



MINISTRY OF ECONOMIC DEVELOPMENT
REPUBLIC OF MALDIVES

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Labor Management Procedure (LMP)
Sustainable and Integrated Labor Services (SAILS) Project (P177240)
Republic of Maldives

Contents

1. Introduction	3
2. Overview of Labor Use in the Project	3
Contracted Workers:	4
Community Workers:	5
3. Assessment of Potential Labor Risks	5
4. Key Labor Legislation in the Maldives	9
a. Terms and Conditions	9
b. Occupational Health and Safety	11
c. Collective Bargaining and Dispute Resolution	11
d. International Labor Conventions	12
5. Policies and Procedures for Management of Labor Issues Under the Project	12
a. Terms of Employment	12
b. Terms and Conditions	13
c. COVID-19 specific Occupational Health and Safety	13
d. Age of employment	14
e. Community Workers	15
6. Responsible Staff	15
7. Grievance Redress Mechanism (GRM)	16

1. Introduction

This Labor Management Procedure (LMP) has been prepared for the Sustainable and Integrated Labor Services to ensure compliance with Environmental and Social Standard 2 on Labor and Working Conditions (ESS2) of the World Bank's Environmental and Social Framework (ESF) and the national legislation and regulations of the Government of Maldives. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues. The LMP sets out general guidance relevant to different forms of labor but also issues and concerns that relate to COVID-19 considerations.

The Sustainable and Integrated Labor Services (SAILS) Project will have two parts: an unemployment insurance (UI) component that will provide unemployment benefits to qualifying job-seekers, and an employment services (ES) component. The ES provide counseling, job search assistance and targeted training and coaching to assist all participating job-seekers to find stable employment which will be implemented by the Ministry of Economic Development (MoED). Under the UI component, employers and employees (initially in the formal sector) will contribute jointly to individual and collective funds that will pay up to 6 months of unemployment benefits to participating members who become unemployed. The funds will be collected, managed and paid out by the Maldives Pension Administration Office (MPAO) under the same system used to deliver the Maldives Retirement Pension Scheme (MRPS). Benefit claims will be made to the Job Center, which will process applications and made eligibility determinations, then issue payment instructions to the MPAO. The Job Center will also deliver the ES component of the program, including individual case management, job search assistance and referral to other service providers like trainers and counselors.

2. Overview of Labor Use in the Project

In general, project supports the labor market and it will include different categories of workers. As per ESS2, project workers can be classified into the following groups: direct workers, contracted workers and community laborers. Due to the nature of the work that will be done in this project, direct and contract workers will be mostly used for the implementation. However, since the purchase of equipment like phones and other materials under the Project will not be done on an “ongoing basis,” the category of ‘Primary Supply Workers’ will not apply. The following are the key categories of workers that would be engaged under the project.

a. Project Management Unit (Direct workers)

The PMU will comprise of direct project workers who will either be government civil servants/service contract workers engaged in the project or those that will be recruited for the purposes of the project. Specifically, the PMU will comprise: Project Director, Deputy Project Director, Project Coordinator, Procurement Specialist, Financial Management Specialist, Finance Manager, Environment Safeguard and Communication Specialist and Monitoring and Evaluation Specialist.

- The Project Director will oversee the project team on the overall day-to-day management and coordination and implementation of the subcomponents of the project. The Project Director will also closely liaise with the Task Team from the World Bank and other stakeholders.

- The Project Coordinator will assist the Project Director to ensure that the work is in line with the objectives of the project and is carried out according to the terms of reference.
- The Financial Management Specialist and the Finance Manager will assist the project team to lead the financial management activities of the project and coordinate with the technical teams and stakeholders assigned to implement the subcomponents.
- The Procurement Specialist will lead the procurement activities of the project and coordinate with the technical teams and stakeholders assigned to implement the subcomponents. Specifically, the Procurement Specialist will work with the Environment Safeguard and Communication Specialist to ensure that all the procurement documents reflect environmental and social issues, where relevant.
- The Monitoring and Evaluation Specialist will lead the monitoring and evaluation activities of the project and coordinate with the technical teams and stakeholders assigned to implement the subcomponents. The Monitoring and Evaluation Specialist will collect, process and manage data, including those relating to social and environment issues associated with the project, as appropriate, from various sources including health management information system, official documents, etc.
- The Environment, Safeguard and Communication Specialist will lead the environment and social activities of the project and coordinate with the technical teams and stakeholders assigned to implement the subcomponents.
- The Environment Safeguard and Communication Specialist will primarily be responsible for ensuring that project activities avoid and minimize negative environmental impacts; and where they cannot be avoided, that impacts are identified and the necessary mitigation measures are developed and implemented following the relevant laws as well as the World Bank policies.

The project will be implemented by the Project Management Unit (PMU) of 13 staff members collectively from the Ministry of Economic Development (MoED), who is the lead institution—together with the Maldives Pension Administration Office (MPAO).

Direct workers will comprise staff from the Ministry of Economic Development, which includes contract and civil service staff. The project will also recruit key staff members to the core Project Management Unit of the World Bank as part of the core PMU

Breakdown of all workers from the Project management team including support team:

Team	Number of workers
Core PMU staff	8
Project Activity Staff	5
Total	13

Contracted Workers:

The staff of Maldives Pension Administration Office that will be engaging in the SAILS project will be regarded as contracted workers.

To ensure these services are accessible to citizens in the atolls, the Job Center will be expanded, with five regional hubs established and Job Center staff placed in up to 50 island council offices. The dedicated case managers in island council offices, who will serve as a personal contact for beneficiaries of the UI and ES programs at the atoll level. A minimum of 30% of these positions will be filled by women. The staffing for

the expansion is being financed separately by the government, but the project will finance training and technical assistance to establish case management services and build coordination with other programs (such as those delivered by the NSPA and the Minister of Gender, Family and Social Services). It will build linkages between data systems to facilitate referrals and ensure that the data used are common and regularly updated.

The project's main platform, the Job Centre portal is developed by a third party through agreement with the Job Center. The Job Centre Portal was launched to provide a platform for job seekers in the Maldives. The Ministry of Economic Development has an existing retainer contract with the developer for the maintenance of the website. Through this existing contract, there may be further engagements with the developer during this project.

With third party consultancies, the Job Centre platform will be further upgraded into a fully functional beneficiary registration and case management portal, including interlinkages to service providers (e.g. counselors, training providers) and employers. The Maldives Pension Administration Office (MPAO) information systems and processes will also be upgraded to perform its mandated functions under the UI program. In addition, MPAO information system will also be modified to ensure automated interoperability with the program MIS at the Job Center.

Breakdown of potential staff involvement of the Island Councils

Team name	Number of workers
Job center staff / Case Managers in five regional hubs and in 50 island council offices	Approx. 80 staff
Staff of third-party services design and deliver the ES and UI programs. These consultants that will be contracted for systems engineering and software development for the administration of the UI and ES programs at the Job Center and MPAO.	To be estimated.

Workers of Primary Suppliers

If the project procures IT equipment, the LMP will apply to staff of the primary suppliers of IT companies.

Community Workers:

In addition to harnessing social and traditional media for information disclosure and feedback, the PMU will reach out to local governments, workers' associations and island-level community groups including women's groups to spread the word about the ES program and collect feedback and suggestions.

3. Assessment of Potential Labor Risks

This project does not involve any construction works and hence there are no major labor risks associated with the project. Given the current nature of Omicron variant of the COVID-19 being recorded in Maldives since December 2021 and as the cases have been rising with the various variants, most of the work, including internal and external meetings will be done online. Labor risks, in relation to the Project activities being carried out by the workers, are described below:

- Occupational health and safety: With a mandatory vaccine mandate, all PMU members, existing and future recruitments are required to be vaccinated. While staff will have the option to work remotely from home, there would be instances where staff of PMU and MoED would be required to come to the office for key meetings and discussions. Thus, interactions in the office environment, may pose a certain level of health and safety risk associated with COVID-19 infection, especially if proper hygiene, safety precautions and social distancing measures are not adhered to.
- Labor and working conditions: Implementation of the project will involve a variety of workers from civil servants, contract staff to island councils to volunteers associated with community groups, etc. Ensuring that the terms and conditions for these workers are in accordance with the requirements of national law and this ESS, will be important.
- Gender-based Violence (GBV)/Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH): Risks of GBV, SEA and SH will be minimal. There are also risks of project workers being harassed by unhappy applicants while during the verification stages.
- Community health and safety: At the Island level, the staff of island councils, MoED and other agencies, including members of community organizations, would be interacting with communities to inform them about the benefit Scheme. These interactions would increase the risk of exposure to the virus for these workers and also the risk for the communities, especially the vulnerable groups.

Given below are more details of the potential risks and impacts associated with project activities:

Project Activities	Key Labor Risks
Component 1. Employability Services program administration, case management and job search assistance	
Partnering with Training Institutions' / training providers' staff to deliver the training programs	<ul style="list-style-type: none"> ● Workers may be exposed to untenable overtime, fatigue or burnout due to excessive applications to be processed in a short window. ● Health and safety risks especially against COVID-19 contamination. ● Inadequate terms and conditions of employment for employees/consultants, including those relating to hours of work, wages, overtime, etc. ● Discrimination in relation to recruitment, hiring, compensation, working conditions, terms of employment, etc. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment.
Case Managers at Island Councils engaging with community groups to reach out to communities and vulnerable groups	<ul style="list-style-type: none"> ● Health and safety risks for frontline workers in Island Councils and that of Community groups who directly interact with people will be at a higher risk of exposure to COVID-19 contamination. ● Risk of contamination of vulnerable groups from those visiting their homes from Island Councils and Community groups to support them in their application submission process. ● Risk of social tensions due to concerns about infection spread to the communities when visiting homes of vulnerable groups by Island Councils and Community groups.

	<ul style="list-style-type: none"> ● Risk of stigmatization of workers who directly interact with public as they are viewed as vectors of COVID-19 for passing on infections to family and community. ● Risks associated with GBV and SEA/SH when Island Councils and Community groups visit vulnerable groups to obtain applications. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment
Referring beneficiaries for employment services (career counseling, training, apprenticeships, jobs etc.)	<ul style="list-style-type: none"> ● Health and safety risks for project workers directly interacting with students. . ● Risk of stigmatization of workers who directly interact with public as they may be viewed as vectors of COVID-19 for passing on infections to family and community. ● Risk of social tension and protests against project workers due to lack of community engagement or transparency in the selection processes or being not satisfied with the trainings or services received.
Training Providers providing training/apprenticeship programs	<ul style="list-style-type: none"> ● Workers may be exposed to untenable overtime, fatigue or burnout due to excessive applications to be processed in a short window. ● Health and safety risks especially against COVID-19 contamination. ● Inadequate terms and conditions of employment for employees/consultants, including those relating to hours of work, wages, overtime, etc. ● Discrimination in relation to recruitment, hiring, compensation, working conditions, terms of employment, etc. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment.
Component 2: Establishment of the UI Program Fund	
Strengthening MED and MPAO ability to initiate the UBS fund	<ul style="list-style-type: none"> ● Discrimination in relation to recruitment, hiring, compensation, working conditions, terms of employment, etc. when governance/staffing structures redefined or newly created. ● Inadequate terms and conditions of employment for employees/consultants, including those relating to hours of work, wages, overtime, etc. when governance/staffing structures redefined or newly created. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment
Upgrading of the social registry run by MPAO and systems at MED, including development of an online and mobile application portal for online and mobile complaint submission.	<ul style="list-style-type: none"> ● Discrimination in relation to recruitment, hiring, compensation, working conditions, terms of employment, etc. ● Health and safety risks especially against COVID-19 contamination for ICT focal points at MPAO & MED during interactions. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment

Upgrading systems in Island Council offices linking to the upgraded systems run by MPAO & MED.	<ul style="list-style-type: none"> ● Health and safety risks especially against COVID-19 contamination for ICT focal points at Island Council offices during interactions. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment
Processing of applications by the staff of MED & MPAO during system enrollment, contribution and verification and payout of claims	<ul style="list-style-type: none"> ● Workers may be exposed to untenable overtime, fatigue or burnout due to excessive applications to be processed in a short window. ● Inadequate terms and conditions of employment for employees/consultants, including those relating to hours of work, wages, overtime, etc. ● Discrimination in relation to recruitment, hiring, compensation, working conditions, terms of employment, etc. ● Health and safety risks especially against COVID-19 contamination for staff ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment. ● Unable seek qualified developers for the development of internal information system in a timely manner ● Algorithm issues
Communities accessing Banks & point-of-service (POS) payment facilities to open bank accounts and collect the cash received.	<ul style="list-style-type: none"> ● Health and safety risks for frontline workers in Banks and POS facilities who directly interact with people will be at a higher risk of exposure to COVID contamination. ● Risk of stigmatization of workers who directly interact with public as they are viewed as vectors of COVID-19 for passing on infections to family and community. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment.
Component 3: Technical assistance for project implementation	
Staffing of PMU implementing the Project.	<ul style="list-style-type: none"> ● Inadequate terms and conditions of employment for employees/consultants, including those relating to hours of work, wages, overtime, etc. ● Discrimination in relation to recruitment, hiring, compensation, working conditions, terms of employment, etc. ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment.
ICT staff managing the online job center platform and relevant ICT applications.	<ul style="list-style-type: none"> ● Health and safety risks especially against COVID-19 contamination among ICT staff managing the online job platform from their offices.

	<ul style="list-style-type: none"> ● Absence of a mechanism to express grievances and protect rights regarding working conditions and terms of employment
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4. Key Labor Legislation in the Maldives

Over the last decade or so, the Government of Maldives has enacted several laws and policies relating to working conditions, promotion of safety and health at work, fair treatment and non-discrimination, prevention of forced labor and child labor and protection of vulnerable workers. Key among these are:

- Employment Act of 2008,
- Regulation on Resolving Disputes between Employers and Employees (2011/R-12),
- Maldives Immigration Act (1/2007),
- Regulation on Employment of Expatriates in Maldives (2011/R-22),
- Anti-Human Trafficking Act, December 2013

The Employment Act specifies the rights and duties of employers and employees. An employer is defined in the Act as, “any person, company, government or association of persons providing employment pursuant to an employment agreement which includes the use of services of non-independent contractors, successors, assigns of such employers, and any person to whom the rights of such employers are transferred in accordance with the law”. An employee is any person seeking to work pursuant to an employment agreement. The Act prohibits forced employment, and discrimination in granting of employment, increase in remuneration, provision of training, determination of conditions and manner of employment, dismissal and resolution of other employment related issues; based on race, color, social standing, religion, political beliefs or affiliation with any political party, sex, marital status, family obligations, age or disability.

a. Terms and Conditions

Employment Agreement: All employers are required to enter into an employment agreement in writing, with their employees. The Act recognizes three types of employment agreements, which are, (a) fixed term contracts or agreements with a definite term, (b) agreements with an indefinite term or permanent employment agreements, and (c) agreements for a specific task or project. Direct workers or project staff in the PMU falls under this latter category. Such agreements are considered neither permanent nor fixed term contract. And they are considered terminated upon the completion of the specific task or project. All agreements must at minimum have included in them the following details:

- The name of the employee, permanent address, current address, identity card number or passport number, date of birth, nationality, emergency contact person's name, address and phone number
- Job description, whether employment is permanent or temporary
- Date of commencement of employment agreement
- Salary and other benefits, pay day, including method and guidelines for calculation of salary
- Days on which leave may be granted
- Staff appraisal, principles pursuant to which disciplinary measures may be taken against the employee; manner of dismissal from employment.

Minors: The law considers a minor to be a person under the age of 18. Chapter 3 of the Employment Act allows minors between the ages of 16 and 18 to be engaged in employment, provided consent is obtained from their legal guardian. Minors under the age of 16 are prohibited from engaging in employment, unless it is as part of a training for their education. A minor may also be employed in a family business with the consent of such minor and their family.

Working Hours: No employee shall be required to work more than 48 (forty-eight) hours a week. This principle does not include overtime carried out in accordance with the Employment Act of the Maldives. No employee shall be required to work more than 6 (six) consecutive days a week (on a day that is normally a day off or has been agreed as a day off), without being provided with twenty-four consecutive hours of leave.

Dismissal: Employees have a right not to be dismissed unfairly, without cause. The Act provides a list of disciplinary measures that can be taken reasonably against an employee due to misconduct and which must ordinarily be exhausted before any dismissal.

Leaves: Entitled leaves for employees under the Act includes, 30 (thirty) days of paid annual leave, 30 (thirty) days of paid sick leave, 60 (sixty) days of paid maternity leave, upon expiry of which either parent may choose to take up to 01 (one) year of unpaid leave, 03 (three) days of paid paternity leave, 10 (ten) days of paid leave for family responsibility, and 05 (five) days of paid leave for a parent of a child undergoing circumcision. On March 2019, the government decided to grant all government employees with a paid maternity leave and paternity leave of 06 (six) months and 01 (one) month, respectively. This practice has since been taken up by state owned enterprises as well.

Wages and deductions: Except for wages to be paid to a temporary employee, all other employees shall be paid at least on a monthly basis. Temporary employees shall be paid on a daily basis in general. However, the employer and the temporary employee can agree that such payments shall be made on a weekly, bi-weekly or monthly basis. Employees may be fined for absenteeism from work during official working hours, such fine to be deducted from his/her wages and to be commensurate to the time absent from work. No other fines shall be imposed by the employer on account of absenteeism.

Pension: The Pension Act (Act No. 8/2009) mandates every Employer to enroll all employees on a defined contribution pension scheme. In addition, the GoM has also established the Employment Tribunal, pursuant to the Employment Act with the objectives of examining and arbitrating legal matters arising in the work environment between the Employer and employee and any matters ascribed to the employment Tribunal pursuant to the employment Act or any other Act or regulation or under any agreement, in an expeditious and simple manner.

Training: Employees may be engaged with training, on the job or otherwise, subject to a separate agreement entered in to with the employer, for the purpose. The agreement must have in them at minimum, the details of the employer and the employee along with, details of the type of training, the period it would take to complete the training, costs incurred by the employee in relation to the training and the rights and obligations of each party if the training is not completed.

Time for prayer: Every employee shall be allowed 15 (fifteen) minutes to pray during each prayer period in such a manner that it does not disrupt work. In the event that a 15 (fifteen) minute break for prayer, as specified in subsection (a) is not allowed, a fifteen-minute break shall be allowed every four consecutive hours of work.

Overtime Work: Employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Any work carried out over time shall be subject to the requirements of subsection (b) and Section 38 of this Act. An employee working overtime shall be paid 1 ¼ times his hourly working wage as over time, and if working overtime on a Friday or a public holiday shall be paid 1 ½ times his hourly working wage as over time.

b. Occupational Health and Safety

Obligations of the Employers: All employers are obligated under the Act to take measures for the safety and protection of their employees, without any charge. These measures include:

- Provide a safe workplace environment and procuring of secure tools and machinery for carrying out work, and ensuring the continued safety of the same;
- Provide necessary PPEs and other protective gear as required
- Provide resources necessary to carry out the work with safety;
- Provide protective attire and equipment in the event that the nature of work is such that it is not possible to eliminate or control health hazards arising out of work;
- Provide education and training to employees on the use of protective gear and safety equipment, and disseminate information to employees on all issues of related concern;
- Conduct regular health checks for employees involved in any work that may cause physical ill health or for employees working with chemical or biological materials that may pose a threat to their health;
- Provide or arrange for appropriate medical care for employees injured during the course of their employment
- Facilitate first aid to employees who are involved in emergencies or accidents.
- Provide or facilitate with transport facilities to minimize the exposure risk

Obligations of the Employees: Employees are required to:

- Maintain safe practices at work to avoid danger to the safety and wellbeing of the employee and co-workers, which may be caused by inattentiveness to safety and security measures;
- Assist the employer and co-workers in maintenance of measures designed to ensure health and safety in the work place;
- Use safety equipment and protective gear as instructed in accordance with the training and education provided for use of such equipment and gear;
- Report to the employer any damage, loss of or destruction of protective gear or safety equipment;
- Inform the employer or his designated supervisor immediately of the occurrence of any incident which the employee believes may cause danger and which the employee is unable to resolve;
- Inform the employer or his designated supervisor of any accidents or damage sustained at work or related to work.
- Employees have the right to abstain from work where there is serious threat to health or life.

c. Collective Bargaining and Dispute Resolution

The Employment Act 2008 is notably silent on the right to strike or the right to form trade unions and lacks any provisions on collective bargaining; and even though Maldives remains party to the ILO Convention on Right to Organize and Collective Bargaining (No. 98), there is a lack of a specific legislative framework

ensuring the right to organize and collectively bargain. Having said that, there institutional mechanisms set up to ensure the rights, safety and security of works as well as for dispute resolution.

Specifically, the Regulation on Resolving Disputes between Employers and Employees (2011/R12), issued by Labour Relations Authority outlines principles for employees to comply with in exercising the right to strike and abstain from work. The Regulation provides for a three-tier process to be followed in carrying out discussions between employers and employees, namely: (i) informal discussion between the parties failing which formal discussions are to be held at a sectional or departmental level; (ii) lodging grievances to a Grievance Committee made up of the head of the respective organization, heads of the relevant departments, and parties representing the aggrieved employee(s); (iii) Labor Relations Authority if the Grievance Committee fails to resolve the dispute. If either party is dissatisfied with the decision of the Authority, the matter can be submitted to the Employment Tribunal for adjudication.

d. International Labor Conventions

The Maldives is also committed to several international agreements and has ratified the Forced Labour Convention, the Abolition of Forced Labour Convention, the Abolition of Forced Labour Convention, the Freedom of Association and Protection to the Right to Organize Convention, the Right to Organize and Collective Bargaining Convention, the Equal Remuneration Convention, the Discrimination (Employment and Occupation) Convention, the Minimum Wage Convention and the Worst Forms of Child Labour Convention. However, the Maldives is yet to ratify the three largest international standards that apply to foreign migrant workers, which are the ILO Migration for Employment Convention, the ILO Migrant Workers (Supplementary Provisions) Convention and the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

e. COVID-Specific Policies, Regulations and Procedures

In addition, there are several legislations relating to occupational health and safety that are relevant to the COVID-19 context and would also impact workers in specific activities. This includes:

- Public Health Protection Act, Law 7/2012

5. Policies and Procedures for Management of Labor Issues Under the Project

This section sets out the mitigation measures that will be adopted by the project to address the risks mentioned in previous section, including those relating to specific risks to workers posed by COVID-19.

a. Terms of Employment

These provisions will apply for: **Direct workers**

- All project staff will be provided with an employment contract
- All direct project staff employed for the purpose of the project will be above 18 years.
- Maximum working hours for staff will not exceed 48 hours a week, unless otherwise stated in their employment contract in accordance with the Employment Act.
- Equal training opportunity will be available to all staff working in the project without discrimination, based on gender or otherwise

- All staff will be entitled to breaks from work of 30 (thirty) minutes after every 05 (five) hours during working hours; and prayer breaks 15 (fifteen) minutes during each prayer period in such a manner that it does not disrupt work. They will also be provided with the entitled leaves under the Employment Act.
- All project staff will be provided with health insurance packages, equivalent to that given by other government companies and institutions working in similar capacities.
- Staff will be provided a pension contribution and deductions will be made from their salaries for their contribution in accordance with the Pension Act 18/2016).
- Any foreign party employed by the project will have a valid work permit and a work visa while working in Maldives.
- All staff will be made aware of GRM available for the staff as specified under this LMP, and will also be able to lodge complaints to the Sexual Harassment Prevention Committee established under Prevention of Sexual Harassment Act (16/2014).

Note: Where Government civil servants are engaged, they will be bound by their work contracts, and the provisions in this labor management procedure will not apply to that category of workers.

b. Terms and Conditions

These provisions will apply for: **Contracted workers**

- List of workers to be utilized in relation to the project, with proof of employment will be required to be submitted to PMU by all investors/contractors.
- As per the provisions of the employment, all parties employed by any contracted party will be above 18 years of age.
- All contractors and investors will be required to provide document evidence (passport, identity card or birth certificate) confirming age of employees to PMU prior to involving them on activities of the project.
- Maximum working hours for staff will not exceed 48 hours a week, unless otherwise stated in their employment contract in accordance with the Employment Act.
- An internal transparent and accountable system will be established within the company to tackle issues of sexual harassment, physical and psychological harassment and workplace bullying. Details of this system will be shared with PMU prior to signing any contracts or agreements.
- The leave policy of the company will be shared and confirmed that it is in line with national laws and regulations.
- All foreign parties employed by all contractors/investors will have valid work permit. The work permit details will be shared with PMU.
- All staff will be made aware of GRM available for the staff as specified under this LMP, and will also be able to lodge complaints to the Sexual Harassment Prevention Committee established under Prevention of Sexual Harassment Act (16/2014).

Note: Where government civil servants are engaged, they will be bound by their work contracts, and the provisions in this labor management procedure will not apply to that category of workers.

c. COVID-19 specific Occupational Health and Safety

These provisions will apply for: **Direct workers, contracted workers, and community workers**

- The health conditions of the workers will be assessed prior to engaging them in the Project, and sick workers will be refused entry to the office premises

- Entry/exit to site or the workplace will be minimized, and measures will be put in place to limit contact between workers and the community/general public
- Trainings for workers on hygiene and other preventative measures will be carried out, and a communication strategy for regular updates on COVID-19
- Adjustments will be made to work practices to reduce the number of workers and increase social distancing
- Procedure to follow if a worker becomes sick (following WHO guidelines), will be instituted and followed
- Adequate supplies of PPE (masks); hand washing facility, soap and/or alcohol-based sanitizer, will be made available at the office premises/worksites
- Allocate a separate enclosed space for isolation if a worker is found to be suspected of infection until that person is directed to a the medical facility for treatment.

While preparing the site-specific plans involving labor, the following guidance materials will be used:

- WHO IPC interim guidance: For guidance on infection prevention and control (IPC) strategies for use when COVID-19 is suspected
- WHO interim guidance on use of PPE for COVID-19: For rational use of PPE
- WHO guidance getting your workplace ready for COVID-19: For workplace-related advice
- WHO interim guidance: For guidance on water, sanitation and health care waste relevant to viruses, including COVID-19

d. Age of employment

These provisions will apply for: **Direct workers, contracted workers, and community workers**

The Employment Act considers a minor to be a person under the age of 18. Chapter 3 of the Employment Act allows minors between the ages of 16 and 18 to be engaged in employment, provided consent is obtained from their legal guardian. Minors under the age of 16 are prohibited from engaging in employment, unless it is as part of a training for their education. A minor may also be employed in a family business with the consent of such minor and their family. For those between 16 to 18 years of age, consent of the parent will be required as per the Employment Act.

Accordingly, all the provisions given in Chapter 3 of the Employment Act will also apply to direct, contracted workers and community workers involved in the project. Hence the PMU will review documentary evidence (passport, identity card or birth certificate) of all workers prior to involving them on activities of the project to confirm their ages. In addition, for minors, consent of the parent will be required in writing together with evidence of legal guardianship.

In case a project worker who does not satisfy the age limit is identified working on the project, the employer will be required to terminate the engagement of such a project worker in a responsible manner. Indicative approach may include:

- If the worker is over 16 years old and under 18 years, obtain parental consent as per the Employment Act.
- If the worker is below 16 years, offer project employment to a member of the family who satisfies the age limit in exchange of keeping the under-aged worker away from work. If a family member who satisfies the age limit is not available, require the employer (using the contractual penalty provisions) to continue the wage payment to the underage worker without engaging in work for an agreed period.

e. Community Workers

The PMU will reach out to local governments, workers' associations and island-level community groups including women's groups to spread the word about the ES program and collect feedback and suggestions. Based on the assessment carried out while preparing this LMP, there are no risks of child labor and forced labor associated with Community Workers under this project. But the Employment Act does not cover terms and conditions for community workers.

However, the project will comply with the provisions of the ESS 2 of ESF in regard to involvement of community workers. These provisions are in relation to: assurance of safety and health, promotion of fair treatment, nondiscrimination and equal opportunity, protection including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS), prevention on the use of all forms of forced labor and child labor, and access to workers' GRM established under the project.

Specifically, the following terms and conditions will apply to all community workers:

- Terms and conditions of voluntary work will not be more stringent than what the Employment Act prescribes for paid work in relation to working hours, rest breaks and leave days - these working arrangements, terms and conditions will be discussed, agreed with all community workers and minuted before commencement of any community activities.
- Measures to address liability issues in relation to sicknesses and accidents during community work will be discussed, agreed & minuted.
- No community workers under the age of 18 will be able to volunteer (evidence for proof of age will be required).
- The community workers will have access to the Labor Relations Authority, the Labor Tribunal and the Sexual Harassment Prevention Committee as per the Employment Act of the Maldives.
- All community workers will also be trained on and follow the general and COVID-19 specific Occupational Health and Safety measures & Codes of Conduct.

6. Responsible Staff

This section identifies the functions and/or individuals within the project who will be responsible for managing different issues relating to project workers.

The project will be implemented by the PMU housed within the Ministry of Economic Development and will consist of: (a) one Project Director, (b) one Deputy Project Director, (c) one Procurement Specialist, one Consultant and one Manager, (d) one Financial Management Specialist, one Manager and one Officer, (e) one Environmental and Social Specialist, two E&S Managers. While the PMU and the Project Director will be responsible for the overall implementation of this LMP, the focal person for labor-related issues will be the Environmental and Social Specialist for the Project.

Specifically, the PMU will have the overall responsibility of:

- Implementing the LMP;
- Ensuring that the provisions in the LMP as they apply for the direct workers, contracted workers, community workers, are adhered to

- Monitoring compliance with occupational health and safety standards at all workplaces, including the additional measures put in place to prevent COVID-19 spread
- Ensuring that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it;
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance; and
- Monitoring implementation of the Worker Codes of Conduct.

7. Grievance Redress Mechanism (GRM)

The workers associated with the project will be able to lodge their complaints, concerns, difficulties to the Workers' GRM established for the Project. The focal point for the GRM will be a designated officer from the Environment Safeguard and Communication team of the PMU. 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", websites, emails, and other means as needed. Different ways in which workers can submit their grievances will be allowed, such as submissions in person, by phone, text message, mail and email. Contract workers will be informed of the grievance mechanism at the induction session prior to the commencement of work, and the contact information of the GRM focal person and the PMU will be shared with contract workers.

In addition, workers associated with the project will also have recourse to the national appeal process:

- Labor Relations Authority with complaints submitted through: <https://lra.gov.mv/submit-a-complaint-form/>
- Employment Tribunal for adjudication
- Sexual Harassment Prevention Committee established under Prevention of Sexual Harassment Act (16/2014).
- Judiciary system of the Maldives which essentially is a legal system accessible to all aggrieved persons.