2 sections 21-23, different types of workers (including all direct workers and contracted workers, and where relevant, their organizations) may approach the workers' GRM for the following key reasons, among many others:

- Demand for employment opportunities;
- Labor wages rates and delays in payment of wages;
- Disagreements over working conditions;
- SEA/SH in the workplace; and
- Health and safety concerns in work environment.

The worker GRM, which is different from the public GRM, will leverage existing procedures and systems. The worker GRM is based on the requirements of the WB's ESS2 – Labor and Working Conditions. Specifically, the worker GRM is a two tier system following the Tier 1 grievances will be handled by the C&W department along with its contractors responsible staff and the tier -2 will be handled by the PMIU, and it will operate according to the following key principles:

- It will be made available for all direct and contracted workers (and where relevant their organizations);
- It will be proportionate to the nature and scale and the potential risks and impacts foreseen from the project;
- It will be designed to promptly address concerns using an understandable and transparent process that provides timely feedback to those concerned in a language that they understand, without any retribution;
- It will operate in an independent and objective manner;
- It will be a free system. Complaining workers will not pay fees to use the worker GRM;
- It will utilize existing grievance systems and experiences. In this context, the worker GRM will leverage HR complaining procedures for direct workers that are available at their respective health ministries and departments, and will ensure HR procedures at contractors' organizations are consistent with the official worker GRM system characterized in this document, which will be further referenced in their working agreements, and monitored accordingly;
- Anonymous grievances are also allowed and facilitated, and will be treated equally as other grievances, whose origin is known, however, a suitable contact information is a must to be able to communicate responses back;
- There will be no discrimination against those who express grievances, and any grievances will be treated confidentially;
- It does not replace or override the requirements to provide workplace processes to report work situations that a project worker believes are not safe or unhealthy;
- Workers will be able to raise concerns regarding unsafe or unhealthy work situations through this

system; and

- It will not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements.

The worker GRM will have the following design and procedural:

Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of “suggestion/complaint boxes”, and all pertinent information, such as: the designated call centers, hotline numbers, email addresses, office work hours, comment/complaint forms, suggestion display boxes, stipulated timeframes to respond to grievances; info on a register to record and track the timely resolution of grievances; the responsible department to receive, record and track resolution of grievances, and other means as needed.

- The complainant will be able to use mobile-phone based applications, and in-person centers for complaint registration and resolution, and a free hotline linked with a call center;
- The grievance will be addressed through each area of feedback value chain: (i) uptake, (ii) sort and process, (iii) acknowledge and follow up, (iv) verify, investigate and act, (v) monitor and evaluate, and (vi) provide feedback to the complainant to ensure effectiveness.
- Grievance handling will be transparent and aggrieved workers will be informed within 10 days of their grievance application, either with a respective solution or with a request of extension;
- The aggrieved worker will have the option to refer to a grievance log with key information that will be established by the PMIU and quarterly reported upon;
- If not satisfied with the outcome of the contractor level, the aggrieved party will be able to access Grievance Redress Committee (GRC), PMIU level within the PMIU. The GRC will responsible for the redress mechanism in the areas labor, environmental and social safeguard (ESS) and project management.
- The mechanism for resolving workers' grievances will be described in the context of staff induction training, which will be given to all project workers. The mechanism will be based on the following principles:
- The process will be transparent and will allow workers to voice their concerns and file grievances.
- At the time of recruitment and prior to actual work engagement, these workers will be informed of the grievance mechanism as described below and the measures to be put in place to protect them against any reprisal, discrimination or action on their grievances. Grievance mechanism shall be made easily accessible to all project workers.
- There will be no discrimination against those who express grievances and all grievances will be treated confidentially.
- Anonymous complaints will be treated in the same way as other complaints, the origin of which is known.
- Management will deal with grievances seriously and take appropriate action in a timely manner and deadlines for responding to complaints;
- Information on the existence of the grievance mechanism will be readily available to all project workers (direct and contractual) through bulletin boards, suggestion and complaint boxes and other means as required.
- This mechanism for project workers will not prevent them from using the conciliation procedure provided for by the Labor Code.

The E&S Specialists will monitor the recording and settlement of grievances by workers and report to the PMIU in its monthly progress reports. The process will be followed by the GRM focal point, the environment and social development specialists who will be responsible for the GRM of the project.

### **Sexual Exploitation and Workplace Sexual Harassment**

A GRM has been proposed in ESMF for the GBV SEA/SH related complaints. Once the



GBV/SEA/SH-related complaint is received to PMIU from the site, it is directly entered/enrolled in Tier-2 i.e GRC will directly deal with it. The Gender Specialist (GS) will visit the complainant at his/her place and enquire about the grievance on the same day. The GS will prepare the report accordingly and intimate the PD. The GBV complaint will be resolved with-in 24 hours with necessary action(s) as directed by PD. There will be a committee constituted within PMIU which deal with the GBV related complaints specifically.

The GBV committee will be constituted duly notified by PD, following are the GBV Committee Members

- 1) Project Manager PMIU (Convener)
- 2) Gender Specialist PMIU (Secretary)
- 3) Social Development Specialist PMIU (Member)

### **Disciplinary Procedure**

The starting points for all disciplinary action are considered to be the rules. These rules may be implied or explicit and of course will vary from workplace to workplace. Some rules are implied in the contract of employment; however it is advisable that even implied rules be included in the disciplinary code or schedule of offences. The workplace rules must be:

1. Valid or reasonable;
2. Clear and unambiguous;
3. The employee is aware, or could reasonably be aware of the rule or standard; and
4. The procedure to be applied in the event the employee contravenes any of these rules

The PMIU will establish a fair and effective disciplinary procedure in the workplace, which should be fair and just. The procedure is as follows:

1. Conduct an investigation to determine whether there are grounds for a hearing to be held;
2. If a hearing is to be held, the employer is to notify the employee of the allegations using a form and language that the employee can understand;
3. The employee is to be given reasonable time to prepare for the hearing and to be represented by a fellow employee or a union representative;
4. The employee must be given an opportunity to respond to the allegations, question the witnesses of the employer and to lead witnesses;
5. If an employee fails to attend the hearing the employer may proceed with the hearing in the absence of the employee;
6. The hearing must be held and concluded within a reasonable time and is to be chaired by an impartial representative.

If an employee is dismissed, it must be given the reasons for dismissal and the right to refer the dispute concerning the fairness of the dismissal. Therefore, it is incumbent upon the Contractors to ensure that they have a disciplinary procedure and Code and standards which the employees are aware of. Each contractor will be required to produce this procedure to ensure that employees are not treated unfairly.

### **Individual Grievance Redress Procedure**

Every employer including contractors should be meant to have Grievance Redress Procedure which therein should be known and explained to the employee and workers, as well.

The Code recommends that such procedure should at least:

1. Specify to whom the employee should lodge the grievance;
2. Refer to time frames in the Labour Management Plan to allow the grievance to be dealt with expeditiously;
3. Allow the person to refer the grievance to a more senior level within the organization, if it is not resolved at the lowest level;

4. If a grievance is not resolved the employee has the right to lodge a dispute with the PMIU.

All the contractors engaged for the project will be required to produce their grievance redress procedure as a requirement for tender who at a minimum comply with these requirements. In addition, good international practice recommends that the procedures be transparent, is confidential, adheres to non-retribution practices and includes right to representation. After they are engaged they will be required to produce proof that each employee has been inducted and signed that they have been inducted on the procedure.

## FLOW CHART OF Grievance Redressal Mechanism FOR LABOURS

Complaint Received from Labour/worker

**A) GRM TIER-I (C&W)**

1. Superintendent Engineer	Convener
2. SDS (Consulting Firm)	Member
3. HSE officer (CC)	Member

<b>Complaint Resolved</b>	<ul style="list-style-type: none"> <li>Prepare necessary documentation</li> <li>Record all procedures</li> <li>Final Copy send to PMIU for record and intimate the complainant.</li> </ul>
---------------------------	--

<b>Complaint Not Resolved</b>	<ul style="list-style-type: none"> <li>Prepare necessary documentation</li> <li>Record all procedures</li> <li>Complaint forward to Tier-II</li> <li>Copy to SDS-PMIU</li> </ul>
-------------------------------	--

**C) GRM TIER-II (PMIU-SED)**

1. Project Director-PMIU	Chairman
2. SDS-PMIU	Secretary
3. Concerned SE	Member
4. Gender Specialist	Member
5. SDS-PMC	Member

<b>Complaint Resolved</b>	<ul style="list-style-type: none"> <li>Prepare necessary documentation.</li> <li>Record all procedures.</li> <li>Complaint forward to PMIU for record and intimate the complainant.</li> </ul>
---------------------------	--

<b>Complaint Not Resolved</b>	<ul style="list-style-type: none"> <li>Prepare necessary documentation.</li> <li>Record all procedures.</li> <li>The complainant has the right to resolve the complaint by a court of law</li> </ul>
-------------------------------	--

## 11 CONTRACTOR MANAGEMENT

The PMIU-GRADES requires that contractor/s monitor, keep records and report on terms and conditions related to labour management. The contractor must provide workers with evidence of all payments made, including social security benefits and other entitlements regardless of the worker being engaged on a fixed term contract, full-time, part-time or temporarily. The application of this requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to PMIU and the World Bank as:

1. **Labour conditions:** records of workers engaged under the Project, including contracts, registry of induction of workers including CoC, hours worked, remuneration and deductions (including overtime), collective bargaining agreements;
2. **Safety:** recordable incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, and so forth).
3. **Workers:** number of workers, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child labour is involved, and skill level (unskilled, skilled, supervisory, professional, management).
4. **Training/ induction:** dates, number of trainees, and topics.
5. **Details of any security risks:** details of risks the contractor may be exposed to while performing its work, the threats may come from third parties external to the project.
6. **Worker grievances:** details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if made any) and date; and follow-up yet to be taken— grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.

The Project's oversight of contractors is set out in section 5 of this LMP. The following procedures are currently in place for PMIU's contractor management, but have been adjusted to adhere to LMP provisions:

1. Ensure that Contractors have valid contracts with clearly define service level agreement in accordance with the national law and all environmental and social clauses, as applicable: Project Monitoring and Implementation Unit, and reviewed by PMIU,
2. Monthly submission of records: Contractor submission to Project Management Unit,
3. Monthly site visits (at a minimum) and reports: Project Management Unit, and other Officers,
4. Evaluation of contractor requirements. This includes training, OHS files, certifications and other. The evaluation results in Portfolio Reports which includes recommendations for contract extension or termination,
5. Training needs identification recorded in Contractor Training Schedule, and
6. Annual Contractor Management Plans submitted,

Further to the above, the PMIU will ensure that the contractors, are legitimate and reliable entities and that they have procedures established for management of labor in compliance with this LMP. Contracts with contractors will include a provision on the obligation to comply with current legislation on labor and protection at work. During selection of contractors, the PMIU can ask to be provided with an insight into additional documentation, including, without limitations, the following:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;
- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system, including OHS issues, for example, labor management procedures;
- Identification of labor management, safety, and health personnel, their qualifications, and certifications;

- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Incident, accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrolment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Identification of occupational health and safety committee members and records of meetings; and
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

The PMIU will monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties). This may include periodic audits, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by contractors. Contractors' labor management issues, records and reports may include: (a) a representative sample of employment contracts or arrangements between third parties and contracted workers; (b) records relating to grievances received and their resolution; (c) reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions; (d) records relating to incidents of non-compliance with national law; and (e) records of training provided for contracted workers to explain labor and working conditions and OHS for the project.

## **12 COMMUNITY WORKERS**

There will be no provision for Community Workers under GRADES Project.

### **13 PRIMARY SUPPLY WORKERS**

The number and type of primary suppliers will be defined once the contractor defines his work plan and makes the corresponding adjustments to the designs to optimize them. The construction work under the GRADES Project will require primary supplies including construction materials essential for the functions of the proposed infrastructure, such as aggregates, bitumen and precast concrete interlocking blocks. Some contractors may be able to produce such construction materials by their workforce. However, where the contractor will source (a) essential materials (b) directly from primary suppliers (c) on an ongoing basis, the workers engaged by such primary suppliers (that meet all three criteria are deemed "primary supply workers", as defined in ESS2. The risk associated with primary supply associated with the Project is assessed below. All primary suppliers are formal businesses who are required to procure and produce materials subject to high standards. Any new supplier is vetted using a different form which screens the supplier in regard to compliance with taxes, certification, licensing, and workmen's compensation.

A separate form requires that the primary supplier identify the company's permanent staff, and declare any current or prior arbitration as well as any criminal convictions. Registered suppliers are subject to regular review. The review is carried out twice annually and requires an Officer to visit the supplier's premises. The supplier evaluation form provides for the Commercial Services to report any labour irregularity if observed.

The PMIU-GRADES Project will also ensure that any primary supplier to the project report fatalities or serious injury, and informs government authorities in accordance with national reporting requirements.

#### **13.1 Selection and Monitoring of Primary Suppliers**

When sourcing for primary suppliers, the project will require such suppliers to identify the risk of child labor/forced labor and safety risks. The PMIU and the consultants will review and approve the hiring and purchase of primary supplies from the suppliers following such risk identification/assessment. Where appropriate, the Project will be required to include specific requirements on child labor/forced labor and work safety issues in all purchase orders and contracts with primary suppliers.

Remedial process: If child labor/forced labor and/or serious safety risks are identified, the PMIU and the consultants will require the primary supplier to take appropriate steps to remedy them. Such mitigation measures will be monitored periodically to ascertain their effectiveness. Where the mitigation measures are found to be ineffective, the PMIU and the consultants will, within reasonable period, shift the project's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements.

PMIU will oversee and monitor the procurements of goods and materials requirements under the civil works. Project Contractors will be responsible for procurement and supply of materials and equipment under the same conditions and specifications on Environment, Social, Health and Safety (ESHS) aspects in its contracting agreements.

# **ANNEXURES**



### Annexure 1: Written Particulars of the Employment

1. Name of Employer
2. Name of Employee
3. Date Employment began
4. Wage and Method of Calculation
5. Interval at which wages are paid
6. Normal Hours of work
7. Short description of employee's work
8. Probation Period
9. Annual Holiday Entitlement
10. Paid Public Holiday
11. Payment during sickness
12. Maternity Leave (if employee female)
13. Nursing Break Entitlement (for female employee)
14. Notice employee entitled to receive
15. Notice employer required to give
16. Pension Schedule, Provident Fund Gratuity Schedule etc.
17. Any other matter either party wishes to include

**Notes:**

- (a) An employee is free to join a trade union or staff association, which is recognized by the undertaking.
- (b) The address of the Labour/Trade Union or Staff Association (if applicable):  
..... (Name of Trade/Labour Union or Staff Association)
- (c) The grievance procedure and disciplinary procedure in this undertaking requires to be followed when a grievance arises or disciplinary action needs to be taken.
- (d) When any heading is inapplicable enter NIL in-front of that.

-----  
Employee's signature

-----  
Witness

-----  
Employer's signature

-----  
Witness

Dated: -----

Dated: -----

## **Annexure 2: Code of Conduct**

The GRADES' Code of Conduct defines labour standards that aim to achieve decent and humane working conditions. The Code's standards are based on national law and accepted good labour practices. Companies affiliated with GRADES Project are expected to comply with all relevant and applicable laws and regulations of the country in which workers are employed and to implement the Workplace Code standards in their applicable facilities. When differences or conflicts in standards arise, affiliated companies are expected to apply the highest standard.

The GRADES Project monitors compliance with the Workplace Code by carefully examining adherence to the Compliance Benchmarks and the Principles of Monitoring. The Compliance Benchmarks identify specific requirements for meeting each Code standard, while the Principles of Monitoring guide the assessment of compliance. The GRADES Project expects affiliated companies to make improvements when Code standards are not met and to develop sustainable mechanisms to ensure ongoing compliance.

The GRADES Project provides a model of collaboration, accountability, and transparency and serves as a catalyst for positive change in workplace conditions. As an organization that promotes continuous improvement, the GRADES Project strives to be one of the leaders in establishing best practices for respectful and ethical treatment of workers, and in promoting sustainable conditions through which workers earn fair wages in safe and healthy workplaces.

Major Codes include but not limited to:

### **1. Employment Relationship**

Employers shall adopt and adhere to rules and conditions of employment that respect workers and, at a minimum, safeguard their rights under national and international labour and social security laws and regulations.

### **2. Non-discrimination at Work**

No person shall be subject to any discrimination in employment, including hiring, compensation, advancement, discipline, termination or retirement, on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, social group or ethnic origin.

### **3. Harassment or Abuse**

Every employee or worker shall be treated with respect and dignity. No employee or worker shall be subjected to physical, sexual, psychological and verbal harassment or abuse.

### **4. Forced and Bonded Labour**

There shall be no use of forced labour, including bonded labour or any other forms of forced labour.

### **5. Child Labour**

No person shall be employed under the age of 14 or under the age for completion of compulsory education, whichever is higher.

### **6. Freedom of Association and Collective Bargaining**

Employers shall recognize and respect the right of employees to freedom of association and collective bargaining.

### **7. Health, Safety and Environment**

Employers shall provide a safe and healthy workplace setting to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of employers' facilities. Employers shall adopt responsible measures to mitigate negative impacts that the workplace has on the environment.

### **8. Hours of Work**

Employers shall not require workers to work more than the regular and overtime hours allowed by the law of the country. The regular work week shall not exceed 48 hours. Employers shall allow workers at least 24 consecutive hours of rest in every seven-day period. All overtime work shall be consensual. Employers shall not request overtime on a regular basis and shall

compensate all overtime work at a premium rate. Other than in exceptional circumstances, the sum of regular and overtime hours in a week shall not exceed to 60 in total.

## **9. Compensation**

Every worker has a right to compensation for a regular work week that is sufficient to meet the worker's basic needs and provide some discretionary income. Employers shall pay at least the minimum wage or the appropriate market prevailing wage, whichever is higher, complying with all legal requirements on wages, and provide any fringe benefits required by law or contract if permissible. Where compensation does not meet workers' basic needs and provide some discretionary income, the contractor/employer shall pursue to the PESRP/GRADES to take an appropriate actions.

### Annexure 3: Template for Project Workers Code of Conduct

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

1. Consent to security background check;
2. Treat women, children (persons under the age of 18) and persons with disability with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, birth or other status;
3. Not use language or behaviour towards men, women or children/learners that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
4. carry out his/her duties competently and diligently;
5. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
6. maintain a safe working environment including by:
  - a. ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
  - b. wearing required personal protective equipment;
  - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
  - d. following applicable emergency operating procedures.
7. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and danger to his/her life or health;
8. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
9. not engage in any form of sexual harassment including unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
10. Not participate in sexual activity with children/learners—including grooming or through digital media. Mistaken belief regarding the age of a child and consent from the child is not a defense;
11. Not exchange money, employment, goods, or services for sex, with community members including sexual favors or other forms of humiliating, degrading or exploitative behavior;
12. Attend trainings related to HIV and AIDS, SAE/SH, occupational health and any other relevant courses on safety as requested by my employer;
13. Report to the relevant committee any situation where I may have concerns or suspicions regarding acts of misconduct by a fellow worker, whether in my company or not, or any breaches of this code of conduct provided it is done in good faith;
14. Regarding children (under the age of 18):
  - a. Refrain from hiring children for domestic or other labour, which is inappropriate given their age, or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
  - b. Comply with all relevant local legislation, including labour laws in relation to child labour.
15. Refrain from any form of theft for assets and facilities including from surrounding communities.
16. Remain in designated working area during working hours;
17. Refrain from possession of alcohol and illegal drugs and other controlled substances in the

- workplace and being under influence of these substances on the job and during workings hours;
- 18. Follow prescribed environmental occupation health and safety standards;
- 19. Channel grievances through the established grievance redress mechanism.

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

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

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

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

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

**For the Employer/Contractor**

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

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

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

### Annexure 4: Contractors SHE File Monitoring Form (PMIU)

**Contractor Name:** .....

**Instructions;** Tick (√) if available, put a cross (X) if unavailable. Tick (√) if there was activity, put a cross (X) if there was no activity. If there was no activity, Tick (√) if there's evidence, put a cross (X) if there's no evidence. Make a Comment according to the changes that have taken place as reflected by availability, activity and evidence on each SHE item.

Monthly Checklist: SHE items	Available	Activity	Evidence	Comment
Exposure to Labor Policies,				
Valid Working Contract,				
Current Employee List				
Confirmation Letter Inc. copy of ID (per employee),				
Understanding of Resources, roles, responsibilities & authority,				
Inductions - all contractor staff				
Hierarchy & Reporting; Incidents, accidents & near misses				
Appointment letters;				
SHE Certificates; Safety Rep				
SHE Certificates; 1st Aider				
Mandatory Qualifications – as per the evaluation form				
Vehicles; Bluebook, Daily inspection sheet, Driver Permit				
Current Evaluation form,				
PPE: Branded & Properly worn at all times,				
Internal Communication; minutes showing meetings,				
Environment Management Aspects				
First Aid Kit: availability and usage of the form,				
Fire extinguisher; valid				
Any other				

PMIU Representative .....

Signature .....

Date compiled .....

Contractor Representative .....

Signature .....

Date compiled .....

## Annexure 5: Maintaining Safe & Healthy Conditions for Workers at the Labour Camp

The minimum requirements for maintaining safe and healthy conditions for workers are provided below. The contractors can follow their own OHS policies and requirements.

### a. First Aid

Site assessment should be carried out for determining needs of first aid (no. of workers, nature of the works undertaken, hazards present, site geology and access to emergency assistance, etc.). Based on needs assessment, an adequate first aid facilities shall be maintained by health & safety representative and made available in every labor camp for the emergency treatment of injured persons. Such facilities shall be in charge of a person trained to administer first aid and will be readily accessible for use at all times. The person should also be trained in Cardiopulmonary resuscitation (CPR).

The employer should ensure that qualified first-aid can be provided at all times. Appropriately equipped first-aid stations should be easily accessible throughout the place of work. Eye-wash stations and/or emergency showers should be provided close to all workstations where immediate flushing with water is the recommended first-aid response. Where the scale of work or the type of activity being carried out so requires, dedicated and appropriately equipped first aid room(s) should be provided. First aid stations and rooms should be equipped with gloves, gowns, and masks for protection against direct contact with blood and other body fluids. Records for treatment should be maintained. Remote sites should have written emergency procedures in place for dealing with cases of trauma or serious illness up to the point at which patient care can be transferred to an appropriate medical facility.

ITEM		Quantity Specified	Quantity Present in Box	Comment
Adhesive elastic plasters assorted	20's	1 Box		
Roller bandages-conforming	100mm	4 Rolls		
Roller bandages-conforming	75mm	4 Rolls		
CPR Mouthpieces		2		
Cotton wool	50 gram	2 Rolls		
Fabric roll plaster	25mm x3M	1 Roll		
First Aid dressing No 3	75x 100mm	4		
First Aid dressing No 4	150x 200mm	4		
Forceps- 10cm		1		
Gauze swabs 75mm x 75mm	100's	1 Packet		
Gauze swabs 75mmx75mm Sterile 5's		2 Packets		
Gloves-Latex	Large	2 Pairs		
Gloves-Latex	Medium	2 Pairs		
Hypoallergenic Adhesive Tape	25mm x3M	1 Roll		
Safety Pins	Bunch of 12	1 Bunch		
Scissors- 10cm		1		
Splints-Straight		2		
Triangular Bandages		4		
Wound Cleaner- CENTRIMIDE 1%	100ml	1 Bottle		

1. Items in the first aid box are minimum contents as per the Occupational Health and Safety requirements.
2. Checklist must be completed every month to ensure compliance with the LMP.
3. Contents should be regularly replenished by respective department
4. Any deficiencies should be reported to the H&S Specialist or PMIU Representative **Shelter construction & Facilities:** Beds, cots, or bunks, and suitable storage facilities such as wall lockers for clothing and personal articles shall be provided in every room used for sleeping purposes. All sites shall be adequate in size to prevent overcrowding of necessary structures.

Each room used for sleeping purposes shall contain at least 50 square feet of floor space for each occupant. At least a 7-foot ceiling shall be provided. Floors shall be of smooth and tight construction. The floors shall be kept in good repair.

All living quarters shall be provided with windows, the total of which shall be not less than one-tenth of the floor area. At least one-half of each window shall be so constructed that it can be opened for purposes of ventilation. Where electric service is available, each habitable room in a camp shall be provided with at least one ceiling-type light fixture and at least one separate floor- or wall-type convenience outlet. Laundry and toilet rooms and rooms where people congregate shall contain at least one ceiling or wall-type fixture.

An adequate supply of running water shall be provided for bathing and laundry purposes. Laundry, hand washing, and bathing facilities shall be provided. Floors shall be of smooth finish but not slippery materials; they shall be impervious to moisture. Floor drains shall be provided in all shower baths, shower rooms, or laundry rooms to remove waste water and facilitate cleaning. All junctions of the curbing and the floor shall be coved. The walls and partitions of shower rooms shall be smooth and impervious to the height of splash.

**Toilet facilities:** Toilet facilities adequate for the capacity of the camp shall be provided. Toilet rooms shall have a window not less than 6 square feet in area opening directly to the outside area or otherwise be satisfactorily ventilated. No fixture, water closet, chemical toilet, or urinal shall be located in a room used for other than toilet purposes. Where the toilet rooms are shared, such as in multifamily shelters and in barracks type facilities, separate toilet rooms shall be provided for each gender. These rooms shall be distinctly marked "for men" and "for women" by signs printed in Urdu and Sindhi languages of the persons occupying the camp, or marked with easily understood pictures or symbols. If the facilities for 31 each gender are in the same building, they shall be separated by solid walls or partitions extending from the floor to the roof or ceiling. Every water closet installed shall be located in a toilet room. Each toilet room shall be lighted naturally, or artificially by a safe type of lighting at all hours of the day and night. Toilet rooms shall be kept in a sanitary condition. They shall be cleaned at least daily.

**Water supply:** An adequate and convenient water supply, approved by the health & safety representative, shall be provided in each camp for drinking, cooking, bathing, and laundry purposes. The distribution lines shall be capable of supplying water at normal operating pressures to all fixtures for simultaneous operation. Where water under pressure is available, one or more drinking fountains shall be provided for each 100 occupants or fraction thereof.

**Kitchen and Dining Area:** A properly constructed kitchen and dining hall adequate in size, separate from the sleeping quarters of any of the workers, shall be provided in connection with all food handling facilities. There shall be no direct opening from living or sleeping quarters into a kitchen or dining hall. No person with any communicable disease shall be employed or permitted to work in the preparation, cooking, serving, or other handling of food, foodstuffs, or materials used therein, in any kitchen or dining room operated in connection with a camp or regularly used by persons living in a camp.

**Sewage/Drainage facilities:** The toilets constructed at the labour camps should have associated septic tanks for primary treatment of the sewage. All sites used for camps shall be adequately drained. The camp shall be located in such manner that the drainage from and through the camp will not endanger any domestic or public water supply. All sites shall be graded, ditched, and rendered free from depressions in which water may become a nuisance. Construction and operation of kitchens, dining hall, and feeding facilities.

**Fire fighting:** Firefighting facilities will be established in the camp to deal with the event of fire. Different types of fire extinguishers (powder, foam and carbon dioxide) will be placed at different suitable locations in the camp. These locations should be selected after a risk assessment and should be easily accessible in the event of fire. Fire alarm system providing adequate and audible warning to all the staff in the camp will be installed. The camp Plan shall include adequate escape and evacuation processes in case of fire or another emergency. This should include contingencies. Escape and rescue ways are to be kept free of any type of hurdles/barriers. All fire exits shall be distinctively marked in a language understood by the majority of the workers and in red letters of adequate size or by some other effective and clearly understood sign.



**Waste management:** In the labour camp proper collection and disposal of solid waste will be ensured. Separate waste bins will be provided at different locations in the camp to collect organic and inorganic waste. These waste bins will be marked. The segregation of waste at source will be ensured. Inorganic waste will be stored at a safe location within the camp and organic waste will be handed over to waste collector on daily basis.

**COVID-19 SOPs:** The following SoPs related to COVID-19 will be followed in the labour camp:

- Maintain a physical distance of 6ft (2 m) minimum
- Wear a surgical mask or face covering whenever in close contact of someone. Mask shall be provided by the company free of cost
- Wash your hands-on arrival at work and regularly through the day:
- Wash hands before and after each meeting;
- No hand shaking
- Meetings are to be held in locations that allow for 4 meters distance between attendees in a closed confined space (meeting room/office block)
- Self-monitoring of health by all and reporting any illness at the earliest to the supervisor.
- Proper cleaning and frequent sanitization (at-least once a day) of the rooms, particularly of the frequently touched surfaces must be ensured.
- Proper disposal of face covers / masks / gloves left over by visitors and/or employees in covered bins, shall be ensured
- The doctor and HSE Manager in the camp shall be responsible to provide training to workers on spread of COVID-19 and control measures.

### Annexure 6: Suggested Measure to be Included in the Civil Contracts

Stage of Contractual Process	Suggested Due Diligence
Before bidding	<ul style="list-style-type: none"> <li>• Ensure that the terms of reference clearly define the supervision engineer's responsibilities regarding oversight of, and reporting on, labor influx and workers' camps (if required).</li> <li>• Ensure the team skills in the terms of reference clearly include key staff qualified and experienced in managing similar projects, and demonstrated capacity to manage social and environmental issues, including issues pertaining to community health and safety.</li> <li>• Ensure that the project GRM is established and its use is widely publicized.</li> </ul>
Preparation of bidding documents	<ul style="list-style-type: none"> <li>• Review contract conditions included in bidding documents to: (i) Ensure that the relevant mitigation measures in the ESMP are reflected and budgeted in the contract, (ii) Ensure the ESMP forms part of, and is explicitly referred to in the bidding documents. (iii) Identify relevant provisions (workers, camps, child and forced labor, occupational health and safety, grievance redress, etc.) regulating the contractor's responsibility and identify any gaps, inconsistencies or areas of concern that could be addressed through additional provisions in the "particular conditions of contract" and/or technical specifications (iv) Include a requirement that all workers sign 'Codes of Conduct' governing behavior, and identifying sanctions (v) Clearly identify that training programs on implementing the Codes of Conduct, etc. will be undertaken by external providers</li> <li>• Ensure the contract conditions and matrix of consequences clearly specify what type of penalty the contractor will face if the provisions of the ESMP and CESMP including OHS MP are not adhered to— including by subcontractors. This may include direct consequences to contractors in the form of penalties for poor performance on social and environmental matters or specific Performance Securities for ESMP and CESMP compliance.</li> <li>• Ensure that bidding documents clearly indicate OHS standards that are going to be applicable to different aspects of the works</li> <li>• Ensure bidding documents make clear the responsibilities of the contractor to prepare and adhere to a CESMP based on the ESMP and that no civil works will commence until the CESMP has been approved by the supervision engineer.</li> <li>• Ensure the bidding documents detail how the contractor and supervision engineer will be required to monitor and report on the Impacts on the local community, issues related to labor influx and workers' camps.</li> <li>• Propose Key Performance Indicators (KPIs) for Contract Management, reflecting issues and risks specific to the contract and the monitoring plan.</li> </ul>
Bid evaluation	<ul style="list-style-type: none"> <li>• Review the PMIU's bid evaluation report and request to review the bids where appropriate, to verify for the recommended bidder that documents related to the ESMP, safeguard implementation capacity, and other obligations of the contractor required to be submitted with the bid are sufficiently detailed and cover the contractual requirements.</li> <li>• Require the contractor's representative or dedicated community liaison staff to have the ability to communicate in the language of the Borrower and/or the local language.</li> <li>• Verify that the contract management framework identifies clearly lines of communication and that these are formalized and a consistent record is provided.</li> <li>• Ensure that the contractor meets the project's OHS requirements for capability and experience.</li> </ul>
After contract signing	<ul style="list-style-type: none"> <li>• Prior to commencing works, the contractor submits CESMP(s) based on the ESMP, which includes specific management plans for: <ul style="list-style-type: none"> <li>• Work activities; (ii) traffic management; (iii) occupational health and safety; (iv) environmental management; (v) social management; and (vi) labor influx.</li> </ul> </li> <li>• Supervision engineer reviews and approves the CESMP— with inputs from appropriate Government agencies—before any works start. For Moderate risk sub-projects, the supervision consultants should review and clear the CESMP. Borrower should disclose the approved CESMP.</li> <li>• Supervision Engineers must approve occupational health and safety management plan is approved before contractor is mobilized at site</li> </ul>