

LABOUR MANAGEMENT PROCEDURES

FOR THE

ADOLESCENT GIRLS INITIATIVE FOR LEARNING AND EMPOWERMENT PROJECT



FEDERAL MINISTRY OF EDUCATION



DRAFT FINAL REPORT

January 2020

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ABBREVIATIONS

CoC	Code of Conduct
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FCT	Federal Capital Territory
FPCU	Federal Project Coordinating Unit
GBV	Gender Based Violence
GRC	Grievance Redress Committees
GRM	Grievance Redress Mechanism
HSE	Health Safety and Environment
ILO	International Labor Organization (ILO)
NWC	National Working Committee
PIU	Project Implementation Unit
PPEs	Personnel Protective Equipment
RTU	Registrar of Trade Union
SEA	Sexual Exploitation and Abuse
STD	Sexually Transmitted Disease
STI	Sexually Transmitted Infection

1.0 INTRODUCTION

1.1 Project background

The Federal Government is requesting the support of the World Bank to implement the Adolescent Girls Initiative for Learning and Empowerment Project that aims to address the critical binding constraints adolescent girls face in enrolment, retention, completing secondary school education and empowerment with life skills that are relevant and marketable, in seven states across the country. The project cost is estimated at \$500m. The approach will consist of interventions aimed at keeping girls in school and provide opportunities for them to, acquire critical life skills and market relevant skills not currently offered in schools.

The Project development objective is to improve completion of quality secondary education and comprehensive life-skills training for adolescent girls. The approach will consist of interventions aimed at keeping girls in school and provide opportunities for them to, acquire critical life skills and market relevant skills not currently offered in schools, the project is structured around four components.

1.2 Labour Management Plan (LMP)

This Labor Management Plan (LMP) was developed by the Federal Ministry of Education (FMOE) for the Adolescent Girls Initiative for Learning and Empowerment (AGILE) Project. It identifies labor requirements and sets out the procedures for addressing labor conditions and risks associated with the proposed project, which is aimed at helping the project to determine the resources necessary to address project Labor issues. The LMP is enshrined within the context of the World Bank Environmental and Social Standards (ESS) 2: Labor and Working Conditions.

The World Bank has rated the risks and impact associated with workers as well as community health and safety, and the risk associated with Labor impact as moderate due to the nature of minimal construction activities which are well understood and expected to have limited impacts as they can largely be avoided, minimized or managed through procedures, including procedures set out in this LMP. The LMP will be reviewed continually during project implementation and adequate measures and procedures to manage negative impacts will be put in defined.

The main objective of the LMP is to recognize the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Other objectives include:

- To protect project workers including vulnerable workers such as women and girls, persons with disabilities, children of working age, migrant workers, contracted workers, community workers and primary supply workers
- To promote safety and health at work.
- To promote the fair treatment, non-discrimination
- 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.

1.3 AGILE Project Components

COMPONENT/ ACTIVITIES	
	Component 1: Safe accessible learning spaces
1.1	Subcomponent 1.1: Create new learning spaces (Expansion of JSS + SSS + teacher package)
1.2	Subcomponent 1.2: Improve learning conditions (School improvement grants: Rehabilitation of JSS/SSS and school materials)
	Component 2: Enabling Families, communities and schools to support girls' education²
2.1	Subcomponent 2.1. Providing financial support package to families
2.2	Subcomponent 2.2. Community engagement, Promoting Social and behavioral change
2.3	Subcomponent 2.3 Empowering girls with life skills and digital skills Subcomponent 2.3.a Life-skills training through safe spaces in schools Subcomponent 2.2.b. Pilot innovative approach in the delivery of digital skills to adolescent girls in senior secondary schools
	Component 3: Project management, system strengthening, and learning
3.1	Project management
3.2	System strengthening (All line ministries)
3.3	Learning

The major component of concern for this report is component 1.

1.3.1 Component 1: Safe Accessible Learning Spaces

Component 1 aims to improve completion of quality secondary education for adolescent girls by addressing critical demand and supply constraints

Subcomponent 1.1: Create new learning spaces

(Expansion of JSS + SSS + teacher package)

The component will address access gaps by constructing new schools and renovating or expanding existing schools through Ministry of Education. To improve quality, the component will provide continuous professional development for teachers through colleges of education.

Under Subcomponent 1.1, it is expected that the state government will be responsible for the financing of the teacher costs. While the pool of candidate teachers is large, the locations of schools in remote rural communities will pose a challenge for teacher deployment. Incentives beyond regular salary may need to be provided to compensate teachers for their efforts in serving in more disadvantaged communities. State governments may consider recruiting candidate teachers from the same LGAs where the schools will be located if there are enough applicants. Strong emphasis will be put on recruiting qualified female teachers within their respective LGAs. The recruitment of teachers should start as soon as the construction sites have been finalized and should be completed 6 months before the first school year starts in the newly built schools.

The project will provide support package to the recruited teachers to ensure that they are qualified and ready to teach in the target communities. The package can include: (i) short induction courses; (ii) code of conduct; and (iii) short-term placement at the feeder primary schools to learn about the students and community that they will work with.

Subcomponent 1.2: Improve learning conditions

(School improvement grants: Rehabilitation of JSS/SSS and school materials)

School grants will be provided to improve learning environment as well as address the school's needs

This component entails minor civil works which will involve use of contractors both skilled and unskilled labor.

1.4 Scope of The Labour Management Procedure

This LMP describes the requirements and expectations in terms of compliance, reporting, roles, supervision and training with respect to labor and working conditions, including camp accommodation. The LMP will cover all categories of workers. The LMP does not cover government workers/civil servants working in connection with this project except there is a legal transfer of their employment or engagement to this project. The LMP will set out the following procedures

- How workers will be managed in accordance with the national law requirement
- Guidelines for the different categories of project workers
- Terms and conditions of Employment
- Child Labor
- Forced Labor
- Non-discrimination and equal opportunity
- Protecting the Work-force
- Grievance Mechanism
- Occupational Health and Safety

2.0 OVERVIEW OF LABOUR USE IN THE AGILE PROJECT

2.1 Type of Workers

ESS 2 categorizes the workers into direct workers, contracted workers, community workers, and primary supply workers. The categories for which the AGILE project workers have been defined are provided below.

- a. **Direct workers:** Direct workers will comprise a mix of government civil servants from various relevant line ministries and those deployed as technical consultants – full and part-time by the FPCU and SPIUs – under the project. The former will be governed by a set of public service rules, the latter by mutually agreed contracts. At the federal level, the project will have a National Project Coordination Unit (NPCU). Representatives of the Federal Ministry of Health (FMOH), Federal Ministry of Finance (FMOF), Federal Ministry of Women Affairs (FMWA), Federal Ministry of Youth (FMOY), Universal Basic Education Commission (UBEC), and officers in the FMOE who will serve as Procurement Officer, Internal Auditor, Accountant, Financial Officer, Monitoring & Evaluation Officer, Gender Officer, Environmental Safeguard Officer, Social Safeguard Officers and Communications Officer.

At the various states where the project will be implemented, a State Project Implementation Unit (SPIU) will be constituted to implement day-to-day coordination, management and monitoring of the project components. The SPCU will consist of representatives of State Secondary school board, State Ministry of Education (SMOE), State Ministry of Health (SMOH), State Ministry of Finance (SMOF), State Ministry of Women Affairs (SMWA), State Ministry of Youth (SMOY), as Procurement officer, internal auditor, accountant, Financial Officer, Monitoring & Evaluation officer, Gender officer, Environmental Safeguard Officer, Social Safeguard Officer, and Communication officer. Officers would serve as focal persons for project intervention.

The Project will also support the creation of a more professional and caring teaching force, by supporting states and local governments to hire more teachers (with priority on female teachers) and propagating codes of conduct and ethics that would help make schools more welcoming and supportive of girls.

- b. **Contracted workers:** Two broad categories of contracted workers are expected. First is Consultant service providers who will provide implementation support services to the FPCU and SPIU. Second is the staff of civil works contractors to be subcontracted to arrange for civil works under the subprojects (especially the Senior Secondary School (SSS) construction).
- c. **Community Workers:** The project will adopt the modality of community-led school construction for the Junior Secondary School (JSS) school construction. Hence, labor will be sourced locally for skilled and unskilled labor. An elected Community Project Management Committee (CPMC) will work closely with the SPIU¹ and the Local Government Area (LGA) to manage and oversee the construction process at all steps including expression of interest, identification of primary school for expansion, mobilizing 10 percent community contribution, construction management and supervision.
- d. **Primary Suppliers** are likely to include suppliers of construction materials for any civil works to be supported by the project, as well as school equipment/supplies that may be used to improve learning component of the project.

¹ SPIU will play an oversight role for the rehabilitation/constructions at the JSS and SSS levels

2.2 Number of Project Workers

At the point of preparation of this LMP, the exact locations where the AGILE Project will be implemented are not yet known. Hence identifying the number of potential workforces required is impossible. When sub-projects are known, site-specific Labour Management Procedures will be prepared as a part of the Environmental and Social Impact Assessment/Environmental and Social Management Plans. Nonetheless, labour is anticipated to emerge during project implementation (through the rehabilitation of existing schools and construction of new schools) and during operation of the schools (e.g. implementation of school maintenance works).

Table 1 below provides an estimated labour requirement for rehabilitation or construction of schools

Table 1: Estimated labour requirements for Contract workers for the Proposed Intervention

Project Phase	Proposed Intervention Works	Activities	Staffing per school	Support Activities and Services	Schedule (Months)
Pre-construction	Rehabilitation/ Construction of schools	Preparatory Works: <ul style="list-style-type: none"> Assessment of existing project location Preparation of staging area 	Skilled Labor: 2	Staging Area	0.5 month
		<ul style="list-style-type: none"> Land clearing, excavation of materials (sand), creation of burrow pits, staging areas Mobilization of workers 	Unskilled Labor: 4		
Construction		All Civil, electrical and plumbing works <ul style="list-style-type: none"> Demolition and removal of old structures including dilapidated fences Groundworks and Excavation Rehabilitation works; Construction of structures, water sanitation and hygiene and facilities; Other ancillary works; Disposal of construction wastes 	Skilled Labor: 2 Unskilled Labor: 5	Burrow pit Earth-filling machinery Temporary construction waste collection areas	1
		Maintenance Works: <ul style="list-style-type: none"> Housekeeping; Waste management; (collection and disposal); Routine inspection of the facilities; Scheduled & unscheduled integrity checks structural components; Routine maintenance and replacement of wearing/faulty/damaged parts 	Skilled Labor: 3 Unskilled Labor: 3	Community Supervisory and Auditing Services Maintenance and operations	0.5 Month
Operation/Maintenance	School maintenance works				
Demobilization	Site demobilization activities	Closure Works: <ul style="list-style-type: none"> Removal of constructed/rehabilitated structures; Disposal of construction spoil and waste in general; Dismantling of temporary work camp of the contractor (where available); and 	Skilled Labor: 2 Unskilled Labor: 5	Landscaping services	0.5 Month

Project Phase	Proposed Intervention Works	Activities	Staffing per school	Support Activities and Services	Schedule (Months)
		<ul style="list-style-type: none"> Waste management. 			

2.3 Characterization of Labour requirements

Given the nature of the project, workforce will comprise of both skilled and unskilled labor, technical staff, community representatives and government civil servants. The Project will also support states and local governments to hire more teachers (with priority on female teachers) and propagating codes of conduct and ethics that would help make schools more welcoming and supportive of girls.

2.4 Project Implementation Schedule and Activities

The direct workers will be required full time and around the year for the project duration. Consultant Services workers will be required full time and on intermittent basis for the project duration.

Civil works contracted workers will be required, as per the need. Construction season typically starts from March to November but can vary depending on the weather conditions. It will be up to the contractors to mobilize labor force to coincide with the type of works and the season. The school rehabilitation and construction works are estimated to be implemented over a 3-month period per school. This is the maximum timeline required. It is envisaged that most schools may require less work. It is important to ensure that rehabilitation of existing schools does not coincide with school calendar to avoid interaction of workers and students.

The Implementation Chart for the sub-project activities is presented in Table 2 below.

Table 2: Implementation Chart

Phase	Activities	Implementation Period (Months)		
		1	2	3
Pre-Construction	Preparatory Works			
Construction	Civil, electrical and plumbing works			
Operation	Maintenance Works			
Decommissioning	Closure Works			

3.0 ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

This chapter outlines the potential Labor risks and impacts associated with the Adolescent Girls Initiative for Learning and Empowerment Project.

3.1 Potential Risks and Impacts

Some of the potential labour risks and impacts associated with the project include:

- Unfair recruitment and selection practices which could discriminate against women, vulnerable groups
- Exploitative wages
- Over-stretched working hours – no break periods
- Poor work safety culture, accidents/incidents, Lack of provision of PPEs
- Perception that wages, salaries and benefits are poor or that foreigners are treated better and receive better conditions of employment
- Forced Labor
- Child Labor
- Gender-based violence (GBV) risks as a result of contractor workforce during civil works
- Workplace sexual harassment especially for newly recruited teachers
- Lack of provision of basic facilities – water, food, toilets, washing hand facilities, medical aid
- Sub-standard campsite facilities and campsite management
- Hostility and security threats from host community
- Cultural differences may cause conflicts
- Lack of unified rules and regulations for all workers
- Favoritism
- No grievance redress channel for workers
- Dismissal from work
- Boredom and lack of recreational activities
- Search for access to religious practices

3.2 Labour Management Plan

Table 3 below presents a plan to be adopted in the management of Labor risks for the project. The Contractors company/management will be responsible for making provisions to ensure implementation of the LMP and develop corrective action for any default and administer appropriate sanctions. The SPIUs will monitor contractor's compliance to the LMP.

Table 3: Labour Risk Identification and Analysis

Risk/Impact	Analysis (Magnitude, Extent, Timing, Likelihood, Significance)	Mitigation
Arbitrary decisions by contractors on Terms and Conditions of employment	<ul style="list-style-type: none"> • The duration of the contracts offered to contractor workers are short and may not allow employees adequate time and information for meaningful collective bargaining, leading to discontent of employees and disputes. • Project workers may not be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. 	<ul style="list-style-type: none"> • The State Project Implementation Unit (SPIU) will closely supervise the Contractor Recruitment Plan and ensure fairness of Employment Terms and Conditions against the applicable and prevailing National stipulations • All information and documentation must be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur • Where applicable, project workers will receive written notice of termination of employment and details of severance payments in a timely manner
Poor working conditions (unsafe work environment, underpayment, lack of workers' rights, etc.)	<ul style="list-style-type: none"> • The Rights of workers under national labor and employment law (which will include any applicable collective agreements), may be abused • Workers payment may be delayed, irregular, or may be underpaid. • Campsites may be poorly managed, inconducive for workers, insecure, poor sleeping conditions, lack of access to basic amenities like water, toilets, healthcare etc. • The general appearance of the camp deteriorates making camp life unpleasant 	<ul style="list-style-type: none"> • Project workers will be paid on a regular basis as required by national law and labor management with a principle of "equal pay for equal work" • In the case of subcontracting, the Borrower will require such third parties to include equivalent requirements and non- compliance remedies in their contractual agreements with subcontractors • The SPIU shall inspect the campsites to ensure workers have appropriate living quarters, sanitation facilities separate for male and female, basic amenities • All project workers will be provided with adequate periods of rest per week, annual holiday and sick leave, as required by national law. • Ensure that camp grounds and common areas are routinely cleaned and organized with appropriate signage in place, and that grounds are maintained (e.g., grassed areas are regularly mown). • See annex 4 for sample campsite management framework.
Non-discrimination and equal opportunity	<ul style="list-style-type: none"> • Decisions relating to the employment or treatment of project workers may discriminate against certain classes of workers including women, vulnerable groups amongst others. 	<ul style="list-style-type: none"> • 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

Risk/Impact	Analysis (Magnitude, Extent, Timing, Likelihood, Significance)	Mitigation
	<ul style="list-style-type: none"> • Payment of workers may be based on discrimination e.g. male may be paid higher than women even on the same level of job schedule. • Foreign workers may be treated better than local workers in terms of living conditions, unequal pay, varying closing time etc. even when they are on the same level of qualification and experience 	<p>(including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.</p> <ul style="list-style-type: none"> • The SPIUs are compelled to safeguard the interests of women and girls, including gender parity at the workspace, appropriate sanitation facilities at workplace and appropriate PPEs for women.
Sexual Harassment of teachers	<ul style="list-style-type: none"> • The project will provide support packages to recruited teachers to ensure that they are qualified and ready to teach in the target communities; including short-term placements • Risks of sexual harassment of teachers and other staff is a possible 	<ul style="list-style-type: none"> • The Teacher-Counsellors appointed to carry out the life-skills facilitation should be selected as focal points for reporting incidents of harassment; alternate or secondary focal points should be identified in case the accused is the Teacher-Counsellor • Training administered to teachers should include protocols on how sexual harassment will be addressed at the school, including if its escalated beyond the school environment • Teachers should also be made aware of the GBV-GRM for the project
Child Labor	<ul style="list-style-type: none"> • There is a risk that children (below the age of 18) will be used as Labor in the project. • Underaged persons within the community may disguise as above 18 to enable them work and get paid 	<ul style="list-style-type: none"> • The minimum age of eighteen (18) will be enforced at recruitment and in daily staff team talks by Contractors. SPIU will also supervise this through the Contractor Management Checklist. • Contractors will liaise with community liaise to attest to the age and conduct of all local hires, and maintain a list of same • Hired project workers above 18 shall conduct his/her activities in ways that are not detrimental with respect to education or be harmful to the child's health or physical, mental, spiritual, moral or social development
Forced Labour	<p>There is a risk that there could be involuntary or compulsory Labor, such as indentured Labor, bonded Labor, or similar Labor-contracting arrangements. This prohibition covers any of the.</p>	<ul style="list-style-type: none"> • Contractors will ensure that no forced Labor exists in the project by gathering documents and appropriate proof. • A consent section will be part of the employee signed employment contract. Contractors will ensure that if Labor is sourced from any sub-contracting agency, the workers are not subject to coercion and forced Labor conditions.

Risk/Impact	Analysis (Magnitude, Extent, Timing, Likelihood, Significance)	Mitigation
Labor Influx	<ul style="list-style-type: none"> • The project may face influx of Labor to local communities especially where skilled Labourers are not available in some project sites. This could lead to Increase in potential spread of STIs/STDs, HIV/AIDs due to workers on site, increase in GBV/SEA especially for Girls been exposed to contractors, sexual relations between contractors and minors and resulting pregnancies, encourage presence of sex workers in the project communities • This could also lead to competition for resources like water, health facilities, electricity in the project locations 	<ul style="list-style-type: none"> • Encourage hiring of Labor from the host communities. Maintain Labor relations with local communities through a code of conduct (CoC) (see sample CoC in annex 2) • The Code of Conduct must be signed by all categories of workers. Workers must be trained on the provisions of the CoC about refraining from unacceptable conduct toward local community members, specifically women and informed of the sanctions for non-compliance. Training must be conducted for all new hires including sub-contractors. • Contractors should make resources available for their workers especially where stated in the ESMP
Grievance Mechanism	<ul style="list-style-type: none"> • Workers may be aggrieved due to unfair treatment, poor working conditions, conflicts, poor pay, overstretched working hours amongst other things. • A GRM will be designed to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate in an independent and objective manner • The grievance mechanism will not impede access to other judicial or administrative remedies that might be available under the law 	<ul style="list-style-type: none"> • Contractors shall comply with the Grievance redress mechanism defined to handle workers grievances in a fair and timely manner. • The SPIU shall provide oversight to ensure effective implementation of the GRM.
Occupational Health and Safety	<ul style="list-style-type: none"> • Site workers will be exposed to risks of accidental collisions with moving vehicles, strains, and ergonomics from repeated movements or from lifting and heaving of heavy objects, slips and falls. Accidental cuts from tools and machines are also safety risks. • Dust and particulate emissions and welding works from rehabilitation site may cause respiratory and eye impairment health concerns for workers and the public • Movement of trucks carrying sand and materials, lack of road safety measures 	<ul style="list-style-type: none"> • Contractors should provide HSE training for all workers before commencement of work and periodically (see sample training plan in annex 3) • All contractors should have full time HSE officers on their team • Contractors should provide adequate PPEs for all their workers and the contractors HSE officers should enforce compliance • First aid boxes should also be provided at construction site, staging area and mobile • Contractors will prepare Occupational Health and Safety Plans

Risk/Impact	Analysis (Magnitude, Extent, Timing, Likelihood, Significance)	Mitigation
	<p>may also cause risk of accident, injury and death</p> <ul style="list-style-type: none"> • Contractors should comply with National and international labor legislations • Every site will have emergency prevention and preparedness and response arrangements to emergency situations • Maintain a safe working environment including workplaces, machinery, equipment and processes under their control are safe and without risk to health, including by use of appropriate measures relating to chemical, physical and biological substances and agents. • Where required, hire security for workers 	<ul style="list-style-type: none"> • Contractors should report OHS accident/incidents to the SPIU promptly, and the SPIU/FPMU should report this to the Bank within 48hrs (in accordance with the Environmental and Social Commitment Plan (ESCP) • Contractors waste management plans will include handling and management of hazardous waste • Contractors should ensure training for their drivers and liaise with the State Traffic Management Agency to control traffic during project implementation
Right of Association and Collective Bargaining	<ul style="list-style-type: none"> • Workers have the right to freely form, join or not join a trade union for the promotion and protection of the economic interest of that worker • Workers have a right to organize and collective bargaining, and representation 	<ul style="list-style-type: none"> • The SPIU will ensure that workers are informed of their right of association and collective bargaining • The SPIU should also inform workers of the workers GRM and their right to utilize the system
Contractors Management	<ul style="list-style-type: none"> • Records of workers engaged under the Project, including contracts must be kept • Records of all training attended by workers including CoC, HSE, STIs/STDs, GBV etc. • Accidents/ incidents and corresponding root cause analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (Corrective Action Register) • Records of strike actions, reasons and resolution reached • Records of grievances and how they were resolved 	<ul style="list-style-type: none"> • Documents should be kept at the site office with the site engineers and SPIU office • The FPCU team should check these records during monitoring visits

Risk/Impact	Analysis (Magnitude, Extent, Timing, Likelihood, Significance)	Mitigation
	<ul style="list-style-type: none"> Records of all sanctions, punishments and terminations with reasons and follow-up actions taken 	
Primary Suppliers	Primary suppliers could also have occupational injuries, incident/accidents while performing project related functions	Primary suppliers should maintain records related to occupational injuries, illness and lost time accident, which should be reviewed by the contractor every quarterly
Discipline and Termination of Employment	<ul style="list-style-type: none"> Disciplinary process should be laid out before commencement of work and explained to every worker Termination of appointment should abide by the following principles: <ul style="list-style-type: none"> ✓ Valid or reasonable; ✓ Clear and unambiguous; ✓ The employee is aware, or could reasonably be aware of the rule or standard; and ✓ The procedure to be applied in the event the employee contravenes any of these rules 	<ul style="list-style-type: none"> The SPIU should periodically review workers disciplinary and termination processes to ensure that they are executed fairly and without prejudice Where unfair treatment is established the SPIU should put in place corrective action and follow up to ensure execution

3.2.1 Labour Influx

This project may face an influx of non-local Labor and working conditions issues as skilled Labourers might not be available in some of the project sites. Therefore, the FPCU/SPIUs will take concrete measures to mitigate potential Labor influx-related risks such as workers' sexual relations with minors and resulting pregnancies, presence of sex workers in the community, the spread of HIV/AIDS, sexual harassment of female employees, child Labor and abuse, increased dropout rates from school, inadequate resettlement practices, and fear of retaliation, failure to ensure community participation, poor Labor practice, and lack of road safety. These risks require careful consideration to improve social and environmental sustainability, resilience and social cohesion. Mitigation measures which must be monitored by the SPIUs include:

- (a) assessing living conditions of workers' camps and ensuring appropriate living conditions;
- (b) establishing proper agreement with host community on equipment staging area
- (c) establishing and enforcing a mandatory Code of Conduct for the company, managers and workers, and an Action Plan for implementation;
- (d) ensuring appropriate location for these camps;
- (e) taking countermeasures - indicated in the Social Management Plan - to reduce the impact of the Labor influx on the public services; and,
- (f) devising and implementing a strategy for maximizing employment opportunities for local population, including women.

3.2.2 Gender Based Violence

Nigeria ranks 118 out of 134 countries on the Gender Equality Index.² Women's disadvantaged position and lack of decision-making power in the social, economic and political spheres is reflected in policies, laws and resource allocation that thwart progress towards gender equality in the country. More than 70 percent of women live below the poverty line, and maternal mortality ratio is among the highest in the world at 576 per 100,000.³ More than half of people living with HIV (3.2 million) are women (55 percent).⁴ Girl enrollment in school lags behind boys, and represents one third to one quarter of classroom participants depending the state; and two-thirds of the 10.5 million out-of-school children, are girls.⁵

The wide diversity and distinct socio-economic, cultural and political contexts across Nigerian geopolitical regions and states results in different gender related vulnerabilities. While gender inequitable norms prevail throughout the country, these vary by region and interact with other structural, community and individual factors exposing women, girls and boys to some forms of GBV more than others. The socioeconomic status of women and girls in the northern zones lags behind those in the south: only 3 percent of girls in the North complete secondary school, over two-thirds aged 15-19 years are unable to read compared to less than 10 percent in the South, and 76 percent are married by age 18 in the northwest.⁶ Child marriage, acceptance of wife beating, restricted movement of women and girls are more pronounced in the North, and the prevalence of sexual violence, conflict related GBV and SEA is higher than in the South. In the South FGM, IPV, physical violence by any perpetrator, trafficking and harmful widowhood practices are more prevalent.

Manifestations of GBV

To understand if an act of violence is an act/manifestation of GBV, one must consider whether the act reflects and/or reinforces unequal power relations between males and females. Many—but not all—forms of GBV are criminal acts in Nigeria laws and policies

- Physical Violence (such as slapping, kicking, hitting or use of weapons)
- Emotional abuse (such as systematic humiliation, controlling behavior, degrading treatment, insults, and threats);
- Sexual violence, which includes any form of non-consensual sexual contact, including rape;
- Early/forced marriage, which is the marriage of an individual against her or his will often occurring before the age of 18, also referred to as child marriage;
- Economic abuse and the denial of resources, services, and opportunities (such as restricting access to financial, health, educational, or other resources with the purpose of controlling or subjugating a person);

² British Council Nigeria. [Gender in Nigeria report 2012](#); UNDP Human Development Report 2016. See: <http://hdr.undp.org/en/content/gender-inequality-index-gii>.

³ The 2013 Nigeria Demographic and Health Survey (NDHS). See: <https://dhsprogram.com/pubs/pdf/PR41/PR41.pdf>.

⁴ UNAIDS 2017 Data. See: http://www.unaids.org/sites/default/files/media_asset/20170720_Data_book_2017_en.pdf.

⁵ NDHS 2013.

⁶ NDHS 2013; British Council Nigeria, 2012.

- Trafficking and abduction for exploitation

A stand-alone GBV assessment is been prepared for the project with defined action plans and the Government will include commitments on GBV in the Environmental and Social Commitment Plan (ESCP) and ensure that funds are made available timely for implementation of such action plans. The PIUs will include in the bidding documents ('pre-qualification' and 'employers' requirements') key principles and specific requirements to address GBV to reduce and mitigate the risks of GBV especially during project implementation. Such measures will include:

- GBV/SEA assessment of project with attendant mitigations actions and costs;
- Mandatory contractors' code of conduct on sexual harassment;
- Monthly site visit by the safeguard unit/GBV officer to monitor GBV/SEA during construction/implementation phase;
- Community and workers' sensitization on GBV/SEA;
- Provision of referral units for survivors of GBV/SEA;
- Provisions in contracts for dedicated payments to contractors for GBV/SEA prevention activities against evidence of completion;
- Contractor and SPIU requirement to ensure a minimum target of female employment with incremental rewards of the obtainment of this target.

The project is expected to comply with the GBV assessment and action plans that will be developed for the project.

4.0 LEGAL AND REGULATORY REQUIREMENTS

4.1 Introduction

Various National laws, policies, systems, standards and international good practice codes are applicable to the implementation of this Plan. Such requirements are outlined in the following sections.

Labor Act, Chapter 198, Laws of the Federation of Nigeria (LFN) 2004: The Act covers general provisions including:

- Protection of wages
- Contracts of employment and terms and conditions of employment
- Fair treatment and equal opportunities of project workers.
- Hours of work and overtime
- Employment of women
- Labor health matters
- Prohibition of forced labor
- Labor complaints

Factories Act, 1990: The Factories decree 1990 is a landmark in legislation in occupational health in Nigeria. It provides a substantial revision of the colonial legislation, Factories Act 1958, in which the definition of a factory was changed from an enterprise with 10 or more workers to a premise with one or more workers thereby providing oversight for the numerous small-scale enterprises that engage the majority of the workforce in Nigeria. It stipulates the enforcement of compliance on factories, industries and organizations that employ labor on the protection of the right of workers to friendly environment, health and safety.

Factories Act, Cap F1, LFN 2004: The Act -

- Provides a legal framework for the regulation of safety standards for the operation of factories in Nigeria; and
- Sets out minimum standards for clean and conducive working environments

Worker's Compensation Act (2010): The Act provides compensation to employees who suffer from occupational diseases or sustain injuries arising from accidents at workplace or in the course of employment. Payment of compensation (to the worker or to his dependents in case of death) by the employer is rooted in the accepted principle that the employer has a duty of care to protect the health, welfare and safety of workers at work.

Trade Unions (Amended) Act, 2005: Relevant provisions include:

- Membership of a trade union by employees shall be voluntary and no employee shall be forced to join any trade union or be victimized for refusing to join or remain a member".
- For the purposes of collective bargaining all registered Unions in the employment of an employer shall constitute an electoral college to elect members who will represent them in negotiations with the employer

- The right to strike is an integral part of the freedom of every citizen to associate with others particularly to form or join a trade union of his choice for the protection of his interests, which is entrenched in section 40 of the Constitution of the Federal Republic of Nigeria 1999.
- No person shall subject any other person to any kind of constraint or restriction of this personal freedom in the course of persuasion

National Minimum Wage Act, 2010: National minimum wage in Nigeria is determined by the Government. Government is empowered to set up "industrial wages boards" for specific sectors or geographical areas where it considers wages to be "unreasonably low" or where there is no adequate collective bargaining machinery for the effective regulation of wages or other conditions of employment of those workers.

Generally, wage rate is determined by the applicable collective agreement or the agreement between the worker and the employer.

Section 15 of the Labor Act states that wages shall become due and payable at the end of each period for which the contract is expressed to subsist (daily, weekly or at such other period as may be agreed upon) provided that where the period is more than one month, the wages become due and payable at intervals not exceeding one month

4.2 Federal Ministry of Labour & Employment

The Nigeria Ministry of Labor and Employment is the country's designated authority for Labor-related matters. The ministry has the authority and capacity to ensure appropriate Labor management in the country; as such, its institutional framework is adequate to accommodate and oversee to the implementation of requirements under the World Bank's ESS 2 – Labor and Working Conditions.

The Ministry is structured into six Zonal Labor offices, nine departments consisting of six professional and three service departments. It operates 36 State Labor Offices and the FCT, 23 District Labor Offices, Labor Desk Office, Geneva, Switzerland. Recently nine (9) Labor Desk were approved for nine ministries, department and agencies. In addition, it oversees Five (5) parastatals and relates with several national and international bodies and organizations.

Relevant Departments:

a. The Inspectorate

The Department is charged with the responsibility of ensuring compliance with all national and international Labor legislations connected with terms and conditions of employment, promotion of health and safety and sustenance of industrial peace and harmony. The department is also charged with the protection of children from child Labor especially in its worst forms.

b. Social Security Department

The Ministry inaugurated a National Working Committee (NWC) on Social Security Policy for Nigeria. The outcome was the establishment of Social Security Department within the ministry to promote a coordinated and holistic approach to social security. The policy drafted by the NWC was in line with International Labor Organization (ILO) Convention 102, to provide a framework for international best practices based on set minimum standards. The policy is expected to provide the poor, weak and vulnerable an equitable access to medical care, employment, maternity care, survivor's benefits, etc. The department collaborates with relevant stakeholders to regulate a well-focused, coordinated and effective National Social Security System.

c. Employment and Wages

The Department is charged with the responsibility of initiating and implementing the employment and wages policies of the Federal Government of Nigeria and has the following functions:

1. Formulation and implementation of employment policies.
2. Registration and placement of unemployed applicants through:
 - ✓ Employment Exchanges
 - ✓ Professional and Executive Registries
 - ✓ National Electronic Labour Exchange
3. Coordination of Decent Work Country Program
4. Wages administration through:
 - ✓ Wages Monitoring
 - ✓ Processing of Collective Agreements
5. Issuance of Recruiter's Licenses.
6. Labour migration management.
7. Initiating and implementing programs on active aging
8. Oversight functions over National Directorate of Employment.

d. Occupational Safety and Health

The Factory Inspectors under the department are responsible for the enforcement of Factories Act 1990, Cap 126 Law of the Federation of Nigeria. They also oversee the implementation of several other subsidiary legislations, which provide for the safety, health and welfare of workers in all workplaces nationwide. The enforcement of Factories Act is done through:

- Registration of new factory premises, renewal of certificate of registration and amendment or revocation of certificate of registration.
- Special Inspection of workplaces.
- Investigation of accidents, dangerous occurrences and occupational diseases.
- Prosecution of recalcitrant occupiers.
- Preparation of safety and health regulations, code of practice, guidelines and standards for various operations, processes and hazardous agents.
- Provision of occupational safety and health education to workers and employers.
- Recording and dissemination of information and statistics on all aspects of occupational safety and health through the national Occupational Safety Health Information Centres (CIC).

- Provision of technical assistance and advisory services to workplaces on HIV and AIDS interventions.

e. The Office of the Registrar of Trade Unions

The Registrar of trade Unions is a unit in the Trade Unions Services and Industrial Relations Department, the office of the Registrar of Trade Union (RTU) is a statutory office created by Section 45 of the Trade Union Act CAP T8 LFN 2004. The Registrar has the primary responsibility for the effective administration of the Trade Unions Act. Hence, the office of the registrar of Trade Unions has the following specific responsibilities:

- i. Registration of trade unions.
- ii. Cancellation of certificate of registration of trade unions.
- iii. Supervision of trade unions account:
- iv. Issuance of guidelines and circulars to registered unions, highlighting observed shortcomings in their obligations under the provisions of the Trade Unions Act for effective administration of the registered bodies.
- v. Promotion of workers educational programs through lectures at trade unions organized seminars, workshops, symposia and conferences.
- vi. Maintenance of records of registered offices, documents and particulars of registered unions.
- vii. Attendance to courts in respect of relevant Trade Union matters.
- viii. Collection of statutory fees as revenue for the government and paying same into the government coffers.

4.3 International Regulations

The project will be guided by the following international regulations

1. International Labor Organization (ILO)
2. Africa Regional Labor Administration Centre (ARLAC)
3. Organization of African Trade Union Unity (OATUU)
4. Africa Union, Labor and Social Affairs Commission (AULSAC)
5. Organization of Trade Union of West Africa
6. Pan African Employers Association
7. Pan African Productivity Association (PAPA)
8. International Social Security Association (ISSA)

Their mandate as relevant to the Adolescent Girls Initiative for Learning and Empowerment Program include:

- Development and promotion of productive employment policies and programs.
- Stimulation and enhancement of national Productivity Consciousness, rewards for excellence and promotion of national competitiveness.

- Skills Development, upgrading, certification, placement and empowerment of artisans, tradesmen and applicants in various areas of national needs.
- Provision of Social Security Coverage, Welfare and Employee's Compensation to the nation's workforce.
- Provision of Labor Protection Services, supervision, enforcement, Education, Promotion of Social Justice, Ratification, Implementation and Review of National Labor Laws and Policies.
- Trade Unions Education and Training.
- International Labor Diplomacy.
- Occupational Safety and Health.
- Administration of the Factories Act.

4.4 International Finance Institution requirements

In relation to this Plan, the most pertinent requirements which will guide the execution of this LMP are:

- Performance Standard 2: Labor and Working Conditions (International Finance Corporation, 2006)
- Workers' accommodation: processes and standards (European Bank for Reconstruction and Development and International Finance Corporation, 2009)
- Universal Declaration of Human Rights (United Nations, 1948)
- International Labor Organization Core Conventions
- United Nations Human Rights Council: Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations

5.0 BRIEF OVERVIEW OF LABOUR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

The requirements of the Environmental and Social Standard 2 on Occupational Health and Safety will be to carry out site specific risk assessments (see annex 1 for sample) and develop appropriate risk prevention and mitigation measures. Where risk prevention and mitigation require provision of personal protective equipment (PPE), appropriate PPE will be provided to workers who are tasked to work on high risk tasks or areas. During risk assessment which will be conducted during screening process, possible hazards or risks related to the project activities will be identified. To this end, the appropriate PPE will be provided during project implementation. The identification of PPE will be done during the screening and development of site-specific environmental and social management plans (ESMPs).

5.1 The World Bank Environmental and Social Standards: ESS 2

ESS 2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. The objectives are as follows:

- 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 Labour and child Labour.
- 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

5.2 Comparison Between the World Bank ESS2 and the Labour Related Legislation in Nigeria

Table 4 below describes the comparison between the Nigerian labor legislations and the ESS 2 including opportunities for synergy.

Table 4: Comparison Between the Nigeria Labour Legislation and World Bank ESS2

Nigerian Labour Legislations	ESS2: Labor and Working Conditions	Synergy for the Project
<ul style="list-style-type: none"> • National legal framework is robust and implemented well in the formal sector, however, casual workers are not given the same benefits (such as compensation for injuries, right to belong to trade unions and bargain collectively, various social security 	This standard makes provisions for borrowers to promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and	Labor Management Procedures (LMP) consistent with World Bank ESS2 and National Labor Laws for all categories of workers have been integrated in this LMP. In addition, this has been integrated in the project

<p>benefit, unequal pay, forced Labor, absence of grievance redress mechanism)</p> <ul style="list-style-type: none"> • There is no defined Labor management procedure to guide developmental projects • Lack of synergy between FMEEnv and Ministry of Labor limits the efficiency and effectiveness of Labor inspections on projects • Low resources, capacity, standardized tools for effective implementation and monitoring of OHS standards 	<p>providing safe and healthy working conditions.</p> <p>The standard recognizes that the project will make use of various categories of workers, direct and indirect workers who may face unfavorable terms and conditions of employment, discrimination, child Labor, forced Labor, grievances and unsafe working conditions.</p> <p>ESS2 provides procedures for managing these Labor management risks and impacts.</p>	<p>Environmental and Social Management Framework (ESMF).</p> <p>The Environmental and Social Commitment Plan (ESCP) also includes Governments commitment to issues relating to Labor and working conditions</p>
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6.0 ROLES AND RESPONSIBILITIES FOR MANAGING THE LMP

6.1 Introduction

The State Project Implementation Units (SPIUs) have the overall responsibility to oversee all aspects of the implementation of the LMP including occupational safety, health and welfare of workers, and ensure contractor compliance. The SPIUs will address all LMP aspects as part of procurement for works as well as during contractor induction/training. This role will primarily be part of the responsibilities of the Environmental and Social Officers of the SPIUs, however, they will be required to liaise with other staff of the SPIU and report frequently to the Project Coordinator on all LMP matters.

Contractors will be responsible for implementation of the plan on a daily basis and providing the required human, financial and training resources for effective compliance. However, implementation of the project will be done in collaboration with several other stakeholders at national, state, schools and community level who will also be expected to assist in the management of workers within their areas of jurisdiction in the project

Specific roles are outlined below:

Occupational Health and Safety

Contractors must engage a minimum of one Health Safety and Environment (HSE) officer in every team to ensure the day-to-day compliance with specified health and safety measures and records of any incidents. Minor incidents and near misses will be reported to the SPIUs (through the SPIU Environmental Officer) on a monthly basis, serious incidents should be reported immediately and not later than 24hrs. Minor incidents will be reflected in the quarterly reports to the World Bank, while major accidents/deaths should be flagged to the World Bank within 48hrs.

Labour and Working Conditions

Contractors will keep records in accordance with specifications set out in this LMP. The SPIUs may at any time require records to ensure that Labour conditions are met. Where issues are spotted, the SPIU will ensure that immediate remedial actions are implemented. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.

Worker Grievances

Contractors must engage a minimum of one social officer in every team to handle issues relating to social risks. The SPIUs (through the social officer) will review the effectiveness of the workers grievance redress mechanism as stipulated in section 4 and ensure that all complaints by workers are resolved. The SPIU will report this as part of the quarterly E&S reports to the World Bank.

Additional Training

The contractor will set up a system of daily HSE PEP talks, routine safety trainings and specialized job trainings for workers. Trainings will form part of the contractor's responsibility. The contractors HSE officers will provide safety instructions to contractor staff. The SPIU will liaise with contractors to deliver

trainings to address risks associated with Labor influx including GBV/SEA. The contractor will be obligated to make staff available for this training, as well as any additional mandatory trainings required by the SPIU, as specified by the contract

Occupational Health and Safety compliance

The contractor shall comply with all provisions of the LMP, site-specific ESMPs that will be prepared, including occupational health and safety plans, emergency plans amongst others. In addition, contractors shall procure the identified PPE and First Aid kit for use during project implementation and these will be included in the Bill of Quantities (BoQs). The Contractor shall organize training for workers on the use of PPE and First Aid kit (see sample training plan in Annex 1). It is also expected that every contractor will have an HSE Manual which will demonstrate the company's personnel commitments to HSE compliance.

7.0 POLICIES AND PROCEDURES

Employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be followed by contractors and monitored by the AGILE SPIU Social specialist, to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender;
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post;
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- Employees will be informed at least two months before their expected release date of the coming termination;
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties;
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.

8.0 AGE OF EMPLOYMENT

Although age for employment in Nigeria differs, the project will only engage person at minimum age of eighteen (18) and this will be enforced at recruitment and in daily staff team talks by Contractors. SPIU will also supervise this through the Contractor Management Checklist.

Contractors (consultants) will be required to verify the identify and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. Contractors will liaise with community members to attest to the age and conduct of all local hires, and maintain a list of same

Hired project workers above 18 shall conduct his/her activities in ways that are not detrimental with respect to education or be harmful to the child's health or physical, mental, spiritual, moral or social development

If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, considering the best interest of the child.

9.0 TERMS AND CONDITIONS

Terms and conditions of direct workers are determined by their individual contracts and public service rules (for government staff).

Most of the government staff who will be deployed to the project will seconded from their parent ministries. The Civil service sector Nigeria are guided by terms and conditions stipulated in the Public service rules (2008 edition).

Consultants will apply the terms and conditions stipulated in their contract of engagement.

The contractors' labor management procedure will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will be in line, at a minimum, with this labor management procedure and General Conditions of the World Bank Standard Procurement Documents.

10.0 GRIEVANCE REDRESS PROCEDURES FOR WORKERS

10.1 Introduction

This procedure requires every employer, including contractors, to have a Formal Grievance Procedure which should be known and explained to the employee. All the contractors who will be engaged for the project will be required to produce their grievance procedure as a requirement for tender which at a minimum comply with these requirements:

- Who the employee should report to;
- Time frame for addressing grievances at each level should be specified;
- Opportunity to report to a higher-level authority if grievance is not resolved at within the stipulated time;
- Right to seek judicial redress

The grievance process should be guided by the following principles:

- Transparency
- Confidentiality
- Non-retribution practices
- Non-vindictive
- Right to representation
- Proper documentation

It is recommended that since the nature of civil works for the project is minor-moderate, workers should adopt the existing Grievance Redress Mechanism defined for the project (chapter nine of the Environmental and Social Management Framework (ESMF)) as summarized below:

10.2 Establish a GRM

Grievance Redress Mechanism (GRM) will be implemented to ensure that all complaints from workers are dealt with appropriately, with corrective actions being implemented, and the complainant being informed of the outcome.

10.3 Grievance Redress Committees

Grievance Redress Committees (GRCs) shall be constituted at various levels to implement the GRM for the project including community level, SPIU level, FPCU level, Judiciary as shown in table 5 below.

Table 5: Levels of Grievance Redress Committees

First Level GRM: GRC at the	Composed at the community level and easily accessible to workers. This committee will comprise of community liaison officers, supervision consultant site engineer, representative
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Site/Community Level	of school management among other identified persons. In addition, complaint box will be placed in the school that will encourage aggrieved workers drop their complaints. This should be checked regularly (at least twice weekly) by a designated person in the committee. This committee will be expected to report to the SPIU.
Second Level of GRM: GRC at the SPIU Level	This committee shall comprise of PIU members including the Project Coordinator, Social Officer among others, and other state level representative from within the State Project Monitoring Committees. If the complainant does not accept the solution offered by the SPIU-GRC, then the complaint is referred by the Sate Project Coordinator to the FPCU
Third Level of GRM: GRC at the FPMU Level	The Federal Project Coordinating Unit (FPCU) will be required to intervene in grievances beyond the state level resolution.
Court Redress of Grievances	While the purposes of GRM put in place by this Project is to resolve all issues caused by the project implementation out of court and to save time which is usually involved in litigation matters, it is not out of place to anticipate a scenario where aggrieved person is not satisfied with the process and judgment given by the grievance redress committee(s). Therefore, SPIU shall inform aggrieved persons of their right to seek for redress in the court of law as the final resort.

10.4 Roles of the GRCs

The Grievance Redress Committees will be responsible for:

- Communicating with the Affected persons (AP's) and evaluate if they are entitled to recompense;
- Making the list of affected persons public and the established grievance redress procedure.
- Recommending to the Social Officer of the PIU solutions to such grievances from affected persons;

Communicating the decisions to the AP's; to acknowledge appeals from persons, households or groups who rightfully will not be affected by the project, but claim to be, and to recommend to the SPIU whether such persons should be recognized as AP's, and to communicate back the decisions to the Claimants.

10.5 Expectation When Grievances Arise

When workers present a grievance, any of the followings is or are expected from the project management/channel of grievance resolution:

- acknowledgement of their problem;
- an honest response to questions/issues brought forward;
- an apology, adequate compensation; and
- Modification of the conduct that caused the grievance and some other fair remedies.

10.6 Typical Grievance Redress Process

The process of grievance redress will start with registration of the grievance(s) to be addressed, for reference purposes and to enable progress updates of the cases. Thus, the aggrieved worker will file a complaint/ fill a grievance form with the Grievance Redress Committee. The compliant should contain a

record of the person responsible for an individual complaint, and records dates for the date the complaint was reported; date the Grievance Log was uploaded onto the project database; date information on proposed corrective action sent to complainant (if appropriate), the date the complaint was closed out and the date response was sent to complainant.

The officer receiving the complaint (part of the GRC member) will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed. The response time will depend on the issue to be addressed but it should be addressed with efficiency. The Grievance committee will act on it within 10 working days of receipt of grievances. If no amicable solution is reached, or the affected person does not receive a response within 15 working days, the affected person can appeal to the SPIU, which should act on the grievance within 15 working days of its filing. These timelines are further illustrated in table 6 below:

Table 6: Typical Steps in a Grievance Redress Process

Steps	Process	Description	Completion Time frame	Responsible Agency/Person
1	Receipt of complaint	Document date of receipt, name of complainant, village, nature of complaint, inform the SPIU	1 day	Secretary to GRC at project level
2	Acknowledgement of grievance	By letter, email, phone	1-2 days	Social officer at SPIU
3	Screen and Establish the Merit of the Grievance	Visit the site; listen to the complainant/community; assess the merit	5-10 days	GRC & social officer & the aggrieved PAP or his/her representative
4	Implement and monitor a redress action	Where complaint is justified, carry out resettlement redress in line with the entitlement matrix	14 days or at a time specified in writing to the aggrieved PAP	PC-PIU and Social Officer
5	Extra intervention for a dissatisfied scenario	Review the redress steps and conclusions, provide intervention solution	10 days of receiving status report	State Project Coordinator
6	Judicial adjudication	Take complaint to court of law	No fixed time	Complainant
7	Funding of grievance process	GRC logistics and training, redress compensation, court process	No fixed time	The proponent

*All complaints including anonymous ones must be attended to and resolved

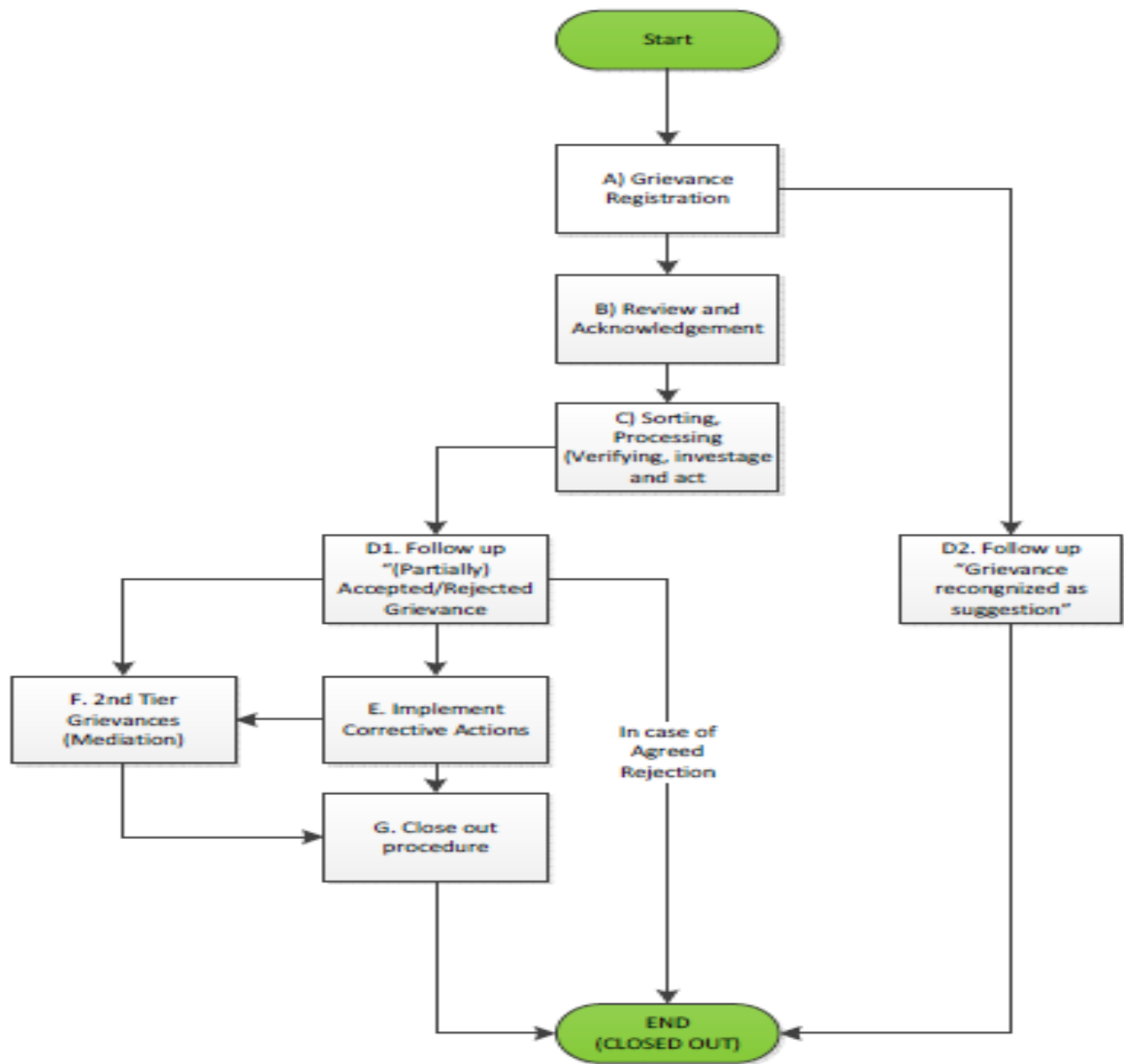


Figure 1: Flowchart for Grievance Redress Mechanism

11.0 CONTRACTOR MANAGEMENT

Construction and other contracts will include provisions related to labor and occupational health and safety as provided in the World Bank Standard Procurement Documents and Nigerian laws. The AGILE Project will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor management records and reports compiled by contractors. Contractors' labor management records and reports that may be reviewed would include: representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions, records relating to incidents of non-compliance with national law, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.

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ANNEX 1: SAMPLE OF A RISK ASSESSMENT TOOL

<i>What are the hazards?</i>	<i>Who may be harmed and how?</i>	<i>What are you already doing?</i>	<i>What further action is necessary?</i>	<i>How will you put The assessment into action?</i>		
<p>Spot hazards by:</p> <ul style="list-style-type: none"> ■ Walking around the workplace; ■ Asking workers what they think; ■ Checking safety instructions; ■ Contacting your supervisors <p><i>Don't forget long-term hazards</i></p>	<p>Identify groups of people. Remember:</p> <ul style="list-style-type: none"> ■ Some workers have needs; ■ People who may not be in the workplace all the time; ■ If you share your workplace think about how your work affects others; 	<p>List what is already in place to reduce the likelihood of harm or make any harm less serious</p>	<p>You need to make sure that you have reduced risks "so far as is reasonably practicable". An easy way of doing this is to compare what you are already doing with best practice. If there is a difference, list what needs to be done</p>	<p>Remember to prioritize. Deal with those hazards that are high-risk and have serious consequences first.</p>		
				Action by whom	Action by when	Done
<p>Review your assessment to make sure you are still improving, or at least not sliding back</p> <p>If there is a significant change in your worksite, remember to check your risk assessment and where necessary, amend it</p>			<p>Review Date:</p>			
<p>Assessment completed by:</p>			<p>Signature:</p>			

ANNEX 2: SAMPLE OF A CONTRACTORS CODE OF CONDUCT

1.0. AIM OF THE CODE OF CONDUCT

The main aim of the Code of Conduct is to prevent and/or mitigate the social risks within the context of rehabilitation and expansion of schools. The Codes of Conduct are to be adopted by contractors. The social risks that may arise include but not limited to Gender Based Violence (GBV), Violence Against Children (VAC), HIV and AIDS infection/spread, and occupational health and safety.

2.0 KEY DEFINITIONS

The following definitions apply:

Gender-Based Violence (GBV)

This is defined as any conduct, comment, gesture, or contact perpetrated by an individual (the perpetrator) on the work site or in its surroundings, or in any place that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to another individual (the survivor) without his/her consent, including threats of such acts, coercion, or arbitrary deprivations of liberty.

Violence Against Children (VAC)

This may be defined as physical, sexual or psychological harm of minor children (i.e. under the age of 18), including using for profit, labour, sexual gratification, or some other personal or financial advantage. This also includes other activities such as using computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any mediums.

Child Labour

This involves employment of underage. Any person under the age of 18 should not be employed in the project sites.

Child Protection (CP)

An activity or initiative designed to protect children from any form of harm, particularly arising from VAC, and child labour.

Child

The word is used interchangeably with the term 'minor' and, in accordance with the United Nations Glossary on Sexual Exploitation and Abuse, refers to a person under the age of 18.

Grooming

This is defined as behaviours that make it easier for a perpetrator to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for instance by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

Online Grooming

This is the act of sending an electronic message with indecent content to a recipient who the sender believes to be a minor, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Survivor/Survivors

This is defined as the person(s) adversely affected by GBV, VAC, and child labour. Women, men and children can be survivors of GBV, VAC, and child labour.

Perpetrator

This is defined as the person(s) who commit(s) or threaten(s) to commit an act or acts of GBV, VAC, and child labour.

Work site

This is defined as the area in which infrastructure development works are being conducted, as part of interventions planned under the project, funded by the World Bank.

Work site surroundings

These are defined as the 'Project Area of Influence' which is any area, urban or rural, directly affected by the project, or located within the distance of three kilometres' radius from the work site and/or worker's camps, including all human settlements found on it.

Consent

This word is defined as the informed choice underlying an individual's free and voluntary intention, acceptance, or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. Any use of a threat to withhold a benefit, or of a promise to provide a benefit, or actual provision of that benefit (monetary and non-monetary), aimed at obtaining an individual's agreement to do something, constitutes an abuse of power; any agreement obtained in presence of an abuse of power shall be considered non-consensual. In accordance with the United Nations, the World Bank considers that consent cannot be given by children under the age of 18, even in the event that national legislation of the country into which the code of conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defence.

Contractor

This is defined as any firm, company, organisation or other institution that has been awarded a contract to conduct infrastructure development works in the context of the project and has hired managers and/or employees to conduct this work.

Manager

The word is used interchangeably with the term 'supervisor' and is defined as any individual offering labour to the contractor, on or off the work site, under a formal employment contract and in exchange for a salary, with responsibility to control or direct the activities of a contractor's team, unit, division or similar, and to supervise and manage a pre-defined number of employees.

Employee

This is defined as any individual offering labour to the contractor on or off the work site, under a formal or informal employment contract or arrangement, typically but not necessarily in exchange for a salary (e.g. including unpaid interns and volunteers), with no responsibility to manage or supervise other employees.

Workers Committee

A team established by the Contractor to address GBV, VAC, child labour and other relevant issues with the work force.

3.0 CODES OF CONDUCT

This chapter presents three Codes of Conduct (CoC) for use:

1. **Contractors Code of Conduct:** Commits the contractor to addressing GBV and VAC issues;
2. **Manager's Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,
3. **Individual Code of Conduct:** Code of Conduct for each individual working on project funded projects

3.1 Contractors Code of Conduct

Contractors are obliged to create and maintain an environment which prevents social risks. They have the responsibility to communicate clearly to all those engaged on the project the behaviours which guard against any form of abuse and exploitation. In order to prevent Social risks, the following core principles and minimum standards of behaviour will apply to all employees without exception:

1. GBV or VAC constitutes acts of gross misconduct and are therefore grounds for sanctions, penalties and/or termination of employment and/or contract. All forms of Social risks including grooming are unacceptable be it on the work site, the work site surroundings, or at worker's camps of those who commit GBV or VAC will be pursued.
2. Treat women, children (persons under the age of 18) and people with disability with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic, cultural beliefs/practices, or other status.
3. Do not use language or behaviour towards men, women or children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
4. Sexual activity with children/learners under 18 (including through digital media) is prohibited. Mistaken belief regarding the age of a child and consent from the child is not a defence.
5. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited.
6. Sexual interactions between contractor's employees and communities surrounding the work place that are not agreed to with full consent by all parties involved in the sexual act are prohibited (see definition of consent above). This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex.
7. Where an employee develops concerns or suspicions regarding acts of GBV or VAC by a fellow worker, whether in the same contracting firm or not, he or she must report such concerns in accordance with established Grievance Redress Mechanism (GRM) that protects the identities of victims and whistle-blowers.
8. All contractors are required to attend an induction prior to commencing work on site to ensure they are familiar with the social risks and Codes of Conduct.
9. All employees must attend a mandatory training once a month for the duration of the contract starting from the first induction prior to commencement of work to reinforce the understanding of the institutional social risks and Code of Conduct.
10. The Contractor shall ensure provision of financial resources and support compliance to occupation health and safety requirements for all workers.
11. The Contractor shall ensure that workers dress appropriately i.e. dress in a way that: -

- Is unlikely to be viewed as offensive, revealing, or sexually provocative.
 - Does not distract, cause embarrassment or give rise to misunderstanding
 - Is absent of any political or otherwise contentious slogans
 - Is not considered to be discriminatory and is culturally sensitive
12. The Company shall ensure provision of financial resources and trainings to prevent spread of HIV and AIDS.
 13. The company shall comply with all the applicable international and national legislation including giving terminal benefits to workers who have served for at least three months;
 14. All contractors must ensure that their employees sign an individual Code of Conduct confirming their agreement to support prevention of social risks activities.
 15. The contractor should ensure equitable access to limited natural resources (e.g. water points) to avoid conflicts with local communities
 16. Where possible, the contractor should ensure employment of local workforces especially where unskilled labour is required to mitigate social risks

I do hereby acknowledge that I have read the foregoing Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in termination of the contract.

FOR THE CONTRACTOR

Signed by: _____

Signature: _____

Title: _____

Date: _____

3.2 Code of Conduct for Construction Site Supervisor/Managers Code of Conduct

Site Supervisors at all levels play an important role in creating and maintaining an environment, which prevents workers misconduct. They need to support and promote the implementation of the Contractors Codes of Conduct and enforce Workers Codes of Conduct. Construction site supervisor must adhere to this Code of Conduct. This commits them to develop and support systems, which maintain a safe working environment. Construction Site Supervisor responsibilities include but are not limited to:

1. Where possible, ensure employment of local workforces especially where unskilled labour is required to mitigate social risks;
2. Ensure there is zero tolerance to child labour practices;
3. Promote gender inclusion at all levels;
4. Establish a workers' committee to oversee issues of workers' misconduct including GBV and VAC;
5. Ensure compliance to occupation health and safety requirements for all workers;
6. Ensure that workers dress code is adhered to appropriately;
7. Ensure that access to construction sites is restricted to authorized persons; hoarding is provided and that there is proper signage to construction site(s);
8. Facilitate workers training and capacity building on social, environmental and health and safety;
9. Ensure that all workers are sensitized on HIV and AIDS issues, provided with condoms and HTC services;
10. Ensure that fundamental workers' rights (e.g. working hours, minimum wages, etc) are protected;
11. Ensure that possession of alcohol and illegal drugs and other controlled substances in the workplace and being under influence of these substances on the job and during working hours should be strictly prohibited;
12. Ensure compliance to all legal requirements;
13. Supervisors failing to comply with such provision can be in turn subject to disciplinary measures including termination of employment; and
14. Ultimately, failure to effectively respond to some provisions of the code of conduct may provide grounds for legal actions by authorities.
15. Ensure that every employee under his/her supervision has been oriented on the Code of Conduct and has signed.

I do hereby acknowledge that I have read the foregoing Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to comply to all rules of this code of conduct. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in disciplinary action.

Signed by: _____
Signature: _____
Date: _____
FOR THE EMPLOYER

Signed by: _____
Signature: _____
Date: _____

3.3 Workers Code of Conduct

I, _____, acknowledge that preventing any misconduct as stipulated in this code of conduct, including gender based violence (GBV), child abuse/exploitation (CAE) are important. Any activity, which constitute acts of gross misconduct are therefore grounds for sanctions, penalties or even termination of employment. All forms of misconduct are unacceptable be it on the work site, the work site surroundings, or at worker's camps. Prosecution of those who commit any such misconduct will be pursued as appropriate.

I agree that while working on this project, I will:

1. Consent to security background check;
2. Treat women, children (persons under the age of 18) and persons with disability with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, birth or other status;
3. Not use language or behaviour towards men, women or children/learners that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
4. Not participate in sexual activity with children/learners—including grooming or through digital media. Mistaken belief regarding the age of a child and consent from the child is not a defence;
5. Not exchange money, employment, goods, or services for sex, with community members including sexual favours or other forms of humiliating, degrading or exploitative behaviour;
6. Not have sexual interactions with members of the communities surrounding the work place, worker's camps and fellow workers that are not agreed to with full consent by all parties involved in the sexual act (see definition of consent above). This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex - such sexual activity is considered "non-consensual" within the scope of this Code;
7. Attend trainings related to HIV and AIDS, GBV, CAE, occupational health and any other relevant courses on safety as requested by my employer;
8. Report to the relevant committee any situation where I may have concerns or suspicions regarding acts of misconduct by a fellow worker, whether in my company or not, or any breaches of this code of conduct provided it is done in good faith;
9. With regard to children (under the age of 18):
 - Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger.
 - Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
 - Refrain from physical punishment or discipline of children.
 - Refrain from hiring children for domestic or other labour, which is inappropriate given their age, or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
 - Comply with all relevant local legislation, including labour laws in relation to child labour.
10. Refrain from any form of theft for assets and facilities including from surrounding communities.
11. Remain in designated working area during working hours;
12. Refrain from possession of alcohol and illegal drugs and other controlled substances in the workplace and being under influence of these substances on the job and during workings hours;
13. Wear mandatory PPE at all times during work;
14. Follow prescribed environmental occupation health and safety standards;

15. Channel grievances through the established grievance redress mechanism.

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

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

Signed by: _____

Signature: _____

Date: _____

FOR THE EMPLOYER

Signed by: _____

Signature: _____

Date: _____

ANNEX 3 SAMPLE HEALTH TRAINING AND ENVIRONMENT PLAN

S/N	Training Title	Description	Timing	Who to Deliver the Training
1	Sensitization on the HSE Manual	To train all workers on all the provisions in the HSE Manual and the company's HSE Policy (use local language as necessary) including the right use of PPEs	Upon mobilization of every worker to site	HSE Expert
			Refresher on a monthly basis	Contractor HSE Officer
2	First Aid administration/ Use of First Aid Box	To train selected officers (Contractor HSE Officer, Site Manager, Yard Manager, Team leaders, Female workers representative) on the right first aid administration for different scenarios including demonstrations	Upon mobilization to site and after every 6 months	Public Health Expert/ First Aid Care Giver
3	Protocol for construction site, staging areas, borrow pits and campsite	To ensure all workers understand the protocol to adopt at the construction site, staging areas, borrow pits and campsite	Upon mobilization to site Refresher every 3 months	Site Manager
4	General Training on site work	Right procedures for: manual handling, electrical safety, emergency procedures, work at height, confined spaces, underground construction, cofferdams etc.	Upon mobilization to site Refresher every 2 months	Site Manager/ Project Manager/ Engineer/ HSE Officer
5	Daily HSE Pep Talks	To provide daily reminder on safety precautions and acceptable environmental and social protection including do's and don'ts for all workers	Daily	Contractor HSE Officer
6	Community Health and Safety Training	To train all workers and project management on: <ul style="list-style-type: none"> • Sexual Exploitation and Abuse/ Gender Base Violence Training • Code of Conduct Training • Sensitization on STDs/STIs • Grievance Redress Mechanism 	Upon mobilization of every worker to site Refresher every 3 months	Social Safeguard Expert

7	Drivers Training	To train all project drivers on safety and acceptable conduct	Upon employment Daily Monitoring Monthly Refresher	FRSC Expert in conjunction with project manager
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ANNEX 4 WORKERS CAMPSITE MANAGEMENT FRAMEWORK

Elements for managing risks associated with the Workers Campsite under the proposed project include:

- **Location:** The Contractor shall ensure to site workers camp at a designated location approved by the SPIU. The location was determined during the preliminary design preparation in conjunction with the local communities/authorities with the following criteria:
 - ✓ Be located outside the protection zone of watercourses (100 m) and wetlands;
 - ✓ Be located within an acceptable distance from existing residential areas;
 - ✓ Not located in areas with intact vegetation
 - ✓ The contractor must first obtain the necessary licenses and consents from the local authorities or from the owner of the needed area; Although it is the contractor's decision, it is recommended that whenever possible the camps should be handed over to the administrative or community authorities for future use;
 - ✓ The contractor must submit for the prior approval of the Resident Engineer, the implantation design and other project structures and specifications related to the camps and sites that are intended to be built;
 - ✓ The contractor shall take all necessary measures and precautions to ensure that the execution of the works is carried out in accordance with environmental, legal and regulatory requirements, including those set out in this document; The contractor shall take all measures and precautions to avoid any disturbance in the local communities and among the users of the road, as a result of the project execution;
 - ✓ The contractor shall, whenever possible, apply measures to reduce or eliminate any sources of disturbances. The contractor shall follow the provisions of this document, as well as the applicable legislation and standards, during the use, operation and maintenance of the camps and sites, in particular with regard to water supply and sanitation, solid waste management, handling and storage of dangerous substances, etc.;
 - ✓ The areas occupied by the camps and sites must be recovered at the end of the project, when the contractor is demobilized, through the replacement of previously existing conditions, unless other uses are intended

- **Accommodation, Hygiene and Sanitation:** The Contractor will ensure that all necessary sanitary facilities shall be provided for workers expected on site: separate rooms will be provided for male and female workers, all necessary sanitary facilities complying with World Health Organization (WHO) regulations will be provided for workers including:
 - ✓ Separate toilets for male and female
 - ✓ Portable water with well-placed overhead tanks
 - ✓ Wash basins
 - ✓ Concrete and covered septic tanks

- **On-site Social and Health Care Facilities:** Provision of basic on-site social and medical facilities such as first aid, basic health care center, recreational center, food service, etc. in order to reduce pressure on community facility.
- **Campsite Safety and Security:** Provision of 24 hours security stationed at the Campsite to ensure the security and safety of construction workforce and construction equipment.
- **Campsite Waste Management:** Adequate waste management of sewage and other forms of waste within the campsite. The Campsite shall be equipped with independent toilet facilities for male and female workers respectively, in order to discourage irregular waste disposal. Furthermore, standards must be instituted for personal and public hygiene among project workers. Additionally, project workers shall be properly trained on personal hygiene.
- **Establishment of and Training on Workers on Code of Conduct:** The Supervising Engineer and Safeguards Unit shall ensure that Contractors establish a workers' Code of Conduct (CoC). The CoC will help mitigate some of the social and environmental impacts of labour influx such as risk of social conflict, Increased risk of illicit behavior and crime, Increased burden on and competition for public service provision, Wastewater discharges, Increased demand on freshwater resources, and Inadequate waste disposal and illegal waste disposal sites etc., will help keep workers (local/foreign) in check on the rules and regulations binding their engagement. Contractors to ensure provision of training to workforce on code of conduct and ensure strict compliance. Measures provided for in the ESMP to deter illicit behavior and other social vices are adequately enforced.
- **Training programs:** Conduct and ensure key staff, including contractors, receive training regarding the likelihood, significance and management of influx-related issues such as HIV/AIDS, GBV, SEA, VAC etc.
- **Carry out Regular Monitoring:** The SPIU shall monitor for change throughout the project cycle to ensure compliance and on mitigation effectiveness from projects/contractors. Ensure a documented monitoring program that tracks key social outcomes, changes and issues at regular intervals throughout the project lifecycle