



Government of the People's Republic of Bangladesh

**Local Government Division (LGD)**  
**Local Government Engineering Department (LGED)**

**Resilient Urban and Territorial Development Project  
(RUTDP)**

**LABOUR MANAGEMENT PROCEDURES**

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## EXECUTIVE SUMMARY

This Labor Management Procedures (LMP) is developed to manage the risks related to management of labor influx under the Resilient Urban and Territorial Development Project (the Project) of the Local Government Engineering Department (LGED). The Project has been prepared for implementation with finance from the International Development Association (IDA) of the World Bank. The LMP sets out the Project's approach to meeting national requirements as well as the objectives of the World Bank Environmental and Social Framework, specific requirements of the Environmental and Social Standard 2: Labor and Working Conditions (ESS2) and Standard 4: Community Health and Safety (ESS4), as well as occupational health and safety (OHS) and working condition requirements. LGED will implement the Project through the 87 preselected City Corporations and Paurashavas – in urban areas and rural areas under the adjoining Union Parishads (UPs) along the priority growth corridor connecting Cox's Bazar in the southeast of the country to Panchagarh in the northwest.

The purpose of this LMP is to facilitate planning and implementation of the Project by identifying the main labor requirements and risks associated with labor use under the Project, and to determine the resources necessary to address those. The LMP assesses the potential risks and impacts of employment of workers for implementation of Project activities at the paurashavas and city corporations' level and proposes measures to manage them in line with ESS2 of the World Bank and the national legal framework on labor. The LMP has estimated various types of workers including their characteristics (direct, contracted, and where relevant primary supply workers) and numbers. LGED will establish a Project Management Unit (PMU) at its HQ and make use of Project Implementation Units (PIUs) at the Pourashava and City Corporation level managing their operations with finance from the Project.

In view of the World Bank environmental and social (ES) standards, the overall pre-mitigation ES risks have been determined to be "Substantial". Major potential and associated ES risks anticipated under the Project include OHS, community health and safety (CHS), Gender-Based Violence (GBV) including sexual exploitation and abuse (SEA), sexual harassment (SH), waste management, discrimination to disadvantaged and the vulnerable people and groups for project benefit and engagement, and exploitation of child and forced labor. The ES risks level of attributable to the size of investments at the paurashavas and city corporations' level, the potential ES risks, the capacity and experience of LGED and the PIUs of the respective Pourashava and City Corporation in managing and mitigating the ES risks and the context under which the Project will be implemented.

Requirements of this LMP will form part of the General Specification of Contract of the bidding documents. The preparation and implementation of site-specific Labor Management Plan for large contracts (more than 0.5 million USD) by the Contractors will be incorporated in the Bill of Quantities (BoQ) as a component of the general items of contract documents. In other cases, labor management procedures will be provisioned in BoQ as per the requirements of the Project ES Management Plan (ESMP) and this LMP.

A Grievance Redress Mechanism (GRM) for workers has been provisioned as part of this LMP so that any one employed in the Project can raise their concerns, complaints, or feedback to the attention of the Pourashava and City Corporation through PIUs and of LGED through the PMU. The PMU at LGED and the PIUs at Pourashava and City Corporation level will be responsible for addressing grievances related to corporate staff at the PMU and the PIUs. The contractor is obligated under the contract to set up the

Workers GRM to redress complaints relating to workers deployed for construction and management of civil works under this Project including those related to SEA/SH (with confidentiality).

## TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	i
TABLE OF CONTENTS .....	iii
LIST OF TABLES .....	iii
LIST OF ANNEXES .....	iv
ABBREVIATIONS.....	iv
INTRODUCTION .....	1
Background.....	1
Objectives of ESS2: Labor and Working Conditions.....	1
Objectives of the LMP.....	2
PROJECT DESCRIPTION .....	2
Objectives of the Project .....	<b>Error! Bookmark not defined.</b>
Project Components .....	<b>Error! Bookmark not defined.</b>
Project Environmental and Social Risk and Impact .....	2
OVERVIEW OF LABOUR USE ON THE PROJECT .....	6
Characteristics of Project Workers .....	6
Number of Project Workers.....	7
ASSESSMENT OF KEY POTENTIAL LABOUR RISKS .....	9
OVERVIEW OF LABOR LEGISLATIONS, POLICIES AND GUIDELINES.....	10
Gaps between World Bank ES Standards and National Labor Laws .....	13
RESPONSIBLE STAFF AND PROCEDURES.....	14
POLICIES AND PROCEDURES.....	16
Equal Opportunity .....	16
Occupational, Health and Safety (OHS) .....	16
Gender Based Violence (GBV) .....	17
Age of Employment .....	17
Terms and Conditions of Employment .....	18
Workers’ Organization.....	19
GRIEVANCE REDRESS MECHANISM (GRM).....	20
Workers Grievance Redress Mechanism .....	20
Management of Gender and SEA/SH Related Complaints .....	21
Disciplinary Procedure.....	21
Contagious Disease Considerations in GRM .....	22
ENGAGEMENT AND MANAGEMENT OF CONTRACTORS AND SUB-CONTRACTORS.....	23
Contractors Requirements .....	23
Project Workers.....	23
Primary Supply Workers .....	24
Code of Conduct (CoC).....	24

## LIST OF TABLES

Table 1: Estimate of Project Workers under RUTDP.....	12
Table 2: Engagement and Management of Project Workers under RUTDP.....	26

## LIST OF ANNEXES

ANNEX 1: Outline of Contractor’s LMP.....	29
ANNEX 2: Written Particulars of Employment.....	31
ANNEX 3: Suggested Due Diligence for Social and Environmental Mitigation Measures in Contracts.....	32
ANNEX 4: Workers Code of Conduct.....	34

## ABBREVIATIONS

BoQ	Bill of Quantities
CHS	Community Health and Safety
DPD	Deputy Project Directors
DSM	Design, Supervision and Management
ES	Environmental and Social
ESF	Environment and Social Framework
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environment and Social Standards
GBV	Gender Based Violence
GoB	Government of Bangladesh
GRM	Grievance Redress Mechanism
HQ	Head Quarter
IDA	International Development Association
LGD	Local Government Division
LGED	Local Government Engineering Department
LMP	Labor Management Procedure
M&E	Monitoring and Evaluation
MLGRDC	Ministry of Local Government, Rural Development and Cooperatives
O&M	Operation and Maintenance
OHS	Occupational Health Safety
PD	Project Director
PIC	Project Implementation Committee
PIU	Project Implementation Unit
PMU	Project Monitoring Unit
PSC	Project Steering Committee
RUTDP	Resilient Urban and Territorial Development Project
SEA/SH	Sexual Exploitation and Abuse and Sexual Harassment
SEP	Stakeholder Engagement Plan
SOP	Series of Projects
TPM	Third Party Monitoring
UP	Union Parishads
WB	The World Bank

# Labor Management Procedures (LMP)

## INTRODUCTION

### Background

The Resilient Urban and Territorial Development Project (RUTDP, the Project) is prepared by the Local Government Engineering Department (LGED) under the Local Government Division (LGD) of the Ministry of Local Government, Rural Development and Cooperatives (MLGRDC). The Government of Bangladesh (GoB) intends to implement the Project with finance from the International Development Association (IDA) of the World Bank. LGED will be implementing the Project through preselected City Corporations and Paurashavas (hereinafter referred to as “urban centers”) – located along the high priority economic growth corridors connecting Cox’s Bazar in the southeast of the country to Panchagarh in the northwest including in peri-urban areas in Union Parishad (UP) boundaries. A feasibility study has been carried out for preparation of the Project and the Environmental and Social Standards (ESSs) of the World Bank Environmental Social Framework (ESF) are applied. However, exact location and sites for project interventions will be identified and designed at the implementation stage when environmental and social (ES) risks and impacts could precisely be known. A framework approach has therefore, been adapted to managing ES risks during implementation. The Project’s ES Management Framework (ESMF) anticipates and provides guidelines and principles to managing key risks and likely impacts associated with Project implementation including issues with labor management as well as community health and safety. LGED will lead the eligible Pourashava and City Corporation in implementing the Project.

The labor force is a central element of implementing the Project’s civil and construction works including identification of sites, design of civil works, construction, construction supervision and contract management. The national legal framework provides guidelines and requirements in efficient management of the labor resources under projects, largely equivalent to requirements of the World Bank ES standards on labor and working conditions (ESS2) and on community health and safety (ESS4) for managing risks of influx of labor in civil works sites. Along with preparing the ESMF, LGED has therefore, developed this Labor Management Procedures (LMP) to manage and mitigate the risks associated with the Project workers. It lays down the relevant procedures, which LGED and the urban centers will adopt and follow during Project implementation. The focus of the LMP is on workers engaged directly by LGED, at PMU and PIUs and through consultant firms and contractors in respective Project components.

### Objectives of ESS2: Labor and Working Conditions

The objectives of the ES Standards on Labor and Working Conditions (ESS2) are:

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

## Objectives of the LMP

This LMP has been developed to adopt achieving the following specific objectives:

- Highlight and promote workplace safety and health.
- Promote the fair treatment, nondiscrimination, and equal opportunity for project workers irrespective of sex, race or ethnic identity.
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with the ESS2 of the World Bank ESF) and, contracted workers, community workers and primary supply workers, as applicable.
- Prevent the use of all forms of forced labor and child labor.
- Prevent sexual exploitation and abuse and sexual harassment (SEA/SH) in the workplace.
- Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.
- Provide project workers with accessible means to raise workplace grievances.

The respective Pourashava and City Corporation will ensure all the engaged contractors prepare standalone Labor Management Plans for large contracts (of face value of USD 0.5 million or more) and in smaller contracts as part of their ES management Plans (ESMPs). The approach will be assessed as part of the initial screening of ES risks and impacts carried out by the PMU of LGED on the Project. However, the resultant potential risk of Gender-Based Violence (GBV) including SEA and SH related to the Project is likely to be moderate.

## PROJECT DESCRIPTION

The project is designed (i) to increase access to climate resilient urban infrastructure and services, and (ii) to strengthen urban management capacity in selected urban centers. RUTDP will be implemented over a period of six years (2024 – 2030) with a total investment of US\$560 million. The project supports critical policy reforms by using the IPF with Performance-based Conditions (PBC) to provide incentives for improved performance in key areas of urban management with a longer-term view of seeding a performance-based culture among participating cities. The Project has three components in total, those component descriptions are presented hereafter:

### **Component 1: Climate Resilient Urban Services and Infrastructure Investments**

Component 1 includes three sub-components: Sub-component 1.1–Infrastructure investments in the selected 14 Nodal Cities; Sub-component 1.2–Basic Urban Service Improvement through Infrastructure Investments in Selected Pourashavas and City Corporations to carry out eligible infrastructure investments that support climate resilient urban basic services, Sub-component 1.3–Support for operation and maintenance through Performance-based Conditions (PBCs). This component also includes GoB-funded goods, equipment, vehicles, and office furniture to facilitate the implementation of the project.

**Sub-component 1.1:** Climate Resilient Infrastructure Investment in selected 14 Nodal Cities. This subcomponent will provide support to Nodal cities for investments in climate resilient, job creating and gender responsive urban infrastructure and services to enhance economic productivity and reduce poverty. Part of these investments were identified through a demand-driven and participatory process, while others

will be identified through the multi-sectoral pourashava development planning processes supported under Component 2. Four categories of infrastructure will be eligible for investments. Implementation will employ labor-intensive/job-creating approaches as much as possible:

Road system and streetscape improvements that integrate carriageway, footpaths, bicycle lanes, street furniture, streetlight, plantation, traffic management, and road safety measures. These sub-projects will incorporate both climate-resilient and gender-responsive design features.

Public buildings and open spaces, including revenue-generating assets (municipal and wholesale markets, community centers, municipal buildings, bus terminals, public toilets, parks, waterside developments) with separate toilets for women in public buildings and designated spaces for women in parks and open spaces where appropriate. Public buildings and open spaces will incorporate appropriate climate-resilient and green building design features, such as cool roofs, reflective surfaces, urban greenery, open public green areas with nature-based solutions, where appropriate.

Infrastructure for adapting to climate and disaster risks including managing and reducing waterlogging and flooding in urban areas with integrated cross-boundary flood risk management and drainage system; and reducing impacts of urban heat with cool roofs, urban greenery, public open green areas, and rainwater harvesting.

Infrastructure for the nodal city and maybe in the adjoining union parishads by increasing connectivity (e.g., strategic roads for improving mobility between nodal city and rural markets and production areas, regional bus terminals, etc.) and promoting new economic opportunities (e.g., facilities for tourism, urban regeneration, waterfront development, etc.).

**Sub-component 1.2:** Basic Urban Service Improvements through Infrastructure Investments in the Selected pourashavas and city corporations to carry out eligible infrastructure investments that support climate resilient urban basic services. This subcomponent will support climate resilient and gender responsive infrastructure investments to improve urban service provision in 67 pourashavas and six city corporations. It will focus on two categories of investment:

- (i) Road system and streetscape improvements that integrate carriageway, footpath, streetlight, plantation, traffic management, and road safety measures that will incorporate climate resilient and gender responsive design features, as described above.
- (ii) Public buildings and open spaces including climate resilient revenue-generating/economic assets (municipal and wholesale markets, community centers, bus & truck terminals, recreation parks and waterside developments, etc.), that are gender responsive (with separate female toilets in public buildings and designated spaces for women in parks and open spaces) where appropriate. Public buildings and open spaces will incorporate appropriate climate resilient, gender responsive and green building design features, as described above.

**Sub-component 1.3:** Performance Based Conditions (PBCs) to Support Operation and Maintenance. The intended value of introducing the PBC approach is to bring a performance-based incentive culture to participating pourashavas which could potentially evolve into more systematic institutional reforms under future SOPs. This subcomponent will finance the operation and maintenance (O&M) of urban infrastructure in pourashavas which meet the requirements stipulated in the PBCs. It is critical to properly operate and maintain urban infrastructure to absorb and withstand climate impacts over their lifetime. The



implementing agency, the LGED will support the pourashavas in meeting the PBCs; evaluate their performance; and allocate funds to those that meet the PBCs.

Given the length of the economic corridor which traverses various parts of the country with distinct socioeconomic features, sequencing of interventions within the SOP1 and across the various SOPs has been considered. Within SOP1, the project will initially implement “front runner” packages for the first 18 months, while preparing for the integrated plans which would help identify more sizable and strategic investments for the Nodal Cities. Preliminary engineering designs for the first 18-months’ proposed investments are currently underway and are expected to be completed within three months following the completion of Appraisal. Environmental and Social (ES) screening of these sub-projects, along with preparation of site-specific ES assessment and Environmental and Social Management Plans (ESMPs), would be carried out in parallel and completed by the same time.

**Component 2:** Project Management, Technical Assistance and Capacity Building -- This component comprises three subcomponents: Sub-component 2.1 - Capacity Building, Sub-component 2.2 - Technical Assistance to participating pourashavas, and Sub-component 2.3 - Project Management and Operational Support.

**Sub-component 2.1:** Capacity Building. This sub-component will provide targeted capacity building and training in key areas of urban management such as cross-boundary planning, climate and disaster resilience and local revenue mobilization. Focus areas include incorporating adaptation and mitigation strategies into the urban and capital investment planning and asset management process; improving gender-responsive planning and design; disability/universal accessibility for urban services; strengthening municipal financial management systems, including own-source revenue (OSR) enhancement; and procurement. It will also cover e-GP rollout and measures to strengthen environmental and social performance of cities. To further support gender development, capacity building and leadership training will be provided to female members of the TLCCs to ensure their effective participation and eligibility for leadership positions.

**Sub-component 2.2:** Technical Assistance. This sub-component will provide technical assistance in three areas: (i) urban management and cluster-level planning for Pourashavas and City Corporations; (ii) operation and management of food markets; and (iii) long-term multi-sectoral, integrated climate resilience planning the sub-regional level. For the first area, technical assistance will strengthen the capacity of pourashavas in the preparation of: (i) multi-sectoral and climate resilient Pourashava development plans for 14 nodal cities; (ii) revenue enhancement action plans for 81 pourashavas to improve OSR mobilization; and (iii) O&M plans for 81 pourashavas and city corporations to improve asset management and maintenance. Multi-sectoral and climate resilience plans will be part of the Pourashava Development Plan (PDP) for the 14 nodal cities.

**Sub-component 2.3:** Project Management and Operational Support. This component will support project management and operation through a Project Management Unit (PMU) at LGED Headquarters in Dhaka and Project Implementation Units (PIUs) in pourashavas and city corporations. It will cover the cost of project management, including financing the day-to-day administration, management, monitoring and coordination of project activities by the PMU and the PIUs, operational audit, financial management, environmental and social risk management, procurement, monitoring and evaluation, and reporting. It will also finance consultancy services provided by the DSM consultants, the Municipal Services Unit (MSU), Third Party Monitoring (TPM), PMU Individual Consultants, Project Appraisal and Management Consultants (PAM Consultants), Sub-Project Readiness Consultants, Operational Audit, etc.

**Component 3:** Contingent Emergency Response -- The Recipient may request the World Bank to re-allocate project funds to support emergency response and reconstruction following an eligible crisis or emergency.

### **Project Environmental and Social Risk and Impact**

The Project's ES risk, as per World Bank ESS1 is anticipated to be substantial, which indicates a significant likelihood of adverse impacts associated with Project implementation including those emanating from labor influx per ESS2. The Project involves civil works under Component 1 identified and implemented by the pre-selected pourashavas and city corporations ranging from small to medium and large contracts at local and regional level covering largely urban areas but touching rural communities in case of regional investments. The other components will involve project management contingent of staff and consultants of various characteristics as identified in ESS2. Given the size and location of civil works for basic urban services to be supported under the Project, overall OHS risks for the workers are likely to be of medium. Civil works at individual work sites will likely involve a small number of skilled and semi-skilled direct and contracted workers. Labor influx considering individual works sites is likely to be medium since the scope of the physical construction works will be small to large at respective sites and most of the unskilled and semi-skilled construction laborers will largely be sourced locally.

## OVERVIEW OF LABOUR USE ON THE PROJECT

LGED, under the Ministry of Local Government, Rural Development & Co-operatives (MoLGRD&C), will serve as the project implementing agency. The monitoring and evaluation (M&E) wing of LGD will supervise the third-party monitoring of the project. A Project management Unit (PMU) based in the Dhaka will be established by LGED. A Project Steering Committee (PSC), chaired by the LGD Secretary of MoLGRD&C and composed of representatives of relevant ministries and departments will oversee the project and monitor overall project implementation. Additionally, a Project Implementation Committee (PIC), chaired by the LGED Chief Engineer and composed of senior technical officials from relevant ministries and agencies, will be organized to provide the PSC with technical and operational guidance and to serve as a forum to address operational issues related to coordination, implementation, and monitoring.

Project Implementation Units (PIUs) will be established by each participating pourashavas and city corporations, responsible for identifying and proposing sub-projects, procurement, construction supervision, safeguards management, implementation monitoring, and maintenance. The PMU will supervise the DSM Consultants for designing the sub-projects; provide support to follow ES compliance through engagement of necessary consultants. The PMU will also evaluate nodal cities and pourashavas using a monitoring criterion to determine and allocate the performance-based funds under Subcomponent 1.1(b). The MSUs, in coordination with the PMU, will provide capacity building and institutional strengthening activities to the participating pourashavas and city corporations. The Project Implementation Manual will detail the institutional arrangements.

A Project Director (PD) will head the PMU at LGED's Headquarters (Dhaka). The PD will be supported by requisite staffs deputed from LGED and outsourced staff and consultants. A design and supervision consultant firm (DSM Consultant) will be engaged for participatory project design and implementation supervision including environmental and social risks management. The monitoring and evaluation (M&E) wing of LGD will supervise the implementation of the Third-Party Monitoring that will be conducted by consultants.

This LMP applies to all Project workers whether full-time, part-time, temporary, and community workers, as per Environmental and Social Standard on labor and working conditions (ESS 2) and that on the community health and safety (ESS4) covering:

- i. People employed or engaged directly by LGED for the Project including government officials/officers (from LGED or other agencies), deputed to work specifically concerning the Project.
- ii. Individual consultants engaged directly under LGED for Project management and by the consultant firms contracted in for supporting project design and implementation management.
- iii. People employed or engaged by contractors to perform work related to the core function of the project, regardless of location.
- iv. People employed or engaged by primary suppliers.
- v. Community representatives in project management committees.

### Characteristics of Project Workers

Direct workers include public servants deputed on the projects at LGD, LGED and paurashavas and city corporations with the PSC, PMU and PIUs. Contracted workers will include consultants engaged by the PMU

and PIUs, construction workers, cleaners, waste management personnel, administrative function staffs, drivers, water supply workers, supervisors, personnel to carryout stakeholder campaign and other activities. The worker/labor/staff requirement above is an estimate and will be confirmed at the implementation stage of the Project and while contract award. Characteristic of Project Workers

The PMU will comprise of Government officials and professionals/consultants in their respective fields. Pourashava and City Corporation will employ contracted as well as direct workers through contractors. The Contractors' workers will be unskilled, semi-skilled and skilled workers as front-line workers, supervisors, engineers, safety officers and managers. It is expected that both male and female workers will be engaged in designated activities. Primary supply workers will be relevant where contractors will be getting construction inputs from contracted suppliers on a continuous basis. It is also expected that women would be employed in technical (engineering, planning, and management) and manual jobs in PMU as well as other service staffs for the Contractors' (road repairing helper, mason's helper, cleaners, cooks etc.). There will be provision to avoid the use or employment of child and forced labor in any level of the project. Characteristics of the project workers have been discussed hereunder.

**Direct Workers:** People employed or engaged directly by the LGED at the PMU or the PIUs on their respective behalf to work specifically in relation to the Project.

**Contracted Workers:** People employed or engaged by contractors to perform work related to core function i.e., construction of waiting room or renovate all the old ones, extension of water pipeline, handwash points at market or public places, extension of drainage and construction new sanitary toilet and repair old one and enhance such facilities, solid and medical waste dumping place, local road repair and other minor infrastructure works, regardless of locations.

**Community Workers:** RUTDP will not employ any community workers for project activities at the paurashavas and city corporations' level.

**Primary Supply Workers:** People employed or engaged by primary suppliers of the contractors who would, on a continuous basis supply goods for the core function of the project. The project will review the involvement of primary supply workers based on contractors' method of procuring construction inputs.

### **Number of Project Workers**

The Project implementation arrangement involves the LGED through a PMU at HQ, MSUs at Regional Offices, and a Design, Supervision and Management Consultant firm (DSM Consultant) under the PMU. The LGD will engage M&E Consultant for third party monitoring (TMP) of the project activities. The Project will support 87 pre-selected Paurashavas and City Corporations. The Paurashavas and City Corporations will assign at least one of their permanent staff at the PIUs headed by the respective Mayors through RUTDP focal persons (Paurashavas) or Project Directors (City Corporations). Table 1 provides an estimate of project workers for RUTDP.

**Table 1: Estimate of Project Workers under RUTDP**

Sl. No.	Type of Project Workers	Indicative Estimated requirements (number)
1.	<b>Direct Workers</b>	
	PMU at LGED HQ	41
	MSUs at LGED Regional Offices	114
	PIUs at participating Pourashava and City Corporation	1840
2.	<b>Contracted Workers</b>	
	<i>PMU (directly engaged consultants)</i>	5
	<i>MSUs (directly engaged consultants)</i>	24
	<i>DSM Consultants</i>	80
	<i>TPM Consultants</i>	25
	Contractors	15934

When primary supply workers are engaged, it must be ensured that no child and/or forced labor is involved and OHS requirements for the laborers are followed. Further, if security personnel are engaged in safeguarding project sites and material, the Pourashava and City Corporation under the respective PIU will: (i) make reasonable inquiries to verify that the security personnel employed to provide security are not implicated in past abuses; (ii) train them adequately (or determine that they are properly trained) in the use of force (and where applicable, firearms), and appropriate conduct toward workers and affected communities; and (iii) require them to act within the applicable law and any requirements set out in the environmental and social commitment plan (ESCP) and there must be signed a Code of Conduct, in comprehensible local language, explained and understood including ramifications for non-compliance.

Government civil servants, who will provide support to the Project, will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement unless there has been an effective legal transfer of their employment or engagement to the project. ESS2 will apply to such government civil servants. Nevertheless, their health and safety needs must be considered, and the measures adopted by the project for addressing occupational health and safety issues, including those specifically related to contagious diseases, will apply to them.

## ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

The main labor risks associated with the project are related to the potentially hazardous work environment, public health, associated risk of accidents, occupational health and safety, community health and safety, risks of GBV including SEA and SH, workers' grievances on wages, accommodation, rights, and responsibilities.

**Labor influx:** It is expected that the Project civil construction and rehabilitation works will largely be done by local workers except for skills requirements. Thus, there will be low level of labor influx throughout the project cycle. There will be minimal labor influx as the project will employ only a limited number of external workers. Generally, specific requirements to manage risks associated with labor influx, related to interaction between project workers and local communities, such as communicable diseases and GBV/SEA/SH, are expected to be low to moderate and managed through contractual requirements, code of conduct and training. Men, women, persons with disabilities, and other workers from vulnerable groups will be given equal opportunity for employment, equal wages for equal work or standard under the project.

**Child Labor:** As per the Labor Act 2006 and WB ESS2 no one below the age of 14 (minimum age) will be employed as a labor. A child over the minimum age (14) and under the age of 18 may be employed or engaged in connection with the project only if the work is not likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development; an appropriate risk assessment is conducted prior to the work commencing; and the Borrower conducts regular monitoring of health, working conditions, hours of work and the other requirement of ESS2. During construction period, there is a risk of en-gagging child labor in different tasks. Contractor will be prohibited to employ anyone under the age of 18 in this project and digitally issued birth certificates from the respective Pourashava and City Corporation or Union Parishads (UP) will be the basis to verify minimum age of workers eligible to employed for the project. The PMU conduct regular monitoring of health, working conditions, hours of work and the other requirement of this ESS.

**Forced Labor:** Bangladesh passed "The Prevention and Suppression of Human Trafficking Act, 2012" which specifically indicates in Chapter One, Article (2) debt-bondage and Article (3) forced labor or service are strictly prohibited and the Article (9) of Chapter Two also indicates "If any person unlawfully forces any other person to work against his/her will or compels to provide labor or services or holds in debt-bondage to exact from the person any work by using force or other means of pressure or by threat to do such, s/he shall be deemed to have committed a punishable offense". Forced employment of laborers especially of local laborers or internal migrants a serious offence and must be prohibited. Surprise and random inspection by RUTDP will be carried out on a regular basis to ensure ESS compliance.

**Gender-Based Violence** (GBV including SEA and SH): Due to the nature and scope of the project, where workers are mostly local, the GBV including sexual exploitation and abuse (SEA) and sexual harassment (SH) risk is expected to be moderate. Mitigation measures will be outlined in the SEA/SH Action Plan. Contractors will make sure that workers are provided with the necessary GBV/SEA/SH training and CoCs are signed prior to commencement of works. And adequate measures will be put in place to mitigate GBV/SEA/SH risks in and around works sites. The World Bank Guidance Note on Addressing Sexual Exploitation and Abuse/Sexual Harassment in IPF will be referred in the Project documents to pre-prepare a guidance note to be incorporated by the Pourashava and City Corporation for governing the conduct of all workers to ensure acceptable behavioral requirements with other workers (including training and signing Code of Conduct by all workers) and in relation to nearby communities. This will specify a set of measures to prevent GBV/SEA/SH.

**Occupational Health and Safety (OHS):** The project workers are likely to be exposed to hazards like physical hazards, threat of injury or death from moving machineries and construction vehicles, noise, electrical equipment and installations, eye hazard, chemical hazards, infectious diseases, and the like. Physical hazards represent potential for accidental death, disability, injury or sickness due to repetitive exposure to a mechanical action or work activity. Hazards include face-to-face interaction with the public that increase pathogen exposure, long working hours, psychological distress, fatigue, occupational burnout, and physical and psychological stress. The occupational health and safety of those involved in the project is a significant issue, especially for contagious diseases. In addition, people infected with a contagious disease may not be aware and may contribute to the spread among others unknowingly.

**Labor Sheds and Accommodations.** The project workers, under the civil works contractors, may experience health and hygiene issues including lack of safe drinking water, sanitation facility, improper ventilation, inappropriate sleeping arrangement, and the like. The Pourashava and City Corporation will ensure, and PMU will monitor standard of labor accommodation facilities during implementation.

## OVERVIEW OF LABOR LEGISLATIONS, POLICIES AND GUIDELINES

The Bangladesh Labor Act, 2006 (BLA 2006) along with its amendments in 2013 and 2018 illustrates the basic conditions of employment. Standards for labor and working conditions are defined in the BLA 2006, Bangladesh Labor Rules 2015 and Occupational Health and Safety Policy 2013 (labor laws). The Bangladesh Labor Act 2006 is comprehensive legislation. The Act addresses three areas: (i) Conditions of service and employment including wages and payment, establishment of Wages Boards, employment of young people, maternity benefits, working hours and leave; (ii) health, safety, hygiene, and welfare, and injury compensation; and (iii) trade unions and industrial relations. These laws make it mandatory for employers to furnish employees with written particulars of employment stating, hours of work, wages, leave entitlements, job description, grievance procedure, and benefits, if any, as follows:

**Work hours:** Section 100 makes a provision of 8 working hours a day for an adult worker, but an adult worker may work 10 hours a day provided all the conditions of section 108 have been fulfilled. The new law makes a provision of total 48 (forty-eight) working hours a week for a worker, but it can be extended up to sixty hours, subject to the payment of overtime allowances as per section 108 of the law. This law is rarely enforced, especially in the garment industry.

**Wages:** According to section 108 the employer is required to pay the worker, overtime, double the rate of his/her usual wages (basic & dearness allowance, if any). The employer is also required to maintain an overtime registrar as per the law. Public sector, wages are set by the National Pay and Wages Commission and may not be disputed. In the private sector, wages are set by the industry, and collective bargaining rarely occurs due to high unemployment and concerns of laborers over job security.

The term "Wages" means all economic benefits including salary, any bonus, and remuneration for overtime work, holiday or leave, termination of employment or other additional remuneration payable under the terms of employment. Every employer is responsible for the payment of wages to laborers employed by him. In the case where the wages of a worker employed by a contractor are not paid by the contractor, the wages must be paid by the employer of the establishment. The maximum wage period is one month. The wages of every worker must be paid before the expiry of the 7th working day after the last day of the wage period in respect of which the wages are payable.

The term minimum wage is not defined by the Labor Act 2006 rather it sets a procedure for fixing industry-specific minimum wage rates. Minimum wage rates are declared by the Government on an industry basis following recommendations by the Wages Board, a specialist tripartite board established under section

138 of the Labor Act 2006. In making its recommendation, the Wages Board takes into consideration cost of living, the standard of living, cost of production, productivity, and price of products, business capability, inflation rate, economic and social conditions of the country and the locality concerned and other relevant factors.

The Minimum Wages Board (MWB) is obliged to revise its recommendations if any of the aforementioned criteria change (within 1-3 years). The minimum rates of wages for any industry may be re-fixed after every five years as may be directed by the Government.

Minimum wage rates are set on an industry basis and are binding on all employers concerned. Failure to pay laborers the minimum wage is punishable by imprisonment for up to one year, or by fine up to BDT 5,000 or by both.

Where the employment of a worker is terminated by retirement or by the employer, whether by way of retrenchment, discharge, removal, dismissal or otherwise, the wages payable to him must be paid before the expiry of the 30th working day from the day on which his employment is so terminated. Wages have to be paid in legal tender, through cheque and in some cases (given the requirement of the laborers) through an electronic transfer in favor of the bank account of the worker or through any other digital medium. Wages must be paid on a working day. No deduction can be made from the wages of a worker except those authorized by the Labor Act in its section 125.

**Employees union:** Employees are allowed to make unions establish and ensure their rights, but the government does not permit any unionization in the Export Processing Zone (EPZ). In 2018 the government amended the law changing labor participation required to form trade unions at factories reduced to 20% from the previous 30%.

**Regular leaves and benefits:** According to Act 2006, every worker must enjoy paid sick leave, casual leave, and festive holiday. The laborers would get festival allowances as per the rules, and laborers of the export-oriented and foreign exchange earning industries would enjoy the facilities from the central group insurance policy. Laborers, if they wish, can enjoy weekly holiday merging with festival holidays. On any festival holiday, a worker can be asked to work in exchange for one-day alternative holiday and compensation allowances equivalent to wages of two days.

**Maternity leave:** Female worker will get paid maternity leave. An expectant mother would be entitled to 8-week maternity leave and other benefits within three days of submission of necessary documents. Maternity leave was made mandatory since 2018.

**Safe work environment- Health/ Safety/ Welfare:** Every industrial unit having more than 25 laborers must have the arrangement of a dining and restroom with facilities of drinking water. This act also ensures employee safety, health and resolving any kind of disputes and unfairness also.

**Notice periods:** A permanent employee at a company must give his employer 14 days 'notice if s/he wishes to quit or one month notice if the employee is paid monthly. Termination is considered a —discharge|| in the case that an employee is fired for reasons of mental or physical incapacity, illness or other reasons not related to misconduct by the employee. An employer must pay compensation when a termination is unrelated to discharge or dismissal and must give justification when they do terminate on grounds of discharge or dismissal. There is already an initiative of Bangladesh Labor Welfare Federation under the Ministry of Labor and Employment (MoLE) to set up a pension & gratuity 'system for the wage laborer.



The labor laws bind the employers to ensure the following:

- **Safety of building and machinery:** It details with the inspection requirement of these installations and actions to be taken if these are found unsafe for workers.
- **Fencing of machinery, machinery in motion, automatic machines:** Details the fencing and safety requirement to be set around dangerous machinery.
- **Floors, Stairs and Passages:** Sets out the construction and setup requirement for safe access and ease of use.
- **Excessive weights:** Illustrates that no excessive weights to be lifted by any worker.
- **Dangerous fumes and explosive and flammable gas:** Details courses of action in case dangerous and explosive gases and fumes are in work area.
- **Personal protective equipment (PPE):** (i) Makes it mandatory to supply workers with quality PPE including helmet, gloves, boot, etc. (ii) Every worker shall be made aware of the hazards of work through training in order to ensure the protection and safety of his professional health in the place of work.
- **Dangerous operations:** All potentially dangerous operations to be declared and women and children to be barred from such operations.
- **Notice on accident:** Makes it mandatory to report any accident in workplace.
- **Notice on diseases:** If any worker is infected with any disease listed in the Second Schedule of the Act, it is mandatory to notify and the employer is obligated to treat the worker.
- **Restriction to Employ Women Worker:** Lists specific assignments where women may not be employed.
- **Responsibility for payment of wages:** Every employer shall be liable to pay to workers employed by him/her all wages required to be paid under this Act:
  - Provided that in the case of all other workers, except any worker employed by a contractor, the Chief Executive Officer, the manager or any other person responsible to the employer for the supervision and control of an establishment shall also be liable for such payment:
  - Provided further that if the wages of a worker employed by the contractor is not paid by the contractor, the wages of such worker shall be paid by the employer of the establishment, and the same shall be adjusted from the contractor.

**Compensation for injuries:** Labor laws provide requirements on compensation for injury caused by accidents. It is the liability of the employer to pay compensation in accordance with the provisions of this Chapter, if a worker is bodily injured by an accident arising out of the course of his/her employment.

**Obligations of workers and conduct towards women:** The laws provide miscellaneous issues and requirements importantly obligations of workers and conduct towards women as follows:

(a) Will fully misuse or interfere in the use of any system or appliance provided in the establishment for the purpose of securing the health, safety or welfare of the workers therein.

(b) Will fully or without reasonable cause do anything which is likely to endanger himself or any other person.

(c) Will fully neglect to make use of any appliance or system provided in the establishment for the purposes of securing the health or safety of the workers therein.

**Bangladesh High Court Directives on preventing sexual harassment of women:** Where any woman is employed in any work of any establishment, whatever her rank or status may be, no person of that establishment shall behave with her which may seem to be indecent or unmannerly or which is repugnant to the modesty or honor of that woman. The High Court Division (HCD) of the Supreme Court, Bangladesh issued a set of guidelines (on May 13, 2009) defining sexual delinquency to prevent any kind of physical, mental or sexual harassment of women, girls and children at their workplaces, educational institutions and other public places including roads across the country. Till the government is making a law to this effect, these guidelines require concerned authorities, public and private, to form a harassment complaint committee with majority women members to investigate allegations of harassment of women and girls. The guidelines prohibit the authorities concerned from disclosing the names and addresses of the complainants and accused persons until the allegations are proved.

The authorities will make available a speedy and user-friendly procedures and confidential system for lodging complaints and their resolution ensuring, among others, anonymity of the complainant and security of the complainant. The guidelines also suggest punishments to perpetrators like temporary suspension or prevention from attending classes (for students) as per resolution of the Complaint Committee. Any complaint of criminal offences under penal code should be referred to the appropriate court or tribunal.

## GAPS BETWEEN WORLD BANK ES STANDARDS AND NATIONAL LABOR LAWS

Bangladesh labor law is comprehensive but largely industry specific and covers a broad range of issues to provide a better working relationship between employees, who are empowered with knowledge of their rights and employers, who know what is and is not permitted of them. However, a gap exists in that there is no specific section on vulnerable workers such as women, persons with disabilities, children of working age, migrant workers, contracted workers, and community workers. There is also an opportunity for efficient management of workers issues under projects. The main gaps of Government system concerning the WB ESF Standards and compared below:

WB ESF Standards on Labor	Policy Gaps
ESS2: Labor and Working Conditions	<p>(i) The Labor Act does not specifically require that development projects be assessed and reviewed in terms of labor and working conditions including OHS requirements before approval.</p> <p>(ii) The Labor Act does not require development projects to prepare Labor Management Plans/Procedure or OHS Plan.</p>

ESS4: Community Health and Safety	Covered under ESIA but the systems do not provide clear requirements for the development project and implementation. Health issues are within the purview of Ministry of Health and Family Welfare, but it is currently not involved in project preparation and oversight.
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## RESPONSIBLE STAFF AND PROCEDURES

Various aspects of the responsibility with respect to worker management will be described in detail in the ESMPs. The summary of responsibility is appended below:

**Overall Management:** The PMU has the overall responsibility to oversee all aspects of the implementation of the LMP, in particular to ensure contractor compliance. PMU will address all LMP aspects as part of procurement for works as well as during contractor induction. The contractors are subsequently responsible for management in accordance with contract specific Labor Management Plan, implementation of which will be supervised by the respective PIUs, the PMU and their consultants. The Contractor will be required to develop, adopt and implement a written Labor Management Plan as part of the bidding document and contract before employing any labor in relation to project the work. The LGED’s MSUs will provide capacity building and training support to all the PIUs.

**Occupational Health and Safety (OHS):** The EA will ensure that the World Bank Environmental and Health Safety Guidelines (EHS) along with the ILO Convention 167: Safety and Health in Construction Convention, 1988 which is adopted certain proposals with regard to safety and health in construction are adopted and followed. Contractors must engage a minimum of one safety representative/ officer. Further instructions are given below in *Policy and Procedures* Chapter.

**Labor and Working Conditions:** Contractors will comply with the provision of labor conditions including non-discrimination, wages, safer working conditions etc. PMU will carry out periodic monitoring to ensure that labor working conditions are met as per national legislation. The awarded contractors will keep records in accordance with specifications set out in this LMP. PMU may at any time require records to ensure that labor conditions are met. PMU will review records against actuals at a minimum monthly basis and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the WB.

**Worker Grievances:** A Workers Grievance Redress Mechanism (GRM) has been detailed with this LMP. Contractors will be required to abide by the provisions of the Workers GRM. The Environmental and Social Specialist/ Consultant will review records on a monthly basis. PMU will keep abreast of resolutions and reflect in quarterly reports to the World Bank. Given the anticipated number of the project workers the labor GRM will be a separate document apart from the Project level GRM, though personnel in the committees (GRC) on both the GRMs may have overlapping functions. Reporting Channels for the GRMs may also be same. Workers GRM will be responsible to SEA/SH allegations (with confidentiality).

**Waste Management, Communicable Diseases:** Contractor will be fully responsible to ensure that their workers know and are trained on the national laws and ESMP requirements and procedures, safe disposal of wastes and reporting of communicable diseases if they contract any. Continuous motivation, monitoring and reporting on the same is the responsibility of the Contractors. The PMU will have a monitoring team to ensure the same.

**Additional Training:** Contractors are required to ensure that the assigned workers are adequately trained and briefed with overall safety arrangement, use of equipment, GRM procedure, working conditions of the

project. Training on GBV/SEA/SH and related national laws and preparation and obtaining signed code of conduct are also Contractor's responsibility.

**Response Protocols for Contagious Disease Outbreaks.** The PMU of RUTDP should confirm that adequate precautions to prevent or minimize an outbreak of any contagious diseases have been taken and they have identified what to do in the event of an outbreak and sickness of workers. Suggestions on how to do this are set out below:

- PMU, Contractors and any health safety guidelines should consider guidance provided by national authorities, WHO and other organizations.
- The PMU should request details from the Pourashava and City Corporation and awarded Contractors of the measures being taken to address the risks. The contract should include health and safety requirements, and these can be used as the basis for identification of, and requirements to implement specific measures in areas with outbreaks of any contagious diseases. The measures may also be presented as a contingency plan, as an extension of the existing project emergency and preparedness plan or as standalone procedures.
- In the contingency plan, it may be helpful for the PMU to specify the areas that should be covered. This should include current and relevant guidance provided by national authorities, WHO and other organizations.
- The PMU should require the Contractors to convene regular meetings with the project health and safety specialists/ local health authorities, and to take their advice in designing and implementing the agreed measures.
- Where possible, a person should be identified as a focal point at all the respective Pourashava and City Corporation to deal with response protocols for contagious disease in any area with an outbreak. This can be a work supervisor or a health and safety specialist. This person can be responsible for coordinating preparation of the site and making sure that the measures taken are communicated to the workers, those entering the site and the local community. It is also advisable to designate at least one back-up person, in case the focal point becomes ill; that person should be aware of the arrangements that are in place.
- On sites where there are a number of contractors and therefore (in effect) different work forces, the contingency plan should emphasize the importance of coordination and communication between the different parties.
- The PMU may provide support to Pourashava and City Corporation, in an area of a disease outbreak, in identifying appropriate mitigation measures, particularly where these will involve interface with local services, in particular health and emergency services. To be most effective, projects should consult and coordinate with relevant Government agencies and other projects in the vicinity.
- Workers should be encouraged to use the existing project grievance mechanism to report concerns relating to any suspected cases of infections, preparations being made by the project to address infectious disease related issues, how procedures are being implemented, and concerns about the health of their co-workers and other staff.

## POLICIES AND PROCEDURES

### Equal Opportunity

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

### Occupational, Health and Safety (OHS)

The PMU and the PIUs will ensure that the Contractors are:

- Complying with legislation and other applicable requirements per the project ESMPs and World Bank EHS, which relate to the OHS hazards.
- Enabling active participation in OHS risks elimination through promotion of appropriate skills, knowledge and attitudes towards hazards.
- Continually improving the OHS management system and performance.
- Communicating this policy statement to all persons working under the control of IA with emphasis on individual OHS responsibilities.
- Availing this policy statement to all interested parties at all paurashavas and city corporations' facilities and sites.

The Contractor will have a designated Safety, Health and Environmental Representative for the workplace or a section of the workplace for an agreed period. At a minimum, the Representative must:

- Identify potential hazards;
- In collaboration with the Contractor, investigate the cause of accidents at the workplace;
- Inspect the workplace with a view to ascertaining the safety and health of workers provided that the employer is informed about the purpose of the inspection;
- Conduct toolbox talk
- Accompany an inspector whilst that inspector is carrying out the inspector's duties in the workplace;
- Attend meetings of the safety and health committee to which that safety and health representative is a member;
- Make recommendations to the Contractor in respect of safety and health matters affecting workers, through a safety and health committee; and
- Where there is no safety and health committee, the safety and health representatives shall make recommendations directly to the Contractor in respect of any safety and health matters affecting the workers.
- Provide measures for the prevention of the spread of communicable diseases by providing workers with appropriate Personal Protection Equipment (PPE), monitoring worker temperatures and providing adequate sanitization facilities.
- Keep the records of incidents and near-miss.

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

- Provide regular OHS trainings to all workers involved in project works.

- Provide PPEs (protective masks, hard hat, overall and safety shoes, safety goggles), as appropriate.
- Ensure availability of first aid box.
- Provide workers with access to toilets and potable drinking water as well as hygienic and safe workplace.
- Ensure provision of voluntary reporting of any symptoms of infectious diseases and arrange for health emergency services.

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

### **Gender Based Violence (GBV)**

Contractors will need to maintain labor relations with local communities through Codes of Conduct (CoC). The CoC commits all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable standards of behavior. The CoC must include sanctions for non-compliance, including non-compliance with specific policies related to GBV including SEA and SH (e.g., termination and recourse to legal system). The CoC should be written in plain local language and signed by each worker to indicate that they have:

- Received a copy of the CoC as part of their contract;
- Had the CoC explained to them as part of the induction process;
- Acknowledged that adherence to this CoC is a mandatory condition of employment;
- Understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

A copy of the CoC shall be displayed in a location easily accessible to the community and project-affected people. It shall be provided in Bangla. Contractors must address the risk of GBV/SEA/SH, through:

- Mandatory training and awareness-raising for the workforce about refraining from unacceptable conduct toward local community members, specifically women. Training may be repeated;
- Informing workers about national laws that make sexual harassment and gender-based violence a punishable offence which is prosecuted;
- Adopting a policy to cooperate with law enforcement agencies in investigating complaints about GBV/SEA/SH;
- Developing a system to capture gender-based violence, sexual exploitation and workplace sexual harassment-related complaints/issues.

### **Age of Employment**

In the Bangladesh Labor Act, 2006, Section 34, it is mentioned that no child shall be employed to work in any occupation. Section 44 mentions that anyone under age 14 is considered as child and under 18 but over 14 is considered as adolescent. World Bank ESS strictly prohibits child labor and clearly mentioned that the minimum age of 18 years is required for anyone to get employment in such works. Section 37 of the act suggests a fitness certificate required for adolescents to get employed and they can be appointed to do the light works and less work hours.

According to the World Bank standards and guidelines, the minimum age of employment for this Project shall be 18 years and to ensure ESS compliance, all employees will be required to produce National

Identification Cards or in its absence, Birth Registration Certificate as proof of their identity and age which is required for employment. If any contractor employs a person under the age of 18 years, measures to address the same will be taken by the PMU.

### Terms and Conditions of Employment

The terms and conditions of employment for the Project workers are governed by the provisions of Bangladesh Labor Act 2006, Labor Law (Amendment) 2013, Bangladesh Child Labor Elimination Policy 2010.

**Conditions of employment and service.** It mandatory for the employers to provide workers with Appointment Letter, Identity Card and a Service Book (**Articles 5 and 6**). A register of workers including details of all workers engaged is also mandatory to be maintained by the employer (**Article 9**). Leave Procedures are illustrated in **Article 10**. Termination of employment is described in **Article 26** for both permanent and temporary workers.

**Working hours.** Working hours (*maximum 8 hours a day ordinarily, except exceptional cases and 48 hours a week*), rest hour (*1 hour for more than 6 hours of work*), overtime work (*more than 8 hours a day with twice the rate of normal working hour*), working hour for women (*no work between 10 PM to 6 AM without her consent*) and leave entitlement [Chapter IX].

**Wages and calculation of wages.** **Article 123** describes the time for wage payment (the wages of a worker shall be paid before the expiry of the seventh working day following the last day of the wage period in respect of which the wages is payable). **Article 125** defines the cases where deductions may be made from wages.

**Condition of minimum wage rate.** **Article 148** makes it binding on the contractors (employers) to abide by the minimum wages rate. Contractors will also be required to comply with the most current decision of Wages Board assigned by the government. The Wage Board Order and the Labor Act specify the minimum wages, hours of work, overtime pay, leave entitlements, travelling and subsistence allowances and the issue of protective clothing.

**Trade Unions and Industrial Relations.** The workers shall, without distinction whatsoever, have the right to form trade union primarily for the purpose of regulating the relations between workers and employers, or between workers and workers and, subject to the constitution of the union concerned, to join trade union of their own choice.

Upon receiving the Project contract, the Contractor shall certify in writing that the wages, hour and conditions of work or persons to be employed by him on the contract are not less favorable than those contained in the most current wages regulation issued by the government recommended by the Wages Board Chairman. The Contractor shall maintain worker's register which will be available for inspection during working hours for the Inspector appointed by PIU.

In ensuring full compliance with the law in this regard, the Contractor will be required to furnish PIU with copies of the Service Book or copies of contract of all its workforce. Contractors will not be allowed to deploy any employee to work in the project if such copy of employment of that employee has not been handed to PIU. The Contractor also is obliged by the law to allow workers to form trade unions subject to the provision of Labor Act 2006.

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

the contract to allow PIU to withhold payment from contractor should the contractor not fulfill their payment obligation to their workers.

### **Workers' Organization**

The Bangladesh Labor Act, 2006 (Section 176) and the WB ESS2 ratifies the Rights of Workers, guarantees all workers of their rights to freely form, join or not join a trade union for the promotion and protection of the economic interest of that worker; and collective bargaining and representation and in the Bangladesh Labor Act, 2006, a worker's welfare society holds the right to negotiate the terms and conditions of employment and other related matters and any worker has the right to join the welfare society. Section-119 of this Act suggest collective bargaining agent to negotiate representing the welfare society of workers.

Paragraph 16 of ESS2 noticeably indicates that in countries where national law recognizes workers' rights to form and to join workers' organizations of their choosing and to bargain collectively without interference, the project will be implemented in accordance with national law. In such circumstances, the role of legally established workers' organizations and legitimate workers' representatives will be respected, and they will be provided with information needed for meaningful negotiation in a timely manner. Where national law restricts workers' organizations, the project will not restrict project workers from developing alternative mechanisms to express their grievances and protect their rights regarding working conditions and terms of employment. The Borrower should not seek to influence or control these alternative mechanisms. The Borrower will not discriminate or retaliate against project workers who participate, or seek to participate, in such workers' organizations and collective bargaining or alternative mechanisms.



## GRIEVANCE REDRESS MECHANISM (GRM)

### Workers Grievance Redress Mechanism

Workers' grievance redress mechanism (GRM) under the project will support all project workers; direct, contracted and if applicable primary supply workers.

**Direct Workers:** The Project Director, RUDTP will be responsible for providing guidance and advice on all worker related grievances and their management, in line with the Bangladesh Rules and Regulations related to labor and provisions of this LMP.

**Contracted Workers:** The contractor of respective construction packages will be obligated to set up a Workers GRM, especially to redress complaints relating to workers deployed for construction works under RUTDP. The Workers GRM will have due representation of respective PIUs and MSUs, Contractor Workers, and women (either from PIUs/contractor/workers) and function under PIUs. The mandate for GRM, Institutional arrangements, procedure for receiving complaints, time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be finalized during the approval of C-ESMP by PIU with assistance from the PMU. LGED will have an oversight of this GRM. The GRM will be set up at mobilization of the contractor. The contractor will also be responsible for tracking and resolving workers grievances and maintain records about grievances/complaints received, minutes of discussions, recommendations and resolutions made thereof and intimation of resolution of grievance to the complainant.

In situations of an epidemic of contagious diseases, the nature of complaints will be particularly time-sensitive and sensitive in terms of confidentiality. Hence, Contractor should consider streamlined procedures to address specific worker grievances, which would allow workers to quickly report labor issues, such as a lack of PPE, lack of proper procedures or unreasonable overtime, and allow the workers to freely report respond and take necessary action.

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

- The process will be transparent and allow all category of project 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 through notice boards, the presence of “suggestion/complaint boxes”, and other means as needed.

- The Project workers’ grievance mechanism will not prevent workers to use conciliation procedure provided in the BLA 2006 or recourse to legal means.

The Project Implementation Manual (PIM) will outline workers GRM including institutional set up and representation, timing and procedure for receiving complaints, mechanism of handling complaints, maximum time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof. The PIUs will monitor the Contractors’ recording and resolution of grievances, and report these in their monthly progress reports to share with the PMU. The process will be monitored by the PMU Officials of LGED or the Senior Social Development Specialist of PMU. The report on workers GRM will be disseminated to the workers on a regular basis and shared with the World Bank periodically.

### **Management of Gender and SEA/SH Related Complaints**

LGED and the contractor are not equipped to handle complaints or provide relevant services to survivors, but will reference any person to SEA/SH service providers (could be local NGOs having such program and services) who will in turn use health facilities, law enforcement's gender unit or others, and other services for management of the issue. LEGD will identify institutions and services provides who are actively engaged in prevention of GBV, SEA/SH and workplace-related sexual harassment in order to establish a manual for referencing any potential survivor.

Grievances related to SEA/SH be reported through the project/contractor, the nature of the complaint will be recorded and referenced to relevant service provider as per the SEA/SH Action Plan while maintaining the complainants’ confidentiality. Context-specific, Survivor-centric, Collaborative work and Inclusive, non-discriminatory and informed in addressing the risk of SEA/SH procedure will be applied to manage the SEA/SH related grievance (Detail information is available in SEA/SH Risk Mitigation and Response Action Plan).

The PIUs will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by Bank (maintaining confidentiality). The PIUs will also prepare periodic reports on the grievance resolution process and publish these on their respective official websites. In addition, the ESIA may identify additional mitigation measures related to gender and such measures will be reflected in site specific ESMPs, including the contractors ESMP or contractors specific LMPs, where required. This will include engagement with communities on gender related risks, grievance and response measures available, as identified in the manual.

### **Disciplinary Procedure**

LGED encourages resolving of grievances through informal channels. The starting point for all disciplinary action rules may be implied or explicit and of course, will vary from workplace to workplace. Some rules are implied in the contract of employment (e.g., rule against stealing from the employer), however, even implied rules should be included in the disciplinary code or schedule of offences.

In an organized workplace these rules ideally are negotiated with the trade union and are often included in the Recognition Agreements signed by the employer and trade union. These workplace rules must be:

- a. Valid or reasonable;
- b. Clear and unambiguous;
- c. The employee is aware, or could reasonably be aware of the rule or standard; and

- d. The procedure to be applied in the event the employee contravenes any of these rules

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

- a. Investigate to determine whether there are grounds for a hearing to be held;
- b. If a hearing is to be held, the employer is to notify the employee of the allegations using a form and language that the employee can understand;
- c. The employee is to be given a reasonable time to prepare for the hearing and to be represented by a fellow employee or a union representative;
- d. The employee must be allowed to respond to the allegations, question the witnesses of the employer and to lead witnesses;
- e. If an employee fails to attend the hearing the employer may proceed with the hearing in the absence of the employee;
- f. The hearing must be held and concluded within a reasonable time and is to be chaired by an impartial representative.

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

#### **Contagious Disease Considerations in GRM**

In addition to the above provisions of GRM, in situation of outbreak of any contagious diseases, specific provisions relevant to such epidemic will also be developed where the nature of complaints may be particularly time-sensitive and sensitive in terms of confidentiality. The provisions will include addressing the:

- Lack of Personal Protective Equipment (PPE) of the right quality and enough quantity
- Absence of Protocols and non-adherence of the same
- Unreasonable overtime causing fatigue
- Forced to work under unhygienic and potentially contaminated situations without proper remedial measures

## ENGAGEMENT AND MANAGEMENT OF CONTRACTORS AND SUB-CONTRACTORS

### Contractors Requirements

Any Contractor selected for the Project must be a legitimate and reliable entity and must have their own labor management procedure and practice materially consistent with the requirement of ESS2. The requirement of ESS2 will be incorporated in the bidding documents and contractual agreement and will also include non-compliance remedies. Any subcontractors engaged will also have similar requirements in their agreement including non-compliance remedies.

The project requires that contractors monitor, keep records and report on terms and conditions related to labor management. The contractor must provide all category of project workers with evidence of all payments made, including social security benefits, pension contributions or other entitlements regardless of the worker being engaged on a fixed term contract, full-time, part-time, or temporarily. The application of this requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to LGED and the World Bank. An outline of the contractors' labor management plan to be included in the Contractors ESMP is attached at Annex-1.

The contractual agreement will also require inclusion of measures required of Contractors in light of situations of outbreak of epidemics, if any. They will include:

Provision of adequate measures for the workers working under epidemic situation including free PPEs and sanitization. Provision of workers needing to report symptoms of infections and referral to health facilities and not forcing them to work.

- Provision of medical insurance covering treatment for infectious diseases, sick pay for workers who either contract the virus or are required to self-isolate due to close contact with infected workers and payment in the event of death
- Requirement of safe working condition and the conduct of the work
- Procedures and measures dealing with specific risks. For example, for health care contractors: infection prevention and control (IPC) strategies, health workers exposure risk assessment and management, developing an emergency response plan, per [WHO Guidelines](#).

### Project Workers

The contractors and sub-contractors, who will be primarily engaging the contract workers at field level, will be overseen, and managed by the PIUs- under the overall guidance of PMU at LGED. At the field level, every contractor will be mandated by contract to deploy at least one EHS officer (Environment, Health and Safety) per construction package to oversee workers' supervisors managing workers on daily basis. The sub-contractor workers will be supervised by their own supervisors and report to EHS Officers of the main contractor. Table 2 provides details about engagement and management of project workers.

**Table 2: Engagement and Management of Project Workers under RUTDP**

Category of Project Workers	Project Workers by Role	Responsible Staff of Executing and Implementing Agencies	Location
Direct Workers	All LGED Staff drafted for the RUTDP at PMU	Project Director reporting to LGED and the World Bank	PMU, RUTDP at LGED
	All LGED Staff drafted for	Mayor, paurashavas and city	PIUs, Pourashava

Category of Project Workers	Project Workers by Role	Responsible Staff of Executing and Implementing Agencies	Location
	RUTDP at MSUs All Pourashava and City Corporation office staff drafted for RUTDP at PIUs	corporations reporting to LGED	and City Corporation
Contracted Workers	Subject matter specialists and experts supporting PMU	Project Director reporting to CE, LGED, LGD and the World Bank	PMU, RUTDP at LGED
	Subject matter specialists and experts supporting PIUs	Mayor, paurashavas and city corporations reporting to PMU, LGED	PIUs, Pourashava and City Corporation
	All managerial and professionally qualified staff deployed by contractors	PIU in Charge reporting to PMU, LGED	Contractor
	All workers deployed by contractors	PIU in Charge reporting to PMU, LGED	Contractor
	All workers of specialized agencies engaged by contractors	PIU in Charge reporting to PMU, LGED	Contractor
Primary Supply Workers	Skilled and unskilled laborers for material production, handling and loading operations at sales stackyards	PIU in Charge reporting to PMU, LGED	Contractor

### Primary Supply Workers

The project involves civil works for which construction materials (brick, cement, sand, iron bars, etc.) maybe sourced from primary suppliers. Suppliers of electrical and sanitary equipment, IT and communication equipment are not known to involve significant risks of child labor and forced labor.

In case of construction material suppliers, Contractors shall be required to carry out due diligence procedure to identify if there are significant risks that the suppliers are exploiting child or forced labor or exposing worker to serious safety issues. In instances where foreign suppliers are likely to be contracted, the Contractor will be required to inquire during the procurement process whether the supplier has been accused or sanctioned for any of these issues and also their corporate requirements related to child labor, forced labor, and safety. If there are any risks related to child and forced labor, and safety identified, the Contractor will notify PMU and will address these risks and may avoid such suppliers, where possible.

### Code of Conduct (CoC)

The Code of Conduct (Annex 4) commits all persons engaged by the Samity, including subcontractors and suppliers based at the community, to acceptable standards of behavior. The Code of Conduct (CoC) shall include sanctions for non-compliance, including non-compliance with specific policies related to age of working, behavior in the workplace, occupational health and safety, gender-based violence, sexual exploitation and abuse, and sexual harassment (e.g., termination). The CoC should be easily understood and shall be written in local language that the workers can read (generally Bangla) signed by each worker to indicate that they have:

- i. Received a copy of the CoC as part of their contract;
- ii. Had the CoC explained to them as part of the induction process;
- iii. Acknowledged that adherence to this CoC is a mandatory condition of employment;
- iv. Understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

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

**ANNEX 1: Outline of Contractor’s LMP**

<p>Workforce Management</p>	<ul style="list-style-type: none"> <li>• Profile of workforce – work activities, schedule, contract duration, workforce rotation plan, workers place of stay, workers with underlying health issues</li> <li>• Measures to mitigate risks on account of any outbreak of contagious diseases</li> <li>• Contingency plan covering – pre-health check-up, access restrictions, hygiene, waste management, accommodation arrangements, PPE provision and usage</li> <li>• Reporting and handling of instances of infectious disease cases, training and communication with workers, training on communicating and contact with community</li> </ul>
<p>Occupation Health &amp; Safety and Emergency Management</p>	<ul style="list-style-type: none"> <li>• List of work locations, hazards/risks with PPE requirement and numbers</li> <li>• Lists of tasks and work zone critical for hazard prevention</li> <li>• Location of warning signage for hazard prevention</li> <li>• Requirement of first aid boxes and fire extinguishers – task and location wise</li> <li>• Key person(s) to be contacted during emergency</li> <li>• Protocol for deciding the level of emergency – need for hospitalization, information to authorities, etc.</li> <li>• Process of accident analysis, corrective and preventive measures and need for reporting</li> </ul>
<p>Addressing GBV/SEA/SH Risks</p>	<ul style="list-style-type: none"> <li>• Preventive measures – provision of lighting, separate toilet areas for men and women, increased vigil and security arrangement for community sensitive GBV/SEA/SH hotspots, if identified by dam authorities.</li> <li>• Sensitizing and awareness of labor on GBV/SEA/SH issues including penalties and legal action against offenders</li> <li>• Awareness about GRM</li> </ul>
<p>Workers Code of Conduct</p>	<ul style="list-style-type: none"> <li>• Preparation of Code of Conduct</li> <li>• Making labor aware of conduct with all the provisions, do’s and don’ts, penalties for non-compliances, etc.</li> <li>• Displaying CoC at prominent locations</li> <li>• Signing of CoC by workers</li> </ul>
<p>Awareness and Training</p>	<ul style="list-style-type: none"> <li>• Plan for training and awareness covering pollution prevention, OHS, use of PPEs, accident reporting and emergency management, CoC,</li> </ul>

	<p>GBV/SEA/SH, GRM, etc.</p> <ul style="list-style-type: none"> <li>• Training schedule</li> <li>• Training records</li> </ul>
<p>Workers Grievance Mechanism</p>	<ul style="list-style-type: none"> <li>• Details of GRM including contacts</li> <li>• Process of receiving, redressing, escalation, reporting back</li> <li>• Consolidated statement on Grievances</li> <li>• Contacts of nearest labor offices of the Department of Labor in the Ministry of Labor and Employment.</li> </ul>



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

(a) **Notes An** employee is free to join a trade union or staff association, which is recognized by the undertaking. The address of the Trade Union or Staff Association is: .....

(b) The grievance procedure and disciplinary procedure in this undertaking requires to be followed when a grievance arises or disciplinary action that needs to be taken.....

(c) When any heading is inapplicable enter NIL.

.....

Employer's signature

.....

Witness

.....

Employee's signature

.....

Witness

.....

Date

.....

Date

ANNEX 3: Suggested Due Diligence for Social and Environmental Mitigation Measures in Contracts

<b>Stage of Contractual Process</b>	<b>Due Diligence</b>
<b>Before bidding</b>	<ul style="list-style-type: none"> <li>• Ensure that the terms of reference clearly define the supervision engineer 's responsibilities regarding oversight of, and reporting.</li> <li>• Ensure the team skills in the terms of reference include key staff qualified and experienced in managing similar environmental issues, including issues on community Health and safety.</li> <li>• Ensure that the project GRM is established, and its use is widely publicized.</li> </ul>
<b>Preparation of bidding documents</b>	<ul style="list-style-type: none"> <li>• Review contract conditions included in bidding documents to:               <ol style="list-style-type: none"> <li>(i) Ensure that the relevant mitigation measures in the ESMP are reflected and budgeted in the contract,</li> <li>(ii) Ensure the ESMP forms part of, and is explicitly referred to in the bidding documents.</li> <li>(iii) Identify relevant provisions (workers, camps, child and forced labor, safety, grievance redress etc.) regulating the contractor 's responsibility and identify any gaps, inconsistencies or areas of concern that could be addressed through additional provisions in the — particular conditions of contract and/or technical specifications</li> <li>(iv) Include a requirement that all workers sign Codes of Conduct governing behavior, and identifying sanctions</li> <li>(v) Identify that training projects on implementing the Codes of Conduct, etc. will be undertaken by external providers</li> </ol> </li> <li>• Ensure the contract conditions specify what type of penalty the contractor will face if the provisions of the ESMP and CESMP are not adhered to — including by sub-contractors.</li> <li>• This may include direct incentives to contractors in the form of penalties for poor performance on social and environmental matters or specific Performance Securities for ESMP and CESMP compliance.</li> </ul>

	<ul style="list-style-type: none"> <li>• Ensure bidding documents make clear the responsibilities of the contractor to prepare and adhere to a CESMP based on the ESMP and that no civil works will commence until the CESMP has been approved by the supervision engineer.</li> <li>• Ensure the bidding documents detail how the contractor and supervision engineer will be required to monitor and report on the impacts on the local community, issues related to labor influx and workers' camps.</li> <li>• Propose Key Performance Indicators (KPIs) for Contract Management, reflecting issues and risks specific to the contract and the monitoring plan.</li> </ul>
<b>Bidding evaluation</b>	<ul style="list-style-type: none"> <li>• Review the bid evaluation report and request to review the bids where appropriate, to verify for the recommended bidder that document related to the ESMP, safeguard implementation capacity, and other obligations of the contractor required to be submitted with the bid are sufficiently detailed and cover the contractual requirements.</li> <li>• Require the contractor's representative or dedicated community liaison staff to have the ability to communicate in the language of the Borrower and/or the local language.</li> <li>• Verify that the contract management framework identifies lines of communication and that these are formalized and a consistent record is provided.</li> <li>• Ensure that the contractor meets the project's OHS requirements for capability and experience.</li> </ul>
<b>After contract signing</b>	<ul style="list-style-type: none"> <li>• Before commencing works, the contractor submits site-specific CESMP(s) based on the ESMP, which includes specific management plans for (i) work activities; (ii) traffic management; (iii) occupational health and safety; (iv) environmental management; (v) social management and (vi) SEA/SH Action Plan.</li> </ul>

***[To be translated into Bangla Language]***

RUTDP 'Code of Conduct (CoC) defines labor standards that aim to achieve decent and humane working conditions. The Code 's standards are based on national law and accepted good labor practices.

Companies affiliated with the RUTDP are expected to comply with all relevant and applicable laws and regulations of the country in which workers are employed and to implement the Workplace Code in their applicable facilities and sites. When differences or conflicts in standards arise, affiliated companies are expected to apply the highest standard.

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

RUTDP provides a model of collaboration, accountability, and transparency and catalyzes positive change in workplace conditions. As an organization that promotes continuous improvement, the RUTDP strives to be a global leader in establishing best practices for the respectful and ethical treatment of workers, and in promoting sustainable conditions through which workers earn fair wages in safe and healthy workplaces.

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**Employment Relationship**

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

**Non-discrimination**

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

**Harassment or Abuse**

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

**Forced Labor**

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

**Child Labor**

No person shall be employed under the age of 18 and no person of the age between 14 and 18 will be engaged in works hazardous for their health and in a schedule restricting their education.

**Freedom of Association and Collective Bargaining**

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

**Health, Safety and Environment**

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

### **Hours of Work**

Employers shall not require workers to work more than the regular and overtime hours allowed by the law of the country. The regular work week shall not exceed 48 hours. Employers shall allow workers at least 24 consecutive hours of rest in every seven days. All overtime work shall be consensual. Employers shall not request overtime regularly and shall compensate all overtime work at a premium rate. Other than in exceptional circumstances, the sum of regular and overtime hours in a week shall not exceed 60 hours.

### **Compensation**

Every worker has a right to compensation for a regular work week that is sufficient to meet the worker's basic needs and provide some discretionary income. Employers shall pay at least the minimum wage or the appropriate prevailing wage, whichever is higher, comply with all legal requirements on wages, and provide any fringe benefits required by law or contract. Where compensation does not meet workers' basic needs and provide some discretionary income, each employer shall work with the RUTDP to take appropriate actions that seek to progressively realize a level of compensation that does.

### **Sexual Exploitation and Abuse and Sexual Harassment**

The various words and concepts use in the COC are defined below for the purpose of clarity. These will be further discussed during training and orientation sessions by the PIU with relevant stakeholders.

#### **A. Definitions**

*Sexual Exploitation and Abuse (SEA)* : 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<sup>11</sup>.

*Sexual Abuse*: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

*Sexual Harassment*: Any unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of sexual nature.

Consent: Under this Code of Conduct<sup>15</sup> consent cannot be given by anyone under the age of 18, regardless of the age of majority or age of consent locally.

Reporting: If employers are aware of or suspect SEA and SH, at the project site or surrounding community, they must report it to the Grievance Reporting Mechanism (GRM) or to the PIU. Employers will be expected to maintain confidentiality on any matters related to the incident to protect the privacy and security of all those involved.

#### **B. Examples of Sexual Exploitation and Abuse**

- (i) Unwanted sexual comments, jokes, question, whistling, asking about sexual fantasies/ history to any member of the community.
- (ii) Sexually suggestive signals (facial expressions, winking, throwing kisses, or licking lips, making sexual gestures with hands or through body movements).

- (iii) Touching clothing, hair, or body, hugs, kiss, stroke or rub oneself sexually around any community member
- (iv) Unwanted pressure for dates
- (v) Any propose a woman in the community that he can get them jobs related to the work site (cooking and cleaning) in exchange for sex.
- (vi) Telling a woman applying for a job that he will only hire her if she has sex with him.
- (vii) Begin a friendship with a 17-year-old girl who walks to and from school on the road where project related work is taking place. He gives her rides to school. He tells her that he loves her. They have sex.
- (viii) Actual or attempts to rapes anyone.

**C. Examples of Sexual Harassment in the Workplace**

- (i) Male staff commenting on female staffs' appearances (both positive and negative) and sexual desirability.
- (ii) Male staff making unwanted sexual comments, jokes, question, whistling, asking about sexual fantasies/ history to any female staff/ co-worker.
- (iii) Male staff making sexually suggestive signals (facial expressions, winking, throwing kisses, or licking lips, making sexual gestures with hands or through body movements) towards a female staff.
- (iv) Male staff making unwanted pressure for dates.
- (v) A male staff touching any part of a female's body when he passes her at work.
- (vi) A male staff member tells a female staff member he will get her a raise if she sends him naked photographs of herself as a sexual favor.
- (vii) When a female staff complains about comments male staff are making about her appearance, they say she is "asking for it" because of how she dresses.

## STATEMENT OF COMMITMENT BY COMPANY AND/OR WORKER

I, \_\_\_\_\_, I agree that while working on the project I will:

- Adhere to the provisions of this code of conduct both on and off the project site, attend and actively partake in training courses related to occupational health and safety, community cohesion and preventing SEA/SH as requested by my employer.
- Treat all persons, including children (persons under the age of 18), with respect regardless of sex, race, color, language, religion, political or other opinion, national, ethnic or social origin, gender identity, sexual orientation, property, disability, birth or other status.
- Not use language or behavior towards women, children or men that is inappropriate, abusive, sexually provocative, demeaning or culturally inappropriate. <sup>[L]</sup><sub>[SEP]</sub>
- Not participate in SEA and SH as defined by this *Code of Conduct* and as defined under *national law (and other local law, where applicable)* and commit to creating an environment which prevents SEA/SH.
- Not participate in sexual contact or activity with anyone below the age of 18 even if consensual.
- Not solicit/engage in sexual favors in exchange for anything as described above.

I acknowledge that sexual exploitation and abuse (SEA) and sexual harassment, are prohibited. As an (employee/contractor) of (contracted agency /sub-contracted agency) in Bangladesh, I acknowledge that SEA and SH activities on the work site, the work site surroundings, at workers' camps, or the surrounding community constitute a violation of this Code of Conduct. I further understand SEA and SH activities are grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit SEA and SH may be pursued if appropriate.

Sanctions: I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

- Informal warning or formal warning
- Additional training
- Loss of salary
- Suspension of employment (with or without payment of salary)
- Termination of employment.
- Report to the police or other authorities as warranted.

I understand that it is my responsibility to adhere to this code of conduct. Any actions that go against the provisions of this Code of Conduct will be a breach of this Individual Code of Conduct. I acknowledge that I have read the Individual Code of Conduct, do agree to comply with the standards contained in this document, and understand my roles and responsibilities, especially to prevent and potentially report SEA/SH issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

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

Title: \_\_\_\_\_

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