



THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR

MINISTRY OF HEALTH

LABOUR MANAGEMENT PROCEDURE

for

**TANZANIA MATERNAL AND CHILD HEALTH INVESTMENT
PROGRAM (TMCHIP)**

(P170435)

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ABBREVIATIONS AND ACRONYMS

CCHP	Comprehensive Council Health Plans
CoC	Code of Conduct
CRC	Complaints Redress Committee
ESF	Environmental and Social Framework
ESS	Environmental and Social Standard
ESH	Environmental Safety and Health
EHSG	Environmental Health and Safety Guidelines
FBRF	Fire Brigade and Rescue Forces
GBV	Gender Based Violence
GRM	Grievance Redress Mechanism
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
ILO	International Labour Organisation
IPWE4D	Investing in Peoples' Well-being for Economic Development
LMP	Labour Management Procedure
M&E	Monitoring and Evaluation
MoH	Ministry of Health
NGO	Non- Governmental Organisation
OHS	Occupational Health and Safety
PCU	Project Coordination Unit
PDO	Project Development Objective
PHCU	Primary Health Care Unit
POM	Project Operational Manual
PPE	Personal Protective Equipment
PWDs	Person With Disability
RGoZ	Revolutionary Government of Zanzibar
RMNCAH-N	Reproductive Maternal Neonatal Child and Adolescent Health-Nutrition
SAC	Shehia Advisory Council
SEA	Sexual exploitation and abuse
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
SIA	Social Impact Assessment
STD	Sexually Transmitted Diseases
TA	Technical Assistant
TZS	Tanzania Shilling
TOR	Terms of Reference
WGM	Workers Grievance Mechanism
WB	World Bank
WHO	World Health Organisation
ZEMA	Zanzibar Environment Management Authority

1.0 Introduction

The Revolutionary Government of Zanzibar (RGoZ), through the Ministry of Health (MoH), has requested funds from the World Bank (WB) to implement a Tanzania Maternal and Child Health Investment Program (TMCHIP) project. Among the activities that will be implemented by the project is the rehabilitation of 28 Primary Health Care Units (PHCU and PHCU++) and construction of staff houses at district health facilities level.

This Labour Management Procedures (LMP) is developed by the MoH to manage risks and impacts under the project. The purpose of this LMP is to facilitate planning and implementation of safety and health at the workplace where construction activities will be undertaken as part of implementing the project. The LMP identifies the main labour requirements and risks associated with the project, and are designed to enable project-related parties—such as contractors, subcontractors, primary suppliers, and project workers—to have a clear understanding of what is required on a specific labour issue.

The LMP lays out the project’s approach to meeting national requirements, as well as the objectives of the World Bank’s Environmental and Social Framework (ESF), specifically “Environmental and Social Standard 2: “Labour and Working Conditions (ESS2)”. This LMP sets out the terms and conditions of engaging project workers, specifies the requirements, standards to be met, policies, and procedures to be followed, assesses risks, and proposes implementation of compliance measures. This LMP has been developed to help avoid, mitigate, and manage risks and impacts in relation to project workers and ensure non-discrimination, equal opportunity, protection, fair treatment, and safe and healthy working conditions. The LMP is a living document to facilitate project planning, preparation, and implementation. It is anticipated that, the LMP will be updated as additional information becomes available during project implementation, including timing of project activities, and associated due diligence and social risk management

1.1 Project Development Objective

The main Project Development Objective (PDO) is to scale-up provision and improve quality of essential primary health care services with a focus on Reproductive Maternal Neonatal Child and Adolescent Health-Nutrition (RMNCAH-N) Services. The primary project beneficiaries are women of childbearing age, adolescents, and children under-five including newborns and infants. Moreover, other community members will benefit from improved health and nutrition services.

1.2 Main Components of the Project

The project will have two components as described below:

- Component 1: Scale up provision of maternal and child health (MCH) services: This component will support central level units responsible for RMNCAH-N to provide oversight, coordination, and supportive role in the delivery of the quality RMNCAH-N services. The component will support all civil works to be constructed and procurement of medical equipment.

- Component 2: Enhance institutional capacity to manage project-supported activities. This component will support management, coordination, and implementation of project-supported activities. Specifically, it will support costs related to overall project management, fiduciary activities, environmental and social management activities, monitoring and evaluation.

2.0 Labour Management Procedure

The Labour Management Procedures (LMP) have been developed by the Ministry of Health (MoH) to manage risks and impacts under the IPWE4D project, for which the WB is providing financial support. The LMP is in line with the national legislation and policies, as well as the objectives of the World Bank’s Environmental and Social Framework (ESF), specifically the objectives of the Bank’s Environmental and Social Standards (ESS). The key ESF environmental and social standards triggered by the LMP include the Labour and Working Conditions (ESS2). The main objective of LMP is to manage labour risks during the planning and implementation of the project. The LMP identifies main labour requirements and risks associated with the project, and is designed to enable project-related parties, such as Technical Assistants (TA), Project Coordination Unit (PCU), contractors, subcontractors, primary suppliers, and project workers to have a clear understanding of what is required on a specific labour issue. The project will ensure compliance with national law requirements as well as World Bank guidelines regarding the COVID-19 Considerations in Construction/Civil Works Projects”, April 7, 2020.

This LMP sets out the terms and conditions of employment for employing or otherwise engaging workers on the project, specifies the requirements, standards to be met, policies, and procedures to be followed, assesses risks, and proposes implementation of compliance measures. The LMP is developed to help avoid, mitigate, and manage risks and impacts in relation to project workers and ensure non-discrimination, equal opportunity, protection, fair treatment, safe and healthy working conditions.

The LMP is a living document to facilitate project planning, preparation and implementation. It is anticipated that the LMP will be updated as additional information becomes available during project implementation, including in relation to workforce numbers and requirements, timing of project activities, and associated due diligence and social risk management. For the purposes of this LMP, the terms “National Labour Law” and “Zanzibar Labour Law” will be used interchangeably unless noted otherwise.

2.1 Objectives of Labour Management Procedure

The objectives of the LMP include to:

- a) Promote fair treatment, non-discrimination, and equal opportunity of project workers.
- b) Protect project workers, including vulnerable workers such as women, persons with disabilities, contracted workers, and primary supply workers, as appropriate.

- c) Prevent the use of all forms of forced Labour
- d) Address child labour, and prevent the worst forms of child labour
- e) Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with National Labour Laws, Policies, Regulations and the ESS2.
- f) Promote safety and health at work or sub-project sites.
- g) Provide a Grievance Redress Mechanism (GRM) for project workers to raise their concern

2.2 Overview of labour use on the project

This LMP applies to all project workers whether full-time, part-time, temporary, seasonal, skilled or unskilled who will be working on the project activities. The LMP is applicable, as per ESS2, to the project in the following manner:

- a) Persons employed or engaged directly by the project to work specifically in relation to the project;
- b) Persons employed or engaged by contractors or subcontractors to perform work related to core functions of the project, regardless of location;
- c) Persons employed or engaged by the project's primary suppliers.

2.3 Number of Project Workers

The number of workers to be engaged in relation to the project is unknown at the project preparation stage but they will be known during implementation. However, the following categories of project workers will be working on the project:

i. Technical Assistants

The project will engage four Technical Assistants (TAs) to work directly with the project in the areas of Financial Management, Procurement, Environmental Safeguards as well as Social Safeguards. These will work closely with the PCU, who are employed by the RGoZ to work with the project on full time basis. It is anticipated that the duration of their engagement will be at least 18 months.

ii. Contractors' workers

These will be hired by the contractors to work on the specific sites for construction and rehabilitation of Primary Health Care Units (PHCU and PHCU+). The exact number of workers is not known during planning; however, it is anticipated that there will be approximately 20 workers per site during rehabilitation and upgrading of PHCU and PHCU+, thus approximately 600 workers will be engaged during the entire period of project implementation.

The MoH will be responsible for ensuring that the recruitment and employment by contractors of all workers in connection with the project complies with national labour laws and the provisions of ESS2, in relation to non-discrimination, child and forced labour, wages, hours of work, and occupational health and safety issues.

2.4 Characteristics of Project Workers

The MoH will give priority in recruitment to Tanzanian nationals. It is anticipated that no foreign nationals will be recruited to work on the project. The following are the characteristics of anticipated project workers:

- a) **Skilled labour:** It is anticipated that the MoH and project contractors/ subcontractors will employ/engage skilled labour for the project. Such skilled workers included engineers, accountants, and technicians who will work in different projects sites. It is expected that most of these skilled workers will be Tanzanian nationals.
- b) **Semi-skilled labour:** The contractors and subcontractors will employ/engage semi-skilled workers such as drivers, masons, painters, electricians, plumbers to perform other tasks requiring vocational training during rehabilitation and upgrading of PHCU and PHCU+. Other type of semi-skilled workers includes security personnel in relation to protection of work sites, storage sites. It is anticipated that most of these will be Tanzanian nationals.
- c) **Unskilled labour:** Contractors and subcontractors will engage the vast majority of the project's unskilled workforce to work in the various sites during rehabilitation and upgrading of PHCU and PHCU+. The types of work these unskilled workers will perform includes concrete works, and supporting skilled labour in masonry, plastering, flooring, tiling, roofing, carpentry, steel works, painting, plumbing, electrical installation and doors and window fixing. The duration of the employment/engagement of these unskilled workers with the project is not known at this time.

It is anticipated that the unskilled workers will be drawn primarily from local communities in Zanzibar. In the recruitment of unskilled labour, the contractors/subcontractors will be required to give priority to local communities in Zanzibar and in particular, persons directly affected by the project who are members of vulnerable groups, including women, and persons with disabilities.

The MoH, Project contractors and subcontractors will focus on inclusive and non-discriminatory recruitment and employment policies and procedures in relation to all project workers. The MoH will require contractors to consult with Shehia Advisory Council (SAC) in the recruitment of candidates from the local communities for the project's unskilled labour force. The MoH will be responsible for ensuring that the contractors/subcontractors have measures in place to guide and coordinate recruitment of unskilled labour in a clear, transparent, and non- discriminatory.

To ensure absence of child labour, the project will not employ or engage in connection with the project any person under the age of 18 years. The MoH will ensure that this requirement is strictly applied to all workers which they hire directly in relation to the project and regarding all workers engaged by contractors/subcontractors and primary suppliers for the project.

3.0 Assessment of key potential labour risks

Potential risks are those related to labour and working conditions for this project include but not limited to the following:

- a) Workplace injuries, accidents, and related occupational health and safety hazards.
- b) Gender Based Violence (GBV)/Sexual Exploitation and Abuse (SEA)
- c) Transmission of diseases including sexually transmitted disease (STD), HIV/AIDS and Covid 19.
- d) Child labour
- e) Forced labour
- f) Labour influx into local communities, including transmission of communicable diseases
- g) Lack of employer compliance with national labour laws, including in relation to hours, provision of PPE, and minimum wage.
- h) Discrimination against women and persons with disabilities in work recruitment and employment
- i) Lack of Grievances Registry Mechanism
- j) Lack of an emergency plan/procedure in case of emergencies such as fires, explosions, flooding, earthquake and other related emergencies.

Substantial use of labour is mostly anticipated to arise from implementation of the project. The types of activities to be supported include rehabilitation and expansion of PHCU, PHCU+ and staff houses by providing accessibility of reliable water supply, construction of latrines for both staff and clients, handwashing facilities and provision of a fence around the health facility compounds.

Table 1: Potential labour risks and mitigation measures

Risk	Mitigation
<p>Workplace Accidents and Injuries: Construction workers are at risk from falling from scaffolding, roofs, ladders and other heights at work and falling of objects from above.</p>	<ul style="list-style-type: none"> • The project will not employ any persons under the age of 18 years. • The contractor should apply the hazard/ risk control hierarchy, which are elimination of Hazard, substitution, Engineering control, administrative control, workplace place control and Personal Protective Control (PPE). • The MoH will address workplace accident and injury risks by ensuring that contractors provide with appropriate and other needed Personal Protective Equipment (PPE) safety gear for each worker. • Regular monthly trainings on national law requirements and best practices for occupational health and safety and the proper use of project PPE • Contractors to maintain all records for activities related to project safety and health for inspection • Require the contractor to engage qualified ESH staffing • Enhance workplace OHS awareness and training. • Establish a 24-hour emergency response system at all project worksites to communicate the occurrence of any workplace accident or injury. • PCU ensures that there is timely, detailed and structured accident and incident reporting. • For major incidents/accidents, the supervisor, in consultation with the site engineer, will temporarily suspend the work until the situation is addressed in accordance with applicable Zanzibar occupational health and safety laws, the World Bank General Environmental Health and Safety Guidelines (EHSGS), Section 2 “Occupational Health and Safety,” and the applicable provisions of ESS2 • Establish an emergency plan/procedure in case of emergencies such as fires, explosions, and flooding.
<p>Gender Based Violence (GBV)/Sexual Exploitation and Abuse (SEA)</p> <ul style="list-style-type: none"> • There is a risk that workers involved in project sites might engage in transactional sex and/or sexual exploitation of members of affected communities in project worksite locations leading to spread of diseases and domestic conflicts within households of project-affected communities. 	<ul style="list-style-type: none"> • Implement a Code of Conduct (CoC) for all project workers, that will include provisions related to GBV/SEA/SH, and which all contractors, subcontractors, and primary suppliers will agree to abide by as a condition of contract. • Raise awareness regarding GBV/SEA/SH and train all project workers and residents of local communities affected by the project. • Ensure that all project workers have access to the grievance mechanism established specifically for the project workforce or the grievance redress mechanism established generally for the project, to address concerns relating to GBV/SEA/SH. • Ensure that at least 50% of unskilled labour is hired from within the project sites

<ul style="list-style-type: none"> • Women in all project employment categories may also face sexual harassment, including demands for sexual favors as a condition of employment. • Women may face continuous and/or unwanted demands for sexual favours under threat of dismissal 	
<p>Child Labour</p> <ul style="list-style-type: none"> • There is a risk of employing children under 18 years old in such project activities such as gravel making and quarrying due to poverty. • There is a risk that persons employed or engaged by primary suppliers for the project, including those involved in producing and providing gravel and other materials, might engage persons under 18 years to perform worst forms of child labour. • Use of child labour is anticipated to be a risk in relation to use of unskilled workers from local communities hired for project activities. 	<ul style="list-style-type: none"> • The MoH will ensure that all persons directly hired or employed/engaged by contractors, subcontractors, and primary suppliers for the project are at least 18 years old. • MoH will maintain records verifying the age of employment for all direct project workers and ensure that all contractors, subcontractors and primary suppliers maintain such documentation for their workers engaged in relation to the project. • MoH will also require all contractors, subcontractors, and primary suppliers to identify the risk of child labour in their workforce relating to the project and supply chains and to take appropriate steps to remedy the situation, or to terminate the contract with the contractor or primary supplier.
<p>Forced Labour</p> <p>There are risks of persons being trafficked to work for contractors, subcontractors, or primary suppliers for work activities related to the project</p>	<ul style="list-style-type: none"> • The MoH will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labour, prison labour, or the result of labour trafficking. • The MoH will maintain records of the recruitment circumstances as well as the written employment contracts of all project workers, including direct hires, as well as persons engaged through contractors, subcontractors and primary suppliers. • The MoH will conduct periodic inspections, at least once every three months, of contractor, subcontractor and primary supplier employment records to verify consistency and

	<p>compliance with the law in relation to recruitment of workers and provision to all workers of a written signed employment contract in Kiswahili,</p> <ul style="list-style-type: none"> • If forced labour or persons who are engaged in, the MoH will act promptly to address the issue, including referring the matter immediately to the relevant Zanzibar government authorities.
<p>Labour Influx</p> <ul style="list-style-type: none"> • The project may attract labour influx of job seekers from mainland Tanzania that can create considerable social and economic problems for affected communities near project work sites. • The negative social and economic risks to local communities resulting from this labour influx could include increased rates of crime, social conflict, violence, increased pressure on accommodations and rents, increased transmission of HIV/STD, as well as an increase in gender-based violence, in particular, sexual exploitation, including trafficking in persons for sex work, and sexual harassment (GBV/SEA) 	<ul style="list-style-type: none"> • Contractors, subcontractors, and project workers will need to maintain productive relations with local communities, including through a Code of Conduct (CoC). • The CoC will commit all persons engaged by the project, including contractors, subcontractors, and primary suppliers (where possible), and their workers to acceptable standards of behaviour. • The CoC will be written in plain language, understandable to contractors, subcontractors, primary suppliers, and project workers in English and Kiswahili, and signed by each worker • Recruitment of local communities should be considered avoiding negative impact which resulted from labour influx
<p>Lack of Employer Compliance with National Labour Laws</p> <p>Risks of workers from exploitation, abuse, discrimination and other forms of unfair and illegal treatment by employers. Such risks include being forced to work beyond the legally mandated maximum hours per week with no additional compensation, insufficient rest periods in violation of the law, wages that do not conform to minimum legal requirements, failure of the employer to pay</p>	<p>The MoH will ensure that all contractors, subcontractors, and primary suppliers abide by the following provisions for all workers they have engaged in relation to the project:</p> <ul style="list-style-type: none"> • Provide all project workers with information and documentation that is clear and understandable to the workers regarding their terms and conditions of employment. This information and documentation will set out the worker's rights under national labour and employment law, including: <ul style="list-style-type: none"> a) Rights related to hours of work, wages, overtime, compensation, and benefits, as well as any related provisions required under ESS2. b) Pay project workers on a regular basis as required under national law. c) Ensure that deductions from payment of wages are made only as allowed by national law.

<p>legally required health or social security benefits for workers, failure of employers to pay workers their wages on time and in the full amount required by law, and failure of employers to provide workers with a written and signed legally enforceable contract in a language the worker understands.</p>	<ul style="list-style-type: none"> d) Provide workers with adequate periods of rest per week, annual holiday and sick, maternity and family leave, as required by the Labour Relation Act No 1 of 2005 and Employment Act. No. 11 of 2005 (Section 62 to 70). e) Provide project workers with written notice of termination of employment and details of severance payments in a timely manner. f) Ensure full implementation of the Employment Act No. 11 in relation to recruitment and employment of all project workers.
<p>Discrimination against Women and Persons with Disabilities There is a risk for women to face gender-based employment discrimination, including in relation to recruitment, wages and other benefits, promotions, and other terms of employment. This discrimination includes bullying and sexual harassment, at times involving demands for sexual favours in return for job placement or advancement.</p> <p>There is also risk related to work discrimination against persons with disabilities, albinism and persons based on actual or perceived HIV/AIDs status</p>	<p>The MoH will ensure that contractors will employ project workers based on no discrimination in recruitment, personal characteristics unrelated to inherent work requirements. Such personal characteristics include, but are not limited to, gender, age, race, color, disability, including albinism, marital status, pregnancy or maternity status, social origin, gender orientation, religion, real or perceived HIV/AIDs status, and ethnic origin.</p>

4.0 Brief overview of labour legislation

4.1 Terms and Conditions

The Employment Act No. 11 of 2005 (Employment Act) and The Labor Relation Act No 1 of 2005 sets out fundamental labour rights and employment standards relating to employment in the public and private sector. It contains prohibitions on forced labour, sexual harassment in employment, worst forms of child labour, and employment discrimination, and establishes conditions of employment for special categories of workers, including protections for pregnant and nursing employees, night work and other work situations for female employees, and equal employment rights for persons with disabilities. The Employment Act also sets out provisions on its administration and jurisdiction, including through the establishment and operation of labour officers and inspectors, the labour advisory board, the labour commissioner, and its power to institute criminal proceedings for labour law violations. The Act also provides procedure for temporary employment, which should be between six months and three years.

The Zanzibar Public Service Act, No. 2 (2011) and the Public Service Regulation of 2014 provide detailed information on employment standards and labour relations for public and private sector workers. The work-related matters governed by the Act and its Regulation include: length of working day and week, special Friday break, manner of undertaking and compensation for overtime work, regulation of working time and overtime rate, restrictions on number of work days, extra pay for night work, annual leave for public holidays, temporary and emergency leave, compassionate leave, sick leave, maternity leave, leave without pay and action to be taken by employers when leave without pay expires, provision of transport and accommodation in deserving circumstances; identification of public service occupation eligible for meal allowance and other special allowances; provision for the manner in which medical care and treatment shall be provided to public service employees; obligation to provide safety and protective gear to employees in deserving occupations; allowances for travelling on duty; obligation of public service institutions upon death of employee; certificate of service upon eligible termination or retirement; repatriation of employees to place of first appointment; sanction for breach of employment standards; protection of pregnant and nursing employees; engagement of female employees at night; exception of female employees from certain categories of night work; additional conditions for female employees; equal rights of employment for persons with disabilities.

Provisions of the Zanzibar Employment Act No. 11 of 2005 that are directly related to the project include, but are not limited to the following:

- i. Section 11 (6) requires that employers employing more than 25 employees shall be required to prepare a policy statement on sexual harassment which should explain the procedure which should be followed by employees who are victims of sexual harassment.
- ii. Section 44 (b) provide that the period of service which may be stipulated or implied in any temporary contract of service shall be between the period of six months and three years.

- iii. Section 46 provide that every written contract of service entered into between an employer and Labor Officer shall attest employee.
- iv. Section 62(1) requires that working hours should be not exceed 8 hours per day or 42 hours per week
- v. Section 62 (6) requires that an employer provide a one-hour break per day to employees.
- vi. Section 62(4) permit persons working on shift to work more than eight hours per day provided the period for that person should not exceed forty-eight hours for any one week.
- vii. Section 97(1) provides that wages shall be paid at the end of each month and not less than the minimum amount as set by the government. The Minister may, after the proclamation of the minimum wage by the President, by order publish in the Gazette, and provide for the payment of minimum wages or the rates of minimum wages by employers in relation to the public or private sector, as the case may be, provided, that an employer is not prohibited from paying his or her employees' wages above the minimum wage or rates of minimum wages.
- viii. Section 63 (1) provides that overtime and night work should be the payment for overtime and the working time for over time should not exceed 3 hours per day, and for night work the employer should set a night allowance at the mutual agreement between the parties. Subject to the provisions of the Act, an employer may not require or permit any employee to work overtime.
- ix. Section 65 (1) provides that an employee shall not be required to work more than six days in one week.
- x. Section 67 provides that the legal period of rest is 2 days (i.e., Saturday and Sunday) per week and all public holidays as declared by the government.
- xi. Section provides that sick leave and medical assistance for the employee is granted after the employer confirms the sickness/need for medical assistance of his/her employee; this also includes all employees who are under probation period.
- xii. Section 67 provides for each worker to have 28 working days of annual holiday/vacation leave.
- xiii. Section 70 provides for maternity and family leave, including 90 calendar days for maternity leave, and three days family leave in relation to the death of a family member, such as spouse or child.
- xiv. Sections 52 and 54 provides for termination of employment and details of severance payments as prescribed in Section 68(i) a – d of the Zanzibar Public Service Act. No 2 of 2011

- xv. Section 82(1) instructs employers to provide uniforms, special protective clothes and other protective gear to employees as shall be specified in the regulation.

4.2 Occupational Health and Safety

The Occupational Health Safety and Health Act, 2005 applies generally to work places. It governs the duties, rights and responsibilities of employers and employees in relation to occupational health and safety. Relevant provisions of this Act relating to the activities of the project include:

1. Section 20(2) requires the employer to registers the workplace to the Director of OSHA before commencement of the operation of the workplace.
2. Section 23 provides that all plans and architectural drawings of the new workplace and alteration of existing workplace be submitted to OSHA for approval before actual construction of building begins.
3. Section 28(1) require the employer to provide adequate supply of clean, safe and wholesome water and readily accessible to all persons employed on the premises.
4. Section 24(1) require the employer to provide sufficient and suitable sanitary conveniences to persons in a workplace for the different sexes.
5. Section 32 (1) provides for the provision of first aid box to the prescribed standard and marked "FIRST AID".
6. Section 32 (2) requires that employer provide a first aid box to be placed under the charge of a responsible person who has receive first aid training from a recognized institute and who will be available during working hours.
7. Section 36 requires that employers provide and maintain protective equipment for workers in any workplace where there are any processes involving exposure to any injurious or offensive substance or environment.
8. Section 53 states that it is the worker's duty to report immediately to the supervisor any situation which the worker has reasonable grounds to believe presents an imminent or serious danger to his/her life or health or that of others in the same premises, and until the employer has taken remedial action, if necessary, the employer shall not require workers to return to a work situation where there is continuing imminent or serious danger to life or health.
9. Section 54 provides that any worker who has removed himself or herself from a work situation which he or she has reasonable justification to believe present and imminent and serious danger to his or her life or health shall not be punished or subjected to undue consequence, provided the danger is con-firmed by the Director.
10. Section 58 provides that a thorough periodic occupational medical examinations for fitness for continued employment for employees to be carried out by a qualified practitioner as may be authorized by the Director, who is the Chief Inspector of Work places.
11. Section 85 requires the employer to provides a means of extinguishing fire at the workplace and should be readily accessible.

12. Section 118 (1) (c) provides that there shall be kept available for inspection in every work place, in the prescribed form, a register, called the General Register and there shall be entered in or attached to that register the prescribed particulars as to every accident and case of occupational disease(s) occurring in the work place of which notice is required to be sent under the provision of this Act.

5.0 Responsible staff

The PCU has been established at the MoH, which will be responsible for the overall project management and the implementation of this LMP. The Unit will work with various stakeholders including Zanzibar Environmental Management Authority (ZEMA), Directorate of Occupational Safety and Health (OSH) and Fire Brigade and Rescue Force (FBRF) to implement the LMP in compliance with national laws. The PCU will be responsible for the following tasks:

- a) Undertake the overall implementation of this LMP.
- b) Engage and manage consultants and contractors in accordance with this LMP and the applicable Procurement Documents.
- c) Monitor project contractors and workers to ensure their activities are included in the LMP and the applicable Procurement Documents.
- d) Monitor the potential risks of child labour, forced labour and serious safety issues in relation to primary suppliers.
- e) Provide monthly trainings to mitigate potential health risks, including in relation to HIV/AIDS and other communicable diseases, including COVID-19 for project workers.
- f) Ensure that the GRM for project workers is established and implemented and that project workers are informed about it at the time of their recruitment for employment/engagement in relation to the project.
- g) Monitoring the implementation of the Code of Conduct (CoC) for workers. The CoC will be developed by PCU in consultation with the World Bank.
- h) Monitoring, supervising, and reporting on all project-related occupational, health and safety (OHS) issues, including regarding COVID-19.
- i) Ensuring that all project workers receive training on use of appropriate Personal, Protective Equipment (PPE) and always have access while performing their project duties to such PPE.
- j) Report to the World Bank on labour and OHS performance and key risks and complaints.

Table 2 presents a summary of the key LMP commitments and the project staff/entity responsible for the various key responsibility areas. The specific responsibilities for each function, however, will be detailed in the Project Operational Manual (POM):

Table 2: Roles and responsibilities of staff

No	Officers responsible	Key responsibilities
1.	Project Coordinator	<ul style="list-style-type: none"> i Overall oversight of all project activities ii Link to the MoH management iii Link to the World Bank Team
2.	Social Safeguards Officer	<ul style="list-style-type: none"> i. Oversee the development of the project protocols ii. Oversee the implementation of RPF, SEP and LMP iii. Assess the risk of serious safety issues iv. Develop protocols for the workplace, and for individual staff including COVID-19 guidelines v. Develop protocol for managing emergency vi. Link with ZEMA and OSHA on all labour related issues vii. Monitor, document, and report on all OHS matters, and provide training on codes of conduct and other relevant OSHA matters. viii. Be the GRM focal point for the project ix. Monitor, document and report on the GRM
3	Environmental Safeguards Officer	<ul style="list-style-type: none"> i Oversee implementation of ESMF ii Link with ZEMA to monitor the work of environmental consultants.
4	Consultants	<ul style="list-style-type: none"> i. To supervise project implementation ii. To advice and recommend any change of project implementation iii. To guide the implementation of training plan iv. To monitor the contractor/subcontractor for compliance of OHS issues.

6.0 Policies and procedures

This section outlines main policies and procedures to be followed during project implementation in relation to occupational health and safety, forced labour and related labour issues. It will be updated considering new information during project implementation. While most of this information is also included elsewhere in the LMP, it is presented here in a consolidated manner to assist the PCU and other users of the LMP:

6.1 Occupational Health and Safety

The PCU will address project occupational health and safety risks by ensuring that the hierarchy of hazard/risk control is followed. The provision of sanitary and waste disposal facilities at each activity site, regular monthly trainings on national law requirements and best practices for occupational health and safety is considered. The PCU will ensure that all its direct hires for the project comply with national occupational health and safety laws and wear all required PPE appropriate for their project work duties.

The PCU will ensure that project workers comply with all requirements of applicable occupational health and safety legislation of Zanzibar and with the World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety. The PCU will maintain all records for activities related to project safety and health for inspection by Directorate of OSH or the World Bank.

The PCU will also ensure that each of the contractors and subcontractors, which they have engaged respectively for the project, will comply with the following:

- 1) Always provide each project worker under the contractor's supervision with appropriate and other needed Personal Protective Equipment (PPE) safety gear.
- 2) Provide monthly training, and written confirmation documenting persons trained and type of training, to each project worker under their control, on national law requirements and best practices on occupational health and safety and the proper use of PPE.
- 3) Provide written confirmation to the PCU that each project worker under the contractor's/subcontractor's control complies with national occupational health and safety laws and uses all required PPE appropriate for the worker's project work duties.
- 4) Provide written confirmation of their compliance with all requirements of applicable occupational health and safety legislation of Zanzibar and with the World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety.
- 5) Maintain all records for activities related to project safety and health for inspection by the PCU/ Directorate of OSH or the World Bank.
- 6) Provide a timely, detailed and structured accident and incident reporting (as per the project requirements, i.e., ESIRT)."

Forced Labour: The PCU will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labour or the result of labour trafficking. To this end, the PMT will maintain records of the recruitment circumstances as well as the written employment contracts of all project workers, including direct hires, as well as persons engaged through contractors, subcontractors, and primary suppliers.

The PCU in collaboration with Commissioner for Labour will conduct periodic inspections, at least once every six months, of contractor, subcontractor and primary supplier employment records to

verify consistency and compliance with the law in relation to recruitment of workers and provision to all workers of a written signed employment contract in English or Kiswahili, depending on the worker's preference.

If forced labour or persons who are engaged in the project as a result of trafficking are identified, the PCU will act promptly to address the issue, including referring the matter without delay to the relevant Zanzibar government authorities to be addressed in accordance with Zanzibar law.

Child Labour: The PCU undertake monitoring, at a minimum every six months, of all project workers, to ensure that all contractors, subcontractors, and primary suppliers engaged in relation to the project are not employing/engaging anyone under 18 years of age for work in relation to the project.

The project will use the following process, prior to the employment or engagement of an applicant for work on the project, to verify the person's age. The PCU will ensure that each contractor, subcontractor, and primary supplier also uses this process and provides PCU with written confirmation that each worker being employed or engaged in relation to the project is at least the minimum age of 18 years.

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

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

6.2 Age of employment

Section 98 (1), (2), and (3) of the Zanzibar Children's Act of 2011 establishes the minimum age for employment or engagement in work at 15 years, and a minimum age of 18 years for hazardous work. Tanzania has ratified ILO Convention 138 on minimum age and Convention 182 on worst forms of child labour. Due to the nature of project activities that will involve renovation and construction of PHCU and PCH+ units and staff houses and will involve land/vegetation clearing, the project has established a minimum age of 18 years for employment for all project workers.

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

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

6.3 Terms and Conditions

This section sets out details regarding specific wages, hours of work, maximum number of hours that can be worked for the project, collective agreement that apply to the project and which will be included in the contractors bidding document.

1. The maximum number of hours per week that a worker can undertake work on the project is 42 hours, and if a worker's duties require him to exceed these maximum hours, he/she shall be paid overtime as per sections (63), (64) and (66) of the Employment Act, 11 of 2005.
2. The MoH as the project implementing agencies will ensure respect for any collective bargaining agreements related to project workers, whether direct hires or workers hired through contractors or subcontractors. Collective bargaining agreements specific to the project are not known at this time, but should they exist in relation to any contracted or direct hire workers, such agreements will be respected.
3. The minimum net salary for all project workers, which is the legal minimum wage in Zanzibar, will be TZS 300,000 per month, excluding social security and other payments/benefits; the daily wage for unskilled labour is set at TZS 25,000 per day.
4. All government civil servants working in connection with the project, whether full-time or part-time, will remain subject to the terms and conditions of their existing public sector employment agreements/arrangements.
5. All project workers will be given a legally enforceable written employment contract, signed by the employer and the worker, in either English or Kiswahili, depending on the worker's preference, and in a level of language that is understandable to the worker.
6. All project workers will sign a Code of Conduct related to GBV and other issues.
7. All contractors, subcontractors, and primary suppliers will ensure that they have qualified staff who are always fluent in either English or Kiswahili in relation to project activities and in all communications with the project workforce.
8. The project will ensure compliance with all Zanzibar legal requirements and World Bank guidelines concerning management of the workforce in the context of COVID-19. The PCU, all contractors, subcontractors, and primary suppliers shall ensure that wages to project workers are paid not less than twice per month, paid in legal tender, and paid directly to the individual worker. Payment shall not be made in the form of promissory notes, vouchers, or coupons. Workers shall be free to dispose of their earnings as they choose.
9. The MoH/PCU, all contractors, subcontractors, and primary suppliers shall ensure that payments to project workers are made in a transparent manner, showing clearly the gross wages, any deductions taken and for what purpose, and net wages due. Deductions shall be made only if prescribed by national laws or regulations or fixed by collective agreement or arbitration award.
10. The project will not engage/employ prison labour for any purpose in relation to the project, including any work involving direct hires, workers engaged through contractors/subcontractors, and workers engaged through primary suppliers.

11. To ensure absence of child labour and considering the nature of work to be undertaken, the project will not employ or engage in connection with the project any person under the age of 18 years. The MoH/PCU will ensure that this requirement is strictly applied to all workers which they hire directly in relation to the project and regarding all workers engaged by contractors/subcontractors and primary suppliers for the project.

7.0 Grievance Redress Mechanism

Grievance Redress Mechanism (GRM) entails a formal process for receiving, evaluating and redressing project related grievances from affected workers, communities and the general public. GRM is an essential tool for facilitating PAPs to voice their concerns about the project implementation impacts, resettlement and compensation process as they arise and, if necessary, for corrective action to be taken promptly. It provides a mechanism that allows for the identification and resolution of environmental and social issues affecting the project.

The central aim of this Grievance Redress Mechanism (GRM) is to address complaints of stakeholders by receiving complaints, address them daily. GRM should have track system for each complaint and close the complaint after it is resolved.

The GRM should be accessible to all stakeholders, including those directly affected by the project (PAPs), those who benefits from the project, those wishing to raise concerns or needing feedback from the project, religious, gender, special groups, specifically women and vulnerable and the general public.

Strong and trusted mechanisms can help address problems proactively as they arise, and in turn helps build trust with the effected communities. They can also be an effective way for projects to identify potential problems. Proactively listening to community concerns can offer valuable information on how to improve project operations, manage risks and increase product values.

Typical workplace grievances include demand for employment opportunities; labour wage rates; delays of payment; disagreement over working conditions; land acquisition; construction impacts, grievances about social and environmental performance; economic conditions, cultural contexts, child labor, gender discrimination, sexual harassment, racism etc and health and safety concerns in work environment.

The specific objectives of GRM are as follows:

- To create accessible, responsive and demonstrably fair channels to resolve communities' grievances and complaints in a mutually acceptable process.
- To implement effective dialogue and open lines of communication with the public.

- To create an extra channel for receiving information about community grievances and complaints with the Project.
- To serve as a release valve for community and worker grievances and complaints stemming from a project and provides early warning of potential problems that are developing.
- To prevent and address all forms of Gender Based Violence (GBV) and Sexual Harassment (SH) and Sexual Exploitation and Abuse (SEA) incidents that potentially happen at workplace and community level
- To prevent unrealistic expectations or negative perceptions from the local population towards the Project.
- To establish a system of investigation, response and quick grievance resolution.
- To prevent grievances and complaints from accumulating and escalating to conflicts such as protests, sabotage or strikes that can be very costly to the Project.
- To improve the Project social performance through the analysis of grievances and complaints.
- To maintain confidentiality for stakeholders who may need to raise comments/concerns anonymously
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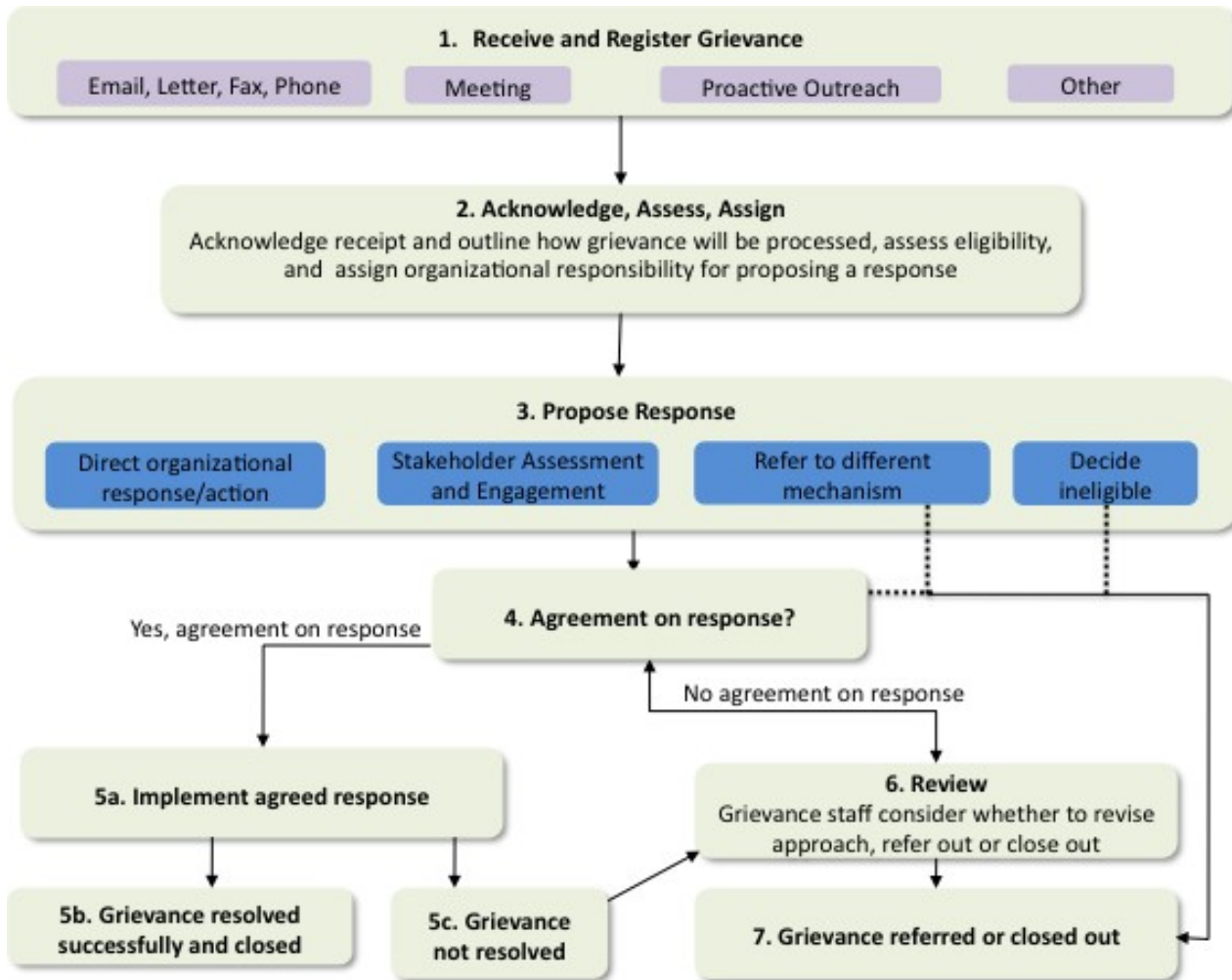
7.1 Anticipated Types of Grievances

The anticipated types of grievances and complaints for the project are as follows;

- **Social issues** – land acquisition (not satisfied with compensation paid), Inventory mistakes made during census survey as well as inadequate valuation of properties; infrastructure/property damage such as crops/trees
- **Sexual harassment** - Unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of sexual nature
- **Child labor** - A child of fourteen years of age may only be employed to do light work, which is not likely to be harmful to the child's health and development. Employment of a child must not affect the child's attendance at school, participation in vocational orientation or training programmes approved by the competent authority.
- **Gender Based Violence** - Includes inflicting physical, sexual or mental harm or suffering, threats of such acts, coercion and other deprivation of liberty including gender-based discrimination during recruitment.
- **Sexual Exploitation and Abuse** - any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another).
- Security and safety concerns
- Employment for local community.
- Environmental issue such as dust, water pollution, air pollution, competition for water
- Social-cultural and misconducts or misbehaviors of project personnel
- Handling of cultural issues where there are no clearly agreed precedents such as relocation of graves
- Disputed ownership of an affected asset particularly where documentation is not reliable.

7.2 The procedures for the GRM

The diagram below shows typical steps in a grievance resolution mechanism, which can be tailored to the particular concerns of a project and their stakeholders.



a) Receive and register grievance

GRMs should enable the complainants to communicate their grievances through a variety of channels (e.g., phone, letter, email, website, meeting, etc.). The purpose of the GRM is to provide an accessible, rapid, and effective response to concerned stakeholders, especially to vulnerable groups who often lack access to the formal legal system. It is important to ensure that potentially affected stakeholders understand what the GRM is for, the different options that they have for communicating their grievances, and where they get help and advice about whether and how to communicate a grievance.

b) Acknowledge, Assess, Assign

The staff who have received the grievance should provide a timely communication back to the complainant(s) that their grievance has been received, will be logged and reviewed for eligibility, and if eligible, will generate an initial organizational response. Normally, initial acknowledgement should come within 2-3 days of receipt, and can be in the form of a standard letter or email, with a clearly identified point of contact in the implementing organization, a brief description of the process that will be followed, and a reference name or number for the complaint.

Assessing eligibility for the GRM is a procedural step to ensure that the issue being raised is relevant to project. A decision on eligibility is only meant to trigger an initial assessment and response. The staff responsible for the initial response need to follow clear guidelines on what kinds of issues are eligible to be handled through the GRM, what issues should be referred to other mechanisms and what issues or contexts may require further clarification in order to determine eligibility.

Assigning responsibility: Complaints should be referred to the most appropriate individual or institution. When multiple partners are implementing project activities, clarity on roles and responsibilities for GRM implementation and response to particular complaints is essential. The referral process will likely depend on the type of issue raised and whether it is low or high risk.

c) Develop a proposed response

The person/team responsible for crafting a response needs to determine whether the grievance can be addressed directly through a relatively simple action agreed with the complainant; or whether the grievance is complex enough that it requires additional assessment and engagement with the complainant and other stakeholders to determine how best to respond.

d) Communicate proposed response to complainant and seek agreement on the response

The GRM is responsible for communicating the proposed response back to the complainant in a timely fashion, in writing (and orally as well if that is a more effective means of communication) using language that is easily accessible to the complainant. Responders may also contact the complainant by telephone or set up a meeting to review and discuss the initial approach with the complainant. The response should include a clear explanation of why the response is being proposed; what the response would be; and what the complainant's choices are, given the proposed response

The complainant may or may not agree with the proposed response. If there is agreement, then the organization can proceed with the proposed response, whether direct action, further assessment, or referral. If the complainant challenges a finding of ineligibility, rejects a proposed direct action, or does not want to participate in a more extensive process of stakeholder assessment and engagement, the GRM staff need to clarify the reasons why the complainant does not accept the proposed response, provide additional information, and, where possible, revise the proposed approach

e) Implement the response to resolve the grievance

When there is agreement between a complainant and the GRM staff to move forward with the proposed action or stakeholder process, then the response should be implemented. If the engagement process produces agreement on actions to resolve the complaint, then the GRM staff is responsible for overseeing implementation of those actions. In a multi-stakeholder context, several actors may be involved in the solution. It is important for GRM staff and the stakeholders to monitor implementation jointly, and to “come back to the table” when needed to deal with challenges during implementation.

f) Review the response if unsuccessful

In some cases, it may not be possible to reach agreement with the complainant on the proposed response. The GRM staff should review the situation with the complainant, and see whether any modification of the response might meet the concerns of the complainant, the organization, and other stakeholders. If not, the GRM staff should inform the complainant about other alternatives that may be available, including the use of judicial or other administrative mechanisms for recourse. Whatever alternative the complainant chooses, is important for GRM staff to document their discussion with the complainant and the complainant has informed choice among alternatives.

g) Close out or refer the grievance

The final step is to close out the grievance. If the response has been successful, the GRM staff should document the satisfactory resolution, in consultation with the complainant. If the grievance has not been resolved, GRM staff should document steps taken, communication with the complainant and the decisions made by the organization and the complainant about referral or recourse to other alternatives, including legal alternatives.

7.3 Workers Grievance Mechanism

Although complaints occur in workplaces they are not always reported for fear of victimization. Hence, a separate Worker Grievance Mechanism (WGM) will be established for project workers (direct workers and contracted workers). Handling of grievances should be objective, prompt and responsive to the needs and concerns of the aggrieved workers. The WGM will also allow anonymous complaints to be raised and addressed. Individuals who submit their complaints or grievances to the WGM may request that their name be kept confidential, and this should be respected. The WGM, however, does not replace or override the requirement that the PCU and the other implementing agencies for the project provide for workplace processes for project workers to report work situations that they believe are not safe or healthy, such as reporting requirements regarding workplace injuries and accidents.

For the government civil servants seconded to the project, their respective employment and labour laws and regulations that provide for reporting, management and redress of worker grievances will be applicable as provided in Public Service Act No 2, 2011.

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a) Direct and contracted workers

The project will have an effective WGM for direct and contracted workers in line with the provisions of ESS2. PCU, contractors, consultants and contracted workers will hold periodic team meetings to discuss any workplace concerns. The grievances raised by workers will be recorded with the actions taken by each unit. The summary of grievance cases will be reported to the World Bank as part of the regular report.

Where the aggrieved workers wish to escalate their issues or raise their concerns anonymously and/or to a person other than their immediate supervisor, the workers may raise the issues with the PCU or follow the legal or judicial process. The Safeguards team of PCU will establish a committee of persons to address anonymous complaints and the requests of workers who believe they have not received effective redress through the project worker grievance mechanism and seek to escalate their complaints.

The direct and contracted workers will be informed of the grievance mechanism on recruitment while the grievance mechanism will be made easily accessible through various communication channels such as comment/complaint form, suggestion boxes, email, a telephone hotline; and a confidential procedure for workers to submit anonymous grievances in writing or otherwise.

The WGMs to be used by the PCU and the project contractors and sub-contractors will include:

- A procedure to receive, record, refer, resolve, track grievances.
- Multiple uptake channels such as comment/complaint form, suggestion boxes, email, a telephone hotline; a confidential procedure for workers to submit anonymous grievances in writing or otherwise.
- Stipulated timeframes to respond to grievances.
- A register to record and track the timely resolution of grievances. Grievances reported by the contractors/subcontractors will also be reported and recorded in this master project worker grievance register;
- A responsible person/department to receive, record and track resolution of grievances. In the case of the project WGM for direct hires working for the PCU, Social Safeguard Officer will be responsible for receiving, recording and tracking resolution of such grievances.

The WGM will not preclude any project worker's ability to access any other judicial or administrative remedies that might be available under national law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements.

b) Project GRM

The PCU will require Contractors/Subcontractors to develop and implement a GRM for their own workforce prior to the start of implementation of the project for each specific site. The

Contractor will prepare their Labor Management Plan before the start of civil works, which will also include detailed description of the workers GRM. The GRM must be well circulated and written in a language understood by all workers. The workers GRM will include:

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

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

- The process will be transparent and allow workers to express their concerns and file grievances.
- There will be no discrimination against those who express grievances and any grievances will be treated confidentially
- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- Management will treat grievances seriously and take timely and appropriate action in response.

Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of “suggestion/complaint boxes”, and other means as needed. Existing grievance mechanism methods such as ‘suggestion boxes’ which exist in many PHCU may be used to file complaints. However, community member need awareness creation to ensure they use these boxes are used to channel grievances at community level. A formal structure needs to be put in place to guide their opening, reviewing, responding to concerns, and providing feedback on the issues raised.

c) Actions for managing complaints

- Complaints should be sent to the GRM focal point at the workplace by email, text, phone, letter or in person. The complaints will be logged into the complaints register. The phone number and email address and will be made available to the workers at signing the contract or at recruitment.
- The PCU shall establish Complaints Redress Committee (CRC) that will review complaints on weekly basis upon receipt. The CRC will review the complaints, provide guidance on the course of action, and ensure follow-up on previous complaints. Any preliminary investigation should take place within 5 working days of the committee

meeting. Feedback will be given to the complainant within 10 working days after receiving complaint.

- The CRC shall deliberate upon informal complaints which will be raised through social media, print media or not formally lodged, to decide whether to investigate based on the substance and potential impact or reputational risk.
- In case the complaint is referred to respective government's legal complaints structures such as ethics and anti-corruption, government administrative or judicial agencies, the World Bank shall be notified.
- With regards to SEA, such complaints shall be kept confidential, the name of the complainant should not be recorded, only the age and gender of the complainant, and whether a project worker was involved and should be sent directly to the PCU. Such grievances will be referred to relevant authorities for action including detailed investigation.
- As a general practice, no disciplinary or legal action will be taken against anyone raising a complaint in good faith.
- On reporting, a monthly report of complaints resolution shall be prepared and included in the quarterly report.

8.0 Contractor Management

For contract bidding and contracts for the Project, PCU will use the World Bank's 2017 standard procurement documents, which include labour, and occupational health and safety requirements.

The PCU will incorporate standard language based on project requirements drawn from ESS2 and other sections of the World Bank Environmental and Social Framework and supporting documentation in the tender and contract documents to ensure potential bidders are aware of the environmental and social requirements to be met under the project.

Tender documentation should note that the contractor/subcontractor shall actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as providing information and training on occupational safety and health, and provision of PPE without expense to project workers. Project workers who remove themselves from dangerous work situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removing themselves from such dangerous situations.

The PCU will also state in the tender documentation that adherence to national legislation regarding labour and employment relations and occupational health and safety is a prerequisite for participation in the project.

The PCU will also include in the tender documents provisions that forced labour, child labour, discrimination in hiring and employment based on gender, disability, ethnicity, or other personal characteristics unrelated to work requirements, sexual harassment in the workplace, and sexual exploitation and abuse are prohibited and may be grounds for removal of the contractor from the Project.

The PCU will require bidders for contracts for the Project to agree to and implement a workplace Code of Conduct that includes provisions prohibiting any form of sexual exploitation, assault or harassment of project workers, as well as sexual exploitation or sexual assault of persons in local communities affected by the project. The CoC will apply to all persons employed or engaged, including persons employed or engaged through contractors and subcontractors, in relation to the project.

The PCU will require bidders for contracts for the project to submit a statement confirming their firm compliance with national labour and employment and occupational health and safety laws, and labour management procedures in accordance with Environmental and Social Standard 2 "Labour and Working Conditions" (ESS2) and the LMP for the project.

The PCU will make reasonable efforts to ensure that parties awarded contracts for the project are

reliable law-abiding entities that do not have a history of problems relating to disrespect for national labour law, unresolved labour disputes, or frequent work-related accidents.

As part of the selection process for contractors, the PCU will request and review from prospective contractors the following information:

- i. Information in public records, for example, corporate registers and public documents relating to violations of applicable labour law, including reports from labour inspectorates and other enforcement bodies;
- ii. Business licenses, registrations, permits and approvals;
- iii. Documents relating to a labour management system, including OHS issues, for example, labour management procedures;
- iv. Identification of labour management, safety and health personnel, their qualifications and certifications;
- v. Workers' certifications/permits/training to perform required work;
- vi. Records of safety and health violations, and responses;
- vii. Accident and fatality records and notifications to authorities;
- viii. Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- ix. Worker pay roll records, including hours worked and pay received; and
- x. Identification of safety committee members and records of meetings

During the implementation of the contract, PCU will require that contractors submit quarterly reports on compliance with the LMP. The report should include the number and status of project workers, the number of hired and terminated employees in the given period, the number of hours worked, overtime, regularity of payment, OHS issues (injuries and fatalities, if any), safety measures, grievances raised and resolved, training provided/attended, incidents of non-compliance with national law or the LMP.

8.1 Community workers

As noted elsewhere in this LMP, the project will not use community workers (as that term is specifically defined in ESS2, Section B)

8.2 Primary supply workers

It is expected that the project will engage primary suppliers to provide raw materials and other goods and services. There are risks of worst forms of child labour, including children working in gravel making, as well as risks of serious worker safety issues, including accidents, fatalities, and lack of adequate occupational health and safety equipment, in project supply chains related to construction, quarrying and transport sectors. Where a significant risk of child or forced labour or serious safety issues in relation to primary suppliers has been identified, the supplier shall be excluded from contracts on the Project, until the issues are addressed in line with national laws and ESS2 requirements.

The PCU will ensure that all purchase orders and contracts with primary suppliers contain specific provisions prohibiting child labour and forced labour, and mandating compliance with all national laws workers health and safety standards.

The PCU will make reasonable efforts to ensure that parties engaged as primary suppliers for the project are reliable law-abiding entities that do not have a history of problems relating to disrespect for national labour law, unresolved labour disputes, or frequent work-related accidents.

The PCU will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labour or the result of labour trafficking. To this end, the PCU will maintain records of the recruitment circumstances as well as the written employment contracts of all project workers, including persons engaged through contractors, subcontractors and primary suppliers.

The PCU will also conduct periodic inspections, at least once every six months, of primary supplier employment records to verify consistency and compliance with the law in relation to recruitment of workers and provision to all workers of a written signed employment contract in English or Kiswahili, depending on the worker's preference.

To address the risk of forced labour, victims of labour trafficking, and child labour among primary suppliers, the PCU will undertake due diligence to identify primary suppliers and the extent to which these risks might be present in their activities for the project. If forced labour, victims of trafficking, or child labour is discovered in a primary supplier's workforce, the PCU will act promptly to address the issue, including referring the matter without delay to the relevant Zanzibar government authorities, as well as relevant government or NGO trafficking victims'/forced labour victims' support services, as appropriate, to be addressed in accordance with Zanzibar Laws.

Where there is a significant risk of serious safety issues related to a primary supplier, the PCU will require the relevant primary supplier to introduce procedures and mitigation measures to address such safety issues, which the PCU will review every four months to ascertain their effectiveness.

Where forced labour, trafficking, or child labour is identified, the PCU will require the primary supplier to report the situation to the police and other relevant government authorities. Depending on the circumstances, the PCU will discontinue use of that primary supplier and instead use primary suppliers that can demonstrate they are meeting the relevant requirements of Zanzibar laws relating to forced labour, child labour, trafficking in persons, and occupational health and safety.

ANNEX1: Template for Code of Conduct

The **Employee Code of Conduct (CoC)** outlines the expectations regarding employees' behavior towards their colleagues, supervisors, communities where they work and the overall organizational set-up. The CoC should promote freedom of expression and open communication. Employees should avoid offending, participating in serious disputes and disrupting our workplace. They are also expected to foster a well-organized, respectful and collaborative environment at the workplace and in the communities where they work. The following should inform the COC.

1. A satisfactory CoC will contain obligations on all project workers that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to particular concerns of the location and the project sector and/or to specific project requirements.

2. The CoC should be written in plain language, preferably in Kiswahili and signed by each worker to indicate that they have:

- received a copy of the code;
- had the code explained to them;
- acknowledged that adherence to this CoC is a condition of employment; and
- understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

3. The employer should conduct continuous awareness raising and training activities to ensure that workers abide by the CoC (such as through toolbox talks and training sessions). The employer should also ensure that local communities are aware of the CoC and enable them to report any concerns or non-compliance.

4. The issues to be addressed include:

- i. Compliance with applicable laws, rules, and regulations of the jurisdiction;
- ii. Compliance with applicable health and safety requirements (including wearing prescribed PPE, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment;
- iii. The use of illegal substances (such as alcohol and narcotics during working hours);
- iv. Non-Discrimination (e.g., on the basis of family status, ethnicity, race, gender, religion, language, marital status, birth, age, disability, or political conviction);
- v. Interactions with community members (e.g., to convey an attitude of respect and non-discrimination);
- vi. Sexual harassment (e.g., to prohibit use of language or behavior, in particular towards women or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate);
- vii. Violence or exploitation (e.g., the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior);

- viii. Protection of children (including prohibitions against abuse, defilement, or otherwise unacceptable behavior with children, limiting interactions with children, and ensuring their safety in project areas);
- ix. Sanitation requirements (e.g., to ensure workers use specified sanitary facilities provided by their employer and not open areas);
- x. Avoidance of conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection);
- xi. Respecting reasonable work instructions (including regarding environmental and social norms);
- xii. Protection and proper use of property (e.g., to prohibit theft, carelessness or waste);
- xiii. Duty to report violations of this Code; and
- xiv. No retaliation against workers who report violations of the Code, if that report is made in good faith.

5. COVID-19 related inclusions in the CoC:

- Washing hands, sanitize and observing social distancing at all times and follow WHO updated guidelines;
- Taking care of PPEs and materials used for protection (including gloves, masks) and ensuring their safe disposal;
- Seeking healthcare if they experience any of the following symptoms (while at home or work): cough, fever and shortness of breath; and
- Staying at home and reporting immediately to the supervisor if their family members or the employee comes into contact with someone who has been reported to have COVID-19.

6. All staff should understand the disciplinary actions that can be taken against those who repeatedly or intentionally fail to follow the CoC. Disciplinary actions will vary depending on the violation. Possible consequences include demotion; reprimand; suspension or termination for more serious offenses; and detraction of benefits for a definite or indefinite time.

7. The employer may take legal action in cases of corruption, theft, embezzlement or other unlawful behavior.