## **Updated Social Development Plan**

Project Number: 41924-014

October 2016

# Nam Ngiep 1 Hydropower Project (Lao People's Democratic Republic)

Annexes A to B (1 of 2)

Prepared by Nam Ngiep 1 Power Company Limited for the Asian Development Bank

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### Annex A: Relevant articles of the Lao Labour Law

Article 5 (revised) Principles of labour affairs

- Operations based on an employment contract between the employee and the employer, ensuring both parties benefit without discrimination;
- Ensure all working conditions are safe, with salary or wages paid in full, and all responsibilities in regard to social insurance implemented for the employee;
- Ensure the right of membership to and establishment of private and mass organizations or social organizations within the labour unit in accordance with the law;
- No forced labour in any form

### **Article 32 Creation of Employment Opportunities**

 Creation of employment opportunities is intended to provide employment for employees locally, with the aim of addressing unemployment, the migration of urban labour from rural areas to cities, and illegal trans-border labour. It aims to create conditions providing choice, revenue and poverty reduction for employees.

Article 33 Elements of employment opportunity creation

The creation of employment opportunities includes the following elements:

Promotion of occupational freedom, working from the home, and the hiring of disadvantaged persons, women, disabled persons, or the elderly;

Employment in rural areas, daily labour, contractors, temporary workers, trainees;

Reserving jobs for Lao citizens; especially a traditional jobs of Lao ethnic groups, jobs promoting Lao traditions, indigenous knowledge, jobs do not require high knowledge or big capital. The list of these jobs are specified in a separate list.

Establishing career fairs.

### Article 51regarding Hours of Work outlines that

- Normal hours of work in every labour unit will be no more than six days per week
  and eight hours per day or no more than forty-eight hours per week, regardless of
  the type of salary or wage.
- Hours of rest for lunch break shall be no less than sixty minutes and may not be included in hours of work.
- Specific hours of work could be determined for specific occupation or economic

sectors where it is deemed necessary based on approval from labour management authority after tripartite consultation and unanimous consent.

- Hours of work must not exceed six hours per day or thirty-six hours per week in respect of employees whose occupations are in sectors that involve:
- Direct exposure to radiation or to dangerous communicable diseases;
- Direct exposure to vapour or smoke which are dangerous to health;
- Direct exposure to dangerous materials or chemicals, such as explosives;
- Working in pits, or in underground tunnels, under water or at high elevations;;
- Working in an abnormally hot or cold place;
- Working directly with constantly vibrating equipment.

Article 59 (New) Unauthorized Use of Forced Labour

No matter in what form, the use of forced labour is not authorized except in the following cases: 1) The use of labour in accordance with the law for national defence, or for national security; 2) The use of labour in the event of emergencies, including fires, natural disasters or disease epidemics; 3) The undertaking of work resulting from a court decision under the administration of relevant government officials; 4) The undertaking of group work in accordance with the decision of local authorities, organizations, or associations to which the employee is attached or is a member.

Article 60 (New) Rights in Membership of Organizations and Appointment of Representative.

Employees or employers have the right to apply for membership of mass organizations or other social organizations that operate legally within the Lao PDR, and have the right to appoint a representative within the labour unit or workplace.

Article 63 (New) Internal Regulations of Labour Units.

The internal regulations of a labour unit are considered a legislation that the employer must devise to implement the labour law, which establishes specific regulations for the protection of the employee that may not be covered in the law. The internal regulations of a labour unit must be accepted through consultation between the employer and the trade union or employee representative or majority of workers within the labour unit. The internal regulations of a labour unit shall be effective on the day of approval by the Labour Administration Agency. The Labour Administration has the right to advise labour units to revise its internal regulations when it is necessary. The internal regulations of a labour unit must be written in the Lao language. In cases where a labour unit includes foreign labour, the internal regulations must be translated into that foreign language.

Article 69 (New) Rights and Obligations of Foreign Labour.

Foreign workers have the following rights: 1. Legal protection according to the laws of the Lao PDR; 2. Equal performance to Lao labour when undertaking the same work at the same

standard of labour and under the same work conditions, including salary or wages. "
Foreign labour has the following obligations: 1. Respect for the laws and customs of Laos; 2.
Plans for capacity building in technical knowledge among Lao workers; 3. Pay income taxes in accordance with the law; 4. Exit the Lao PDR within fifteen days after the expiration of a working contract.

Article 71 (Revised) Social Insurance

Every labour unit and employee must be insured and make payments into the National Social Security Fund to receive social security benefits of any kind as determined in the Law on Social Security. In case, employees who have not contributed to the national social security fund or have contributed but are not yet entitled to the benefits, employers must be responsible according to the law and regulations.

Article 96 (New) Gender Equality in the Workplace.

Female employees have the right to employment and professions in every sector that do not conflict with the law, including production, business and management, and may participate in training, labour skills improvement and providing expertise. Female employees shall receive a salary or wages equal to that of male employees, excepting some forms of work that has negative effects upon the reproductive health of women, which must be protected in every case.

Article 102 (New) Unauthorized Use of Youth Employees

Cases wherein the use of youth employees is prohibited are as follows: 1. Work in activities, duties and locations that are unsafe, dangerous to the health of the body, psychology or mind; 2. Forced labour; 3. Work to repay debts; 4. Human trafficking; 5. Trade or deception into the sex industry or solicitation of prostitution, photography or pornography; 6. Trade or deception into the movement and production, transportation, possession of narcotics or addictive substances. The list of hazardous works is specified separately

Article 105 (New) Minimum Wage.

Minimum Wage is the level of salary or wages which the government announce its official use on each period to ensure a basic livelihood.

Article 108 (Revised) Determination of Salary or Minimum Wage.

The State promulgates the level of minimum wage or salary at every interval based on the results of consultations with third parties. The State does not authorize an employer to determine a minimum salary or wage at a level lower than that promulgated at any interval. The minimum wage or salary can be determined for each area or sector.

Article 117 (New) Labour Occupational Safety and Health.

Labour occupational health and safety is a joint activity between the employer and the employee in the assurance of occupational safety and health in the workplace, including risk assessment of the work environment, appropriate measures for reducing hazards and risks, methods for protecting against workplace accidents, protection against injury and occupational diseases and the gradual creation of a culture of safety at the workplace at all times.

Article 119 (New) Obligations of the Employer

The employer has the following obligations:

Instil appropriate measures to ensure workplace health and safety for the employee working under its administration;

Ensure the workplace, machinery, equipment and procedures in the production of metals or chemicals and explosive materials in the labour unit are safe or do not pose a danger to the health of employees;

Regularly inspect all safety measures and improve any that are inappropriate;

Assess risks to employee health and safety at least once per year and then report to the Labour Administration Agency;

Maintain the workplace, safety systems, environment and atmosphere when working to ensure good conditions for the health of the employees;

Provide appropriate facilitation of welfare for employees in the workplace;

Supply information, recommendations, training and protection for employees so that they may undertake their work safely;

Supply individual safety gear to employees in full and in good condition according to international standards:

Prohibit the use of addictive substances or drink, or any mind altering substances in or around the workplace;

Hold training on basic health and safety knowledge, protection from occupational diseases, namely HIV, for the employees at least once per year;

Appoint employees responsible for labour health and safety;

Other obligations as determined by law;

Article 120 (New) Obligations of the Employee

The employee must strictly comply with the health and safety regulations of the labour unit. The employee must participate in health and safety activities held by the employer or

organization. If the employee notices or believes there to be any hazard to safety or health in the workplace, the employee must notify the party responsible for health and safety or the head of the labour unit as soon as possible. After informing the employer about dangers in the workplace, if the employer does not pay attention or resolve the issue, the employee must inform the Labour Administration Agency or the government unit responsible for health and safety, or other relevant organization.

Article 123 (New) Officials and Responsible Unit on the Labour Health and Safety in a Labour Unit.

Economic labour units with one hundred or less employees must have at least one employee responsible for labour health and safety. Labour units or workplaces working in the areas of construction and mining must have at least one employee responsible for labour health and safety. Labour units with over one hundred employees must appoint a unit and in case of necessity, a safety and health board responsible for labour health and safety shall be established. Employees responsible for labour health and safety must have the knowledge or have undergone training, or have a degree or certification from an institute or organization in regard to labour health and safety recognized by the Labour Administration Agency.

Article 124(New) Medical Staff in Labour Units

Labour units located in the suburbs or remote areas that have fifty or more employees must have a medical practitioner attached to the labour unit. Labour units with less than fifty employees must maintain a medicine cabinet and have one employee as primary nurse.

Article 125 (New) Recording and Reporting of Workplace Accidents.

Whenever an accident occurs within a labour unit that causes the employees to take time off work for four or more days, the employer must record the cause of the accident in detail and report it to the Labour Administration Agency. Whenever a workplace accident or occupational disease causes injury to an employee, major injury or death, the employer must report the incident to the Labour Administration Agency within three days.

Article 126 (New) Medical Examination of Employees.

The employer must facilitate medical examinations of employees at least once per year. Employees who work in dangerous areas or work at night must undergo medical examinations at least twice per year.

Article 127 (Revised) Labour Accidents and Occupational Diseases.

A labour accident is an accident that occurs when the employee is working inside or outside the workplace, at a temporary resting place during work hours, or when traveling to or from work. An accident that occurs during the time a worker performs tasks that are not assigned by the employer or its representative, or occurring after completion of the assigned work, shall not be considered a labour accident. Occupational disease is any disease occurring as the result of an occupation. The various types of occupational diseases are determined by specific regulations.

Article 128 (New) Treatment of the Victims of Labour Accidents and Occupational Diseases

If an employee is injured as a result of a labour accident or occupational disease, the employer or social insurance implementation agency must take responsibility for the cost of treatment as determined in the Law on Social Insurance. For the course of the treatment and rehabilitation, the employee has the right to receive their normal salary or wages from the employer, but for no longer than six months. If the limit is reached, the employer or social insurance implementation agency will cover the cost in accordance with the Law on Social Insurance. In cases where the employee dies from a labour accident or occupational disease, the employer or social insurance implementation agency must take responsibility for the funeral and remuneration as determined in the Law on Social Insurance. If a worker dies while assigned to another workplace by the employer, the cost of transferring his body or remains to his family shall also be borne by the employer. In cases where the employee loses a limb or organ due to accident or occupational disease, the employer or the social insurance implementation agency must take responsibility to pay remuneration as determined in the Law on Social Insurance.

Article 129 (Revised) Salaries or Wages and Allowance for the Death of Employees Outside of Labour Accidents of Occupational Diseases.

Employees who are victims of accidents or disease outside of labour accidents and occupational diseases and take leave for treatment and rehabilitation over consecutive days for longer than one month, and who possess medical certification, have the right to receive salary and wages for one month or thirty days per one year from the employer. Should treatment continue, the employee will receive a subsidy for sickness from the employer or social insurance implementation agency as determined in the Law on Social Security If the employee dies, the employer or social insurance implementation agency must pay a once-off remuneration to the family or successor of the employee as determined in the Law on Social Insurance.

Article 147 Types of Labour Disputes

Labour disputes arise when an employer and its employees cannot reach consensus on a labour issue. Labour disputes are divided into two types as follows:

Disputes concerning the implementation of the Labour Law, internal regulations of the labour unit, labour regulations, employment contracts, or other legislation relating to labour;

Disputes relating to benefits, which refers to disputes relating to claims by employees for new rights and benefits which they request their employer to resolve.

Article 148 (New) Forms of Labour Dispute Resolution

Resolution of labour disputes will be undertaken according to the following methods:

Compromise;

Administrative resolutions;

Resolution by the committee for labour dispute resolution;

Court rulings;

Dispute resolution consistent with international protocols.

Article 149 (New) Compromise.

Compromise is the resolution of disputes according to the law and disputes in relation to benefits at the same labour unit level through consultation, negotiation and compromise by peaceful means between the employer and the employee. When coming to a compromise, there shall be participation on the part of the trade union or employee representative of the labour unit. The results of the resolution must be recorded in writing and include the signatures or thumbprints of those involved.

Article 150 (New) Administrative Resolutions

Administrative resolutions are dispute resolutions according to the law and disputes in relation to benefits by the Labour Administration Agency.

Article 151 (New) Resolution by the Committee for Labour Dispute Resolution.

Resolution by the Committee for Labour Dispute Resolution is the resolution of disputes in relation to benefits. When the Committee for Labour Dispute Resolution receives a claim from either party or both parties, the committee must undertake resolution according to its role, rights and duties and in accordance with the law.

Article 152 (New) Court Rulings

In cases of labour disputes, either party may appeal to the people's court or labour court for consideration and ruling in accordance with the law.

Article 157 Rights and Duties of the Labour and Social Welfare Division of Each Province and City.

The labour and social welfare division of each province or city has the following rights and duties relating to labour:

To elaborate on the strategic plan and the development plan on labour;

Disseminate, evaluate, and give guidance on the implementation of the law on labour within the area of its responsibility;

To collaborate with other divisions and organizations in labour skills development, job placement and labour protection;

Administer Lao labour working domestically and abroad, and foreign workers working in the Lao PDR, in collaboration with other relevant sectors;

Administer and use labour funds in accordance with the law;

Mediate labour disputes according to its role and responsibilities;

To research, approve or cancel the establishment of recruitment service networks and labour skills development canters, and make recommendations for the Ministry of Labour and Social Welfare;

To approve importation, registration, issuance of work permit cards to foreign employees

Supervise, evaluate and administer the activities of recruitment services networks and labour skills development canters, which have been established within its responsibility;

Monitor and collect information on labour and the labour market;

Cooperate with foreign countries on labour affairs as directed from higher authorities;

Summarize and report on labour affairs to the higher authorities routinely;

Implement other rights and responsibilities in accordance with the law."

Article 158 Rights and Duties of the Labour and Social Welfare Office of Each District and Municipality

The Labour and Social Welfare Office of each district or municipality has the following rights and duties relating to labour:

To disseminate, monitor, and inspect the implementation of laws and regulations on labour under its responsibility;

Coordinate with every office and organization in the development of labour skills, recruitment and protection of labour under its responsibility;

Mediate labour disputes according to its role and responsibilities;

Evaluate and administer the activities of recruitment service networks under its responsibility;

Monitor and collect information on labour and the labour market;

Summarize and report on labour affairs to the higher authorities routinely;

Implement other rights and responsibilities in accordance with the law.

Article 159 (New) Rights and Duties of the Labour and Social Welfare Office of Each Village.

The Labour and Social Welfare Office of each village has the following rights and duties relating to labour:

Disseminate the law on labour under its responsibility;

Mediate labour disputes that occur within its village;

Monitor and administer the activities of foreign labour within its village, including Lao labour working abroad;

Collect information on labour to report to higher authorities;

Summarize and report on labour affairs to the higher authorities routinely;

Implement rights and duties in accordance with the law.

Article 166 (New) Employee Representatives

Labour units comprising ten or more employees must have an employee representative or trade union. The employee representative must be an individual appointed by employees for the implementation of duties in place of employees within the labour unit or other professional branches. For labour units that have grassroots trade union units, it is held that the head of the grassroots trade union unit is the employee representative; in cases where a labour unit has not yet established a grassroots labour trade union, the employees may appoint their own representative. Labour units with ten to fifty employees must have one representative, and for units with fifty-one to one hundred employees, they must have two representatives with one extra representative for every further one hundred employees.

Article 167 (New) Rights and Responsibilities of Employee Representatives.

Employee representatives have the following rights and responsibilities: 1. Build solidarity, and to educate and mobilize employees to be disciplined in their professional work; 2. Promote and protect the legitimate interests of employees; 3. Participate in labour dispute resolution, collective bargaining, the creation of employment contracts and internal regulations of labour units; 4. Recommend improvements to wages, work conditions, and social insurance systems; 5. Recommend the establishment of agencies representing employees or trade unions within labour units; 6. Receive protection in accordance with the law. 7. Implement the rights and duties as stated in the law and regulations

Article 179 Measures Against Violators.

Any individual or legal entity that violates this law shall be re-educated, warned, fined, subject to temporary suspension of business, subject to withdrawal of business license or brought to court proceedings based on the nature of the offence, including having to compensate for the civil damage caused, as regulated by the laws and regulations.

## Annex B

# Plans and drawings of the Houay Soup Resettlement Area Health Center

# Employer: Nam Ngiep 1 Power Company

Project: Nam Ngiep 1 Hydropower Project

Project Activities: Community Building Construction



## DRAWING: HEALTH CENTER

- 1. HEALTH CENTER & TOILET (MAIN BUILDING)
- 2. ACCOMMODATION BUILDING
- 3. EXTERNAL WORKS



Date: 30/11/2015

Employer: Nam Ngiep 1 Power Company

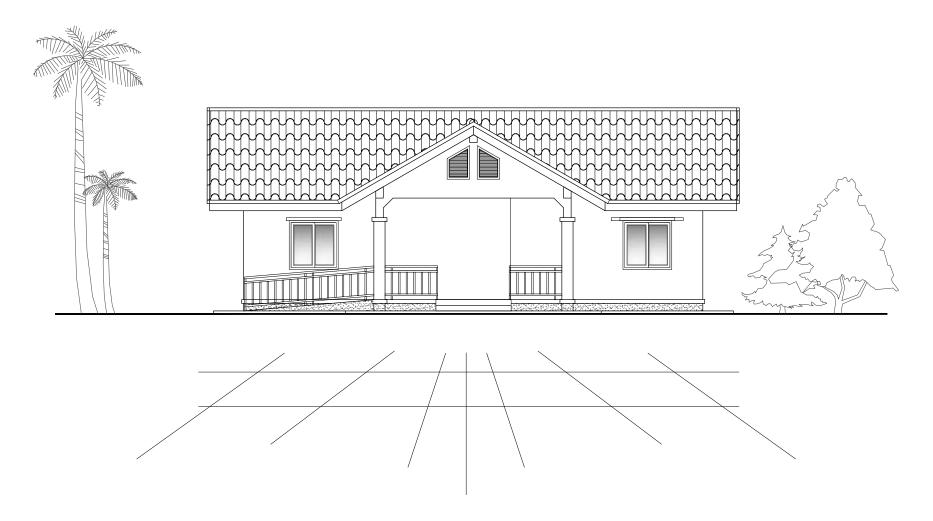
Project: Nam Ngiep 1 Hydropower Project

Project Activities: Community Building Construction



DRAWING: HEALTH CENTER

1. HEALTH CENTER & TOILET (MAIN BUILDING)



Date: 30/11/2015

## HEALTH CENTER WITH TOILET MAIN BUILDING (HC)

NO.	Description	Scale	Page no/Page DWG NO
1	Key Plan of Architecture Drawing	No Scale	
l.	Perspective		Page no/(HC-PE)
1	Perspective 01	No Scale	Page 01/ HC-PE.01
II.	Master Plan		Page no/(HC-MP)
1	Layout Plan	1/12500.	Page 02/ HC-MP.01
1	Master Plan	1/250.	Page 03/ HC-MP.02
III.	Architecture Drawing		Page no/(HC-AR)
1	Floor Plan	1/100.	Page 04 /HC-AR.01
2	Roof Plan	1/100.	Page 05 /HC-AR.02
3	Elevation A	1/75.	Page 06 /HC-AR.03
4	Elevation B	1/75.	Page 07 /HC-AR.04
5	Elevation C	1/75.	Page 08 /HC-AR.05
6	Elevation D	1/75.	Page 09 /HC-AR.06
7	Section A-A	1/75.	Page 10 /HC-AR.07
8	Section B-B	1/75.	Page 11 /HC-AR.08
9	Roof Structure Details	1/10.	Page 12 /HC-AR.09

IV.	Engineering Drawing		Page no/(HC-EN)
1	Floor Material plan	1/100.	Page 13 /HC-EN.01
2	Elevation A Material	1/75.	Page 14 /HC-EN.02
3	Elevation B Material	1/75.	Page 15 /HC-EN.03
4	Elevation C Material	1/75.	Page 16 /HC-EN.04
5	Elevation D Material	1/75.	Page 17 /HC-EN.05
6	Detail Door D1 & D2	1/20.	Page 18 /HC-EN.06
7	Detail door D3 & Window W1	1/25.	Page 19 /HC-EN.07
8	Detail Window W2	1/25.	Page 20 /HC-EN.08
9	Detail Window W3	1/25.	Page 21 /HC-EN.09

NO.	Description	Scale	Page no/Page DWG NO
10	Detail Window W4 & W5	1/20.	Page 22 /HC-EN.10
11	Ceiling Plan	1/100.	Page 23 /HC-EN.11
12	Electric plan	1/100.	Page 24 /HC-EN.12
13	Internal Electric Diagram System	1/	Page 25 /HC-EN.13
14	Water Supply System	1/75.	Page 26 /HC-EN.14
15	Waste Water Supply System	1/75.	Page 27 /HC-EN.15
16	Detail Septic Tank	1/75.	Page 28 /HC-EN.16
17	Footing Plan	1/75.	Page 29 /HC-EN.17
18	Ground Beam Plan	1/75.	Page 30 /HC-EN.18
19	Roof Beam Plan	1/75.	Page 31 /HC-EN.19
20	Main Ride Beam Plan	1/75.	Page 32 /HC-EN.20
21	Structure Roof Plan	1/75.	Page 33 /HC-EN.21
22	Footpath Floor Plan	1/75.	Page 34 /HC-EN.22
23	Floor Steel Bar Plan	1/75.	Page 35 /HC-EN.23
24	Detail Footing C1F1, C2F2	1/25.	Page 36 /HC-EN.24
25	Detail Ground Beam GB1, GB2 & Line Beam (LB)	1/25.	Page 37 /HC-EN.25
26	Detail Roof Beam RB1 & RB2	1/25.	Page 38 /HC-EN.26

## KEY PLAN OF ARCHITECTURE DRAWING

MATE	rial symbols	LINE	ETYPE	SYMBOL REFERENCE
	Solid Cement Block	O1 (ColorO1_red)	Column, Concrete Section Line	A,B,C,D ELEVATION ELEVATION SYMBOL
	Concrete	O2 (ColorO2_Yellow)	Wall, Block Section Line	SECTION NAME  DRAWING PLATE REFERENCE
	Hard wood	03 (Color03_Green)	Wood, Wood Section Line	DETAIL NUMBER
	Gravel	O4 (ColorO4_Cyan)	Water, River Line	DRAWING PLATE REFERENCE  DOOR REFERENCE
	Sand	O5 (ColorO5_Blue)	Steel, Metal Section Line	DOOR REFERENCE  W2 WINDOW REFERENCE
	Water	06 (Color06_Magenta)	Symbol	WALL REFERENCE
	Roof tile		Line See1, Text	FL 01 FLOOR FINISHING MATERIAL  LV +300 LEVEL FINISHED LEVEL
	Soil (ground)	08 (Color08_Black light)	Line See3	1000  DIMENSION
* * * * * * * * * * * * * * * * * * *	Grass, play ground	O9 (ColorO9_Black light)	Line See2, Edge	SECTION MARK REFERENCE  SECTION MARK REFERENCE
	Soil section	Center (Color250_Black light)	Center Line	
	Brick	Dim (Color138_Green Blue)	Dimension Line	
		Hatch (Color252_Black light)	Hatch, Material	



### NAM NGIEP 1 POWER COMPANY

ENVIRONMENT AND SOCIAL DIVISION

NAM NGIEP1 HYDROPOWER PROJECT

PROJECT ACTIVITIES

Community Building Construction

Health Center with Toilet (Main building)

KEY PLAN OF ARCHITECTURE

DRAWING		
REV.NO.	JOB DESCRIPTION	
1		
2		
3		
ARCHITECT		

Vylar	KEOBOUNMY	

Chengvang TONGTOUA

Pinthong SOPHATHILATh

Vylar KEOBOUNMY Chengvang TONGTOUA

CHECKED

Gerlee CHANORYIA Chome PHOMMACHANH

VERIFIED

KENICHI Tomioka

APPROVED

PRINTED DATE

30/11/2015

SCALE:

DWG NO.



