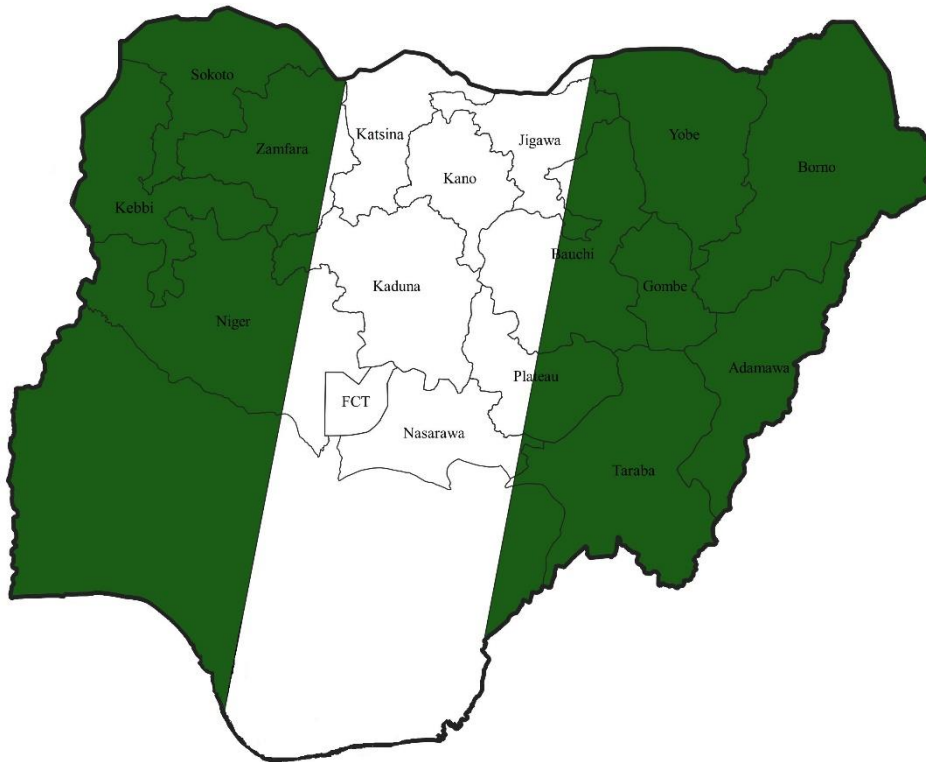


LABOR MANAGEMENT PROCEDURES (LMP)

FOR

**AGRO-CLIMATIC RESILIENCE IN SEMI-ARID LANDSCAPES
(ACReSAL) PROJECT**



VERSION: FINAL REPORT

October 2021

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Abbreviations

ACHPR	African Charter on Human and Peoples' Rights
ACReSAL	Agro-Climatic Resilience in Semi-Arid Landscape
ACRWC	African Charter on the Rights and Welfare of the Child
AIDs	Acquired Immune Deficiency Syndrome
ARLAC	Africa Regional Labour Administration Centre
AULSAC	Africa Union, Labour and Social Affairs Commission
AYEAD	Agriculture and Industrial Development Initiatives
BOQ	Bill of Quantities
CAP	Corrective Action Plan
CAR	Corrective Action Register
CAT	Convention against Torture
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERC	Contingency Emergency Response Component
C-ESMP	Contractors' ESMP
CoC	Code of Conduct
COVID-19	Corona Virus Disease 2019
CP	Child Protection
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
DHS	Demographic and Health Surveys
ECA	Employee's Compensation Act
ECF	Employees' Compensation Fund
EHS	Environmental, Health and Safety Guidelines
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESHS	Environmental, Social, Health and Safety
ESHSS	Environmental, Social, Health and Safety System
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
FEC	Federal Executive Council
FML&E	Federal Ministry of Labour & Employment
FMWA	Federal Ministry of Women Affairs and Social Development

FPMU	Federal Project Management Units
FRSC	Federal Road Safety Corps
GBV	Gender-Based Violence
GRM	Grievance Redress Mechanism
HIV	Human Immunodeficiency Virus
HSE	Health Safety and Environment
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDPs	Internally Displaced Persons
ILO	International Labour Organization
ISSA	International Social Security Association
LFN	Laws of the Federation of Nigeria
LMP	Labour Management Procedures
MDAs	Ministries, Departments and Agencies
NCDC	Nigeria Centre for Disease Control
NEWMAP	Nigeria Erosion and Watershed Management Project
NGOs	Non-Governmental Organisations
OATUU	Organization of African Trade Union Unity
OHS	Occupational Health and Safety
PAPA	Pan African Productivity Association
PMUs	Project Management Units
PPEs	Personnel Protective Equipment
RTU	Registrar of Trade Union
SEA	Sexual Exploitation and Abuse
SGBV	Sexual and Gender Based Violence
SH	Sexual Harassment
SOPs	Standard Operating Procedures
SPMUs	State PMUs
STDs	Sexually Transmitted Diseases
STIs	Sexually Transmitted Infections
UNICEF	United Nations Children’s Fund
VAC	Violence against Children
VAT	Value Added Tax
WHO	World Health Organization

EXECUTIVE SUMMARY

The Agro-Climatic Resilience in Semi-Arid Landscape Project (ACReSAL) is a project designed to address some of the critical environmental, social and economic challenges posed by climate change in Northern Nigeria. These challenges include environmental degradation, poor agricultural productivity, climate risks and desertification among others. The Project Development Objective (PDO) is to increase the adoption of climate resilient landscape management practices and enhance livelihoods in targeted arid/semi-arid watersheds in Northern Nigeria.

These Labour Management Procedures (LMP) have been prepared for ACReSAL projects across all participating States in accordance to the Nigeria Labour Act of 2004 as well as the World Bank's Environmental and Social Standard 2: Labour and Working Conditions (ESS2). "These LMP cover all categories of workers but exclude government workers/civil servants working in connection with this project except there is a legal transfer of their employment or engagement to this project".

These LMP apply entirely to ACReSAL, however, each sub-project activity will as part of their ESMP, provide project specific LMP adopted from this document. In the implementation of sub-projects under ACReSAL, specifically for civil works as well as supplies and installation, where labour will be required. This LMP therefore, covers the direct, contracted, community workers and primary supply workers who may be engaged in the sub-projects.

ACReSAL will be implemented by the Federal Project Management Unit of Nigeria Erosion and Watershed Management Project (NEWMAP) across the Arid and Semi-Arid landscape across Nigeria. The same structure will be maintained across relevant states that participated in NEWMAP while new SPMUs shall be formed for states without NEWMAP experience.

ACReSAL project aligns with the World Bank's Next Generation Africa Climate Business Plan of 2020. The activities that will be financed under ACReSAL and expected results are consistent with the five Strategic Directions of the plan:

1. Delivering Food Security;
2. Securing Environmental Stability;

3. Driving Clean Energy;
4. Building Resilient Green Cities;
5. Protecting against Climate Shocks; and two Special Areas of Emphasis: Promoting Climate-Informed Macroeconomic Policies; and Securing Green and Resilient Infrastructure.

Some of the potential labour risks and impacts associated with the project among others include unfair recruitment and selection practices which could discriminate against women and vulnerable groups, exploitative wages, Occupational Health and Safety risks from poor work safety culture, accidents/incidents, lack of provision of PPEs and enforcement of usage, forced and child labor, Gender-Based Violence (GBV), and workplace sexual harassment especially for newly recruited workers.

To avoid these identified labour risks and impacts, the guiding principles for ACRoSAL project implementation across all states are listed below:

1. There shall be non-discrimination and equal opportunity provided for all workers.
2. The terms and conditions of employment shall be outlined in a clear and understandable manner and ensure fairness in line with the applicable and prevailing National standards for all workers.
3. All civil servants deployed to work on the project shall be given official letters of deployment by their parent ministries.
4. Contractors shall provide safe and healthy working conditions for workers, void of worker exploitation, and shall ensure provision of standard facilities.
5. SPMUs and contractors shall conduct job hazard and risk assessment and implement actions to address such risks.
6. Contractors shall provide adequate work tools and personnel protective equipment to all workers.
7. Adequate and regular training on OHS/HSE shall be provided by the contractor to all workers.
8. There shall be no use of child labour or forced labour, minimum age of employment shall be 18years.
9. Workplaces shall be free of Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV).

10. Grievance Redress Mechanism for workers shall be instituted at all levels of engagement in consultation with the affected worker category.
11. Workers shall have the right of association and collective bargaining.
12. There shall be proper documentation of contractors/supplier's management in line with OHS requirements.
13. Termination of appointment shall be valid or reasonable, clear and unambiguous, without prejudice and employee must be aware of the reason.
14. There shall be continuous consultation with workers on the effectiveness and improvement of the labour management procedures.

The provisions of this Labour Management Procedure shall be included in the conditions of contract of the bidding documents and all associated costs, where relevant including the Bill of Quantities (BOQ). All the ACRoSAL sub-projects contractors must follow and comply with the LMP while employing labours for different works within their areas of implementation.

CHAPTER ONE

INTRODUCTION

1.0 Background

The Agro-Climatic Resilience in Semi-Arid Landscape (ACReSAL) Project is intended for selected States in arid and semi-arid areas of Nigeria. The arid to semi-arid States are located in the Sahel, Sudan Guinea Savanna and Southern Guinea Ecosystem, characterized by dry-semi-arid conditions, low precipitation, and sparse vegetative cover. An integrated and participatory catchment management approach shall be the operating framework for project implementation at field level. Appropriate modern technology will be leveraged throughout the project activities, including to manage the disruptions caused by the ongoing COVID-19 pandemic and help build back better and smarter society.

The Labour Management Procedure (LMP) for the proposed Agro-Climatic Resilience in Semi- Arid Landscapes sets out the procedures for addressing labour conditions and risks associated with the proposed project. The LMP is aligned with the context of the World Bank Environmental and Social Standards (ESS) 2 on; a) Labour and Working Conditions and Management of Workers Relationships (terms and conditions of employment, nondiscrimination and equal opportunity, workers organizations), b) Protecting the Work Force (Child labor and minimum wage, forced labor), c) Grievance Mechanism, d) Occupational Health and Safety, e) Contracted Works, f) community workers, and g) primary supply workers.

This LMP describes the requirements and expectations in terms of compliance, reporting, roles, supervision and training with respect to labour and working conditions, including discriminatory working conditions (especially against women), child labour, camp accommodation where applicable etc. The LMP covers all categories of workers excluding government workers/civil servants working in connection with the project except where there is a legal transfer of their employment or engagement to the project.

1.1 Labour Management Procedures

This Labour Management Procedure (LMP) has been prepared for the ACReSAL project to ensure compliance with Environmental and Social Standard 2 (ESS 2) on Labour and Working Conditions. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by the FPMU and participating states PMU by identifying the

main labour requirements, the associated risks, the procedures and resources necessary to address the related labour issues. This LMP sets out general guidance relevant to labour risks associated with the ACRoSAL project. The LMP will be reviewed continually during implementation and adequate measures and procedures to manage negative impacts will be put in place.

1.2 Objectives of LMP

The LMP is developed taking into consideration the ESS 2 which specifies the requirements for the management of labour and working conditions. The LMP seeks to achieve the following specific objectives:

- Establish arrangements to appropriately manage and protect the OHS and welfare of workers including both employees and contractors and others who may be exposed to risks associated with the ACRoSAL project activities;
- Ensure that employees understand their rights in relation to labour and working conditions;
- Allow employees to exercise their right to freedom of association and collective bargaining;
- Provide employees and contractors with a grievance mechanism for them to raise concerns, complaints and grievances and to receive feedback on the response and any associated corrective action;
- Prevent discrimination in hiring, remuneration, access to training, on the grounds of race, national or social origin, birth, religion, disability, gender, sexual orientation, union membership, political opinions and age and promote equal opportunities;
- Manage disciplinary practices and grievances in a manner that treats affected individuals with respect and dignity and without threat, abuse or ill-treatment;
- Ban the use or support of child, forced or compulsory labour in direct operations and in the supply chain.

1.3 Scope of Labour Management Procedure

This LMP describes the requirements and expectations in terms of compliance, reporting, roles, supervision and training with respect to labour and working conditions, including discriminatory working conditions (especially against women), child labour, camp accommodation where applicable etc. The LMP covers all categories of workers but exclude 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 sets out the following:

a. Overview of labour use on the project: This describes the following, based on available information: number of project workers, characteristics of project workers, timing of labour requirements, contracted workers, migrant workers etc. Also, identification of all classes of possible project workers.

b. Assessment of key potential labour risks: This describes the following, based on available information. The key labour risks which may be associated with the project. These include, for example:

- The conduct of hazardous work, such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials
- Likely incidents of child labour or forced labour, with reference to the sector or locality
- Likely presence of migrants or seasonal workers
- Risks of labour influx or gender-based violence
- Risk of Sexual Exploitation and Abuse (SEA)
- Risk of possible transmission and spread of COVID-19 among workers
- Possible accidents or emergencies, with reference to the sector or locality
- General understanding and implementation of occupational health and safety requirements

c. Brief overview of labour legislation (Terms and conditions): This sets out the key aspects of national labour legislation with regard to terms and conditions of work, and how national legislation applies to different categories of workers identified in Section (a) above. The overview focuses on legislation which relates to the items set out in ESS2, paragraph 11 (i.e., wages, deductions, rest per week, annual holiday and sick, maternity and family leave and other benefits).

d. Brief overview of labour legislation (Occupational Health and Safety) applicable in Nigeria: This sets out the key aspects of the national labour legislation with regard to

occupational health and safety, and how national legislation applies to the different categories of workers.

e. Responsible Staff: This section identifies the functions and/or individuals within the project responsible for (as relevant): engagement and management of project workers, engagement and management of contractors/subcontractors, Occupational Health and Safety (OHS), training of workers and addressing worker grievances

f. Policies and procedures: This section sets out information on OHS, reporting and monitoring and other general project policies. Where relevant, it identifies applicable national legislation.

g. Age of employment: This section sets out details regarding: (i) the minimum age for employment on the project (ii) the process that will be followed to verify the age of project workers (iii) the procedure that will be followed if underage workers are found working on the project (iv) the procedure for conducting risk assessments for workers aged between the minimum age and 18.

h. Terms and Conditions: This section sets out details regarding:

- Specific wages, hours and other provisions that apply to the project
- Maximum number of hours that can be worked on the project
- Any collective agreements that apply to the project. When relevant, provide a list of agreements and describe key features and provisions
- Other specific terms and conditions such as force labour, Non-discrimination and equal opportunity

i. Grievance Mechanism: This section set out details of the grievance mechanism that will be provided for all workers identified under Section (a) above and describes the way in which these workers will be made aware of the mechanism.

j. Contractor Management: This section sets out details regarding:

- The selection process for contractors,
- The contractual provisions that will be put in place relating to contractors for the management of labour issues, including occupational health and safety,

The procedure for managing and monitoring the performance of contractors.

k. Community Workers: Where community workers will be involved in the project, this section sets out details of the terms and conditions of work

Primary Supply Workers: Where a significant risk of child or forced labour or serious safety issues in relation to primary suppliers has been identified, this section sets out the procedure for monitoring and reporting on primary supply workers.

Contract Workers: This LMP covers the category of workers which comprise a mix of civil servants from various relevant line ministries who have been deployed or have a legal transfer of their employment or their engagement to the project as technical consultants (full and part-time by the FPMU and State PMUs (SPMUs) under the project. Direct workers will also comprise project staff hired as consultants.

Direct Workers: Two categories of contracted workers will be involved in ACRoSAL project, first is consultant service providers who will provide implementation support services to the FPMU and SPMU in preparation of documents and support. Second is the staff of contractors, suppliers, and contractors to be subcontracted to arrange for civil works that the ACRoSAL project may implement. Within the contractor's workers, three categories of workers will be involved, these are permanent workers, contract workers and casual workers

1.4 COVID-19 Compliance Protocol in ACRoSAL LMP Preparation

As the entire world is presently battling COVID-19 pandemic, local and national laws have mandated people to avoid public gathering and where it is impossible to avoid gathering, adopt physical distancing to prevent the risk of the virus transmission. Restrictive measures have been adopted by several nations, these ranged from strict restrictions on public gatherings, meetings and people's movement. In Nigeria, the COVID-19 Health Protection Regulations 2021 has been passed into law. The law stipulates physical distancing of at least two (2) meters and limits the number of people to be admitted in an enclosed environment to 50, except for religious purposes for which the use of face masks, body temperature check and hand sanitization/washing of hands with running water are compulsory. In compliance with the Federal Government extant laws on COVID-19 and the WHO protocol on safety and health, the stakeholder consultations for the ACRoSAL project preparation were carried out with strict compliance with the COVID-19 preventive guidelines.

1.5 ACRoSAL Project Components

As currently designed, the project is structured around four components:

Component A- Dry Land Watershed Management

Dryland Watershed Management. This component will implement integrated watershed management planning and addresses challenges of large-scale watershed degradation in Northern Nigeria.

A1. Strategic Watershed Management: This subcomponent will support large scale integrated watershed planning and implementation. The Plans will be prepared for up to 20 watersheds, covering all of northern Nigeria. The multisectoral planning process will prioritize project investments, expected to include those related to information, institutions, and those required for desertification control, sustainable land and water management in drylands, and improved natural resource-based livelihoods. Extensive stakeholders consultation and participation will be fundamental in these processes. The strategic watershed plans will also provide a framework and guidance to the micro-watershed-level planning in Component B and will be a foundation for the longer-term dryland management framework of Nigeria supported under subcomponent C1.

A2. Watershed Infrastructure: This subcomponent will support large landscape-level investments, as prioritized in the strategic watershed plans. These may include those related to water resources (e.g., surface and groundwater storage, managed aquifer recharge, riverbank restoration, gully rehabilitation, irrigation, improved water systems), to environmental management (stabilization of sand dunes, forest management, afforestation), and to agriculture investments at large scale. Some investments will be supported that have been already identified and prepared under NEWMAP, provided they are consistent with ACRoSAL objectives and requirements.

A3. Special Ecosystems: Investments under this subcomponent will improve the management of special ecosystems, including wetlands (especially the Hajejia-Nguru Wetlands), desert oases, and protected areas. Investments could include those related to wetland improvements, monitoring systems, water management, biodiversity conservation, stabilization of oasis buffer areas and improved water provision, and improving management systems for targeted protected areas.

Component B- Community Climate Resilience

Most of the challenges of dryland management are to be found at the local level, where they constitute the day-to-day reality of communities and farmers. Communities need support to be more resilient and communities and households need targeted investments to put new approaches into effect. The criteria for selecting communities are laid out in the PIM. In targeted micro-watersheds, this component will support the following sub-components:

B1. Community Strengthening: This subcomponent aims to strengthen the capacity of communities for sustainable natural resource use and management. Support will be provided to “local project implementation committees”, or their local equivalent. Building on the outcomes of the higher-level strategic watershed planning under strategic watershed management intervention. Particular attention will be paid to addressing needs of vulnerable and marginalized groups (groups (including the poor, women, youth, the elderly, persons with disabilities, internally displaced people, pastoralists, and ethnic or religious minorities). Particular attention may be needed for internally displaced persons (IDPs) to address inequality and to promote peace building initiative to promote ownership.

B2. Community Investments: This subcomponent aims to finance physical investments as prioritized through the micro-watershed planning process. Although the menu of potential investments will vary from community to community, four groups can be described:

- Investments in community-level infrastructure consistent with the goals of improved dryland management: soil conservation, surface and ground water management, streambank restoration, community-managed rainwater harvesting, expanding agroforestry enterprises, agroprocessing and storage, and shared community infrastructure.
- Landscape restoration in community-selected degraded areas, using an approach pioneered by FAO in both northern Nigeria and other dryland areas in western Africa, using the delfino plow which mimics the traditional half-moon water harvesting technique. It is composed of hybrid agroforestry models on communal lands which include plant species chosen by the communities, which produce non-timber forestry products, such as: acacia (gum Arabic), balanites, fodder, beekeeping, nuts, mushrooms, and mixed planting with grains such as millet and sorghum. Improved pasture and rangeland management and restoration could also be included.

- Support to farmers at the household level to optimized climate-smart rainfed agriculture and farmer-led irrigation. Investments could include water and soil conservation, optimizing farm management (improved crop varieties, Integrated Pest Management; soil and water testing technologies), value chains, and small-scale solar-powered irrigation.

Component C- Institutional Strengthening and Project Management

This Component aims to improve the enabling institutional and policy foundation for multi-sectoral integrated landscape management as well as support project management. This will include the following sub-components:

C1. Institutional and Policy Strengthening: This subcomponent aims to improve the enabling institutional and policy foundation for integrated landscape management in Nigeria – with an initial focus on ACRESAL activities but setting the foundation for longer-term national frameworks. This will include work on improving the institutional infrastructure (IT, connectivity, and office improvements) in key agencies at federal and state levels, setting up the data, analytics and decision support framework (and also facilitate technical assistance and collaboration to improve the policy environment for longer-term integrated landscape management. This sub-component will also have a strong capacity-building and outreach focus for both in-person and virtual training, learning events, internships and competitions to improve youth participation and links with academia, and facilitating interactions with private sector (including tech startups). The platforms for data, analytics, knowledge, and learning will leverage national-level platforms for use at national, northern Nigeria, State, and local levels.

C2. Project Management: This subcomponent intends to support overall project monitoring and management. It will provide support for key overall consultancies (e.g. to support project monitoring and management, watershed implementation support, and capacity-building), as well as incremental operating costs (for specialized expertise, project-related travel, meetings, documentation, etc.) as well systems for improving remote preparation and supervision of investments (e.g. through use of satellite imagery, drones, 360o cameras, videoconferencing, etc.). It will also support the development of monitoring systems and dashboards and improving workflow processes to facilitate coordination across agencies at the central and

state levels and public versions to improve transparency and outreach. The monitoring systems and documentation of lessons learned on an ongoing basis will be used to support adaptive project management, especially to identify activities that can be scaled-up depending on implementation performance and community feedback.

Component D- Contingency Emergency Response Component (CERC)

This is a component that could be used as necessary to provide immediate support to an eligible crisis or emergency. A CERC is a financing mechanism available to Borrowers in IPF operations to access funds rapidly to respond to an eligible crisis or emergency (includes disasters and health emergencies). This component will enable quick deployment of uncommitted funds to address these natural or man-made crises and emergencies during project implementation. This component will remain dormant until it is activated in an emergency situation. The component would then allow redistribution of uncommitted and undisbursed funds to finance emergency and recovery needs. A CERC is a financing mechanism available to Borrowers in IPF operations to access funds rapidly to respond to an eligible crisis or emergency (includes disasters and health emergencies). This component will enable quick deployment of uncommitted funds to address these natural or man-made crises and emergencies during project implementation. The CERC will be prepared under the provisions of Paragraph 12 of IPF Policy for projects in situations of urgent need for assistance which enables suspension of E & S and Fiduciary provisions to enable rapid allocation of the funds for emergencies.

This component will remain dormant until it is activated in an emergency situation. The component would then allow redistribution of uncommitted and undisbursed funds to finance emergency and recovery needs. In such instances, a CERC Operational Manual will be developed, which would require approval from the World Bank and adoption by the Government. The manual would describe the procedures and criteria for activation, eligible expenditures, and specific implementation arrangements.

1.6 ACRoSAL project implementation

The proposed project aligns with the World Bank's Next Generation Africa Climate Business Plan of 2020. The activities that will be financed under ACRoSAL and expected results are consistent with the five Strategic Directions of the plan:

1. Delivering Food Security;
2. Securing Environmental Stability;
3. Driving Clean Energy;
4. Building Resilient Green Cities;
5. Protecting against Climate Shocks; and two Special Areas of Emphasis: Promoting Climate-Informed Macroeconomic Policies; and Securing Green and Resilient Infrastructure.

The proposed project is also consistent with the World Bank's Africa Strategy as it contributes to Pillar 2 (vulnerability and resilience) by aiming to reduce the vulnerability of rural populations to the negative impacts of land degradation and climate change. In a similar manner, the project will contribute to achieving the Resilience to Shocks Pillar (pillar 3) of the World Bank's Africa Operational Framework for Growth and Poverty Reduction (2018). The program is also aligned with the Africa Climate Business Plan's priorities to create climate-resilient landscapes and promoting integrated watershed management. Furthermore, the proposed project aligns with the Sahel initiative. In the Sahelian region, environmental crises have very serious economic, social and safety-related consequences. Desertification and climate change are undermining ecosystems that are absolutely vital for the populations of the region, especially in rural areas. Climate change and desertification have a severe impact on populations and induce tensions and conflicts, as well as precarious economic conditions reinforced by the lack of public health and education services. Competition for natural resources (water, fertile land and pastures) is a reason of violent conflicts, sometimes deadly, but also of migrations towards urban centers, especially for the young generation similar to the Northern Nigeria situation.

CHAPTER TWO

INSTITUTIONAL AND LEGAL REQUIREMENTS

2.1 Introduction

This section outlines relevant institutional framework as well as labour laws, policies and regulations that are applicable within the scope of work in accordance with Nigeria and the World Bank requirement for ACRoSAL project. These requirements are presented in the sub-sections below:

2.1.1 Institutional framework for labour and employment in Nigeria

2.1.1.1 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 the implementation of requirements under the World Bank's ESS 2 – Labor and Working Conditions. Table 2.1 provides an overview of the relevant department within the FML&E

Table 2.1: Summary of Relevant Departments within the FML&E

Department	Functions
The Inspectorate Department	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
Social Security Department	The function of the Social Security Department within the ministry is to promote a coordinated and holistic approach to social security. The policy drafted by the National Working Committee was in line with International Labor Organization (ILO) Convention 102, to provide a framework for

	<p>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.</p>
<p>Employment and Wages Department</p>	<p>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:</p> <ol style="list-style-type: none"> 1. Formulation and implementation of employment policies. 2. Registration and placement of unemployed applicants through: <ul style="list-style-type: none"> <input type="checkbox"/> Employment Exchanges <input type="checkbox"/> Professional and Executive Registries <input type="checkbox"/> National Electronic Labour Exchange 3. Coordination of Decent Work Country Program 4. Wages administration through: <ul style="list-style-type: none"> <input type="checkbox"/> Wages Monitoring <input type="checkbox"/> 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.
<p>Occupational Safety and Health Department</p>	<p>The department of Occupational Health and Safety is responsible for the enforcement of Factories Act 1990, Cap 126 Law of the Federation of Nigeria. The department also oversees 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:</p> <ul style="list-style-type: none"> • 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

	<p>Occupational Safety Health Information Centres (CIC).</p> <ul style="list-style-type: none"> • Provision of technical assistance and advisory services to workplaces on HIV and AIDS interventions.
The Office of the Registrar of Trade Unions	<p>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:</p> <ol style="list-style-type: none"> 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.

2.1.1.2 Federal Ministry of Women Affairs and Social Development

The national machinery for the promotion of gender issues in Nigeria is the Department of Women Affairs of Federal Ministry of Women Affairs and Social Development (FMWA), which was established in 1995. Each State in Nigeria has the State Ministry of the Women Affairs and Social Development. The objective and vision statement of FMWA is as follows: *“To have a Nigerian society that guarantees equal access to social, economic and wealth creation opportunities to all, irrespective of gender; and one that places premium on protection of the child, the aged and persons with disabilities, while focusing attention on key operators in both private and public sectors on mainstreaming the concerns of these groups of people in national development process”.*

The role of the Ministry is to serve as the national vehicle to bring about speedy and healthy development of Nigerian women, children, the socially disadvantaged and person with

disabilities, and the mainstreaming of their rights and privileges in national development process. The structure of the Ministry of Women Affairs and Social Development is presented below:

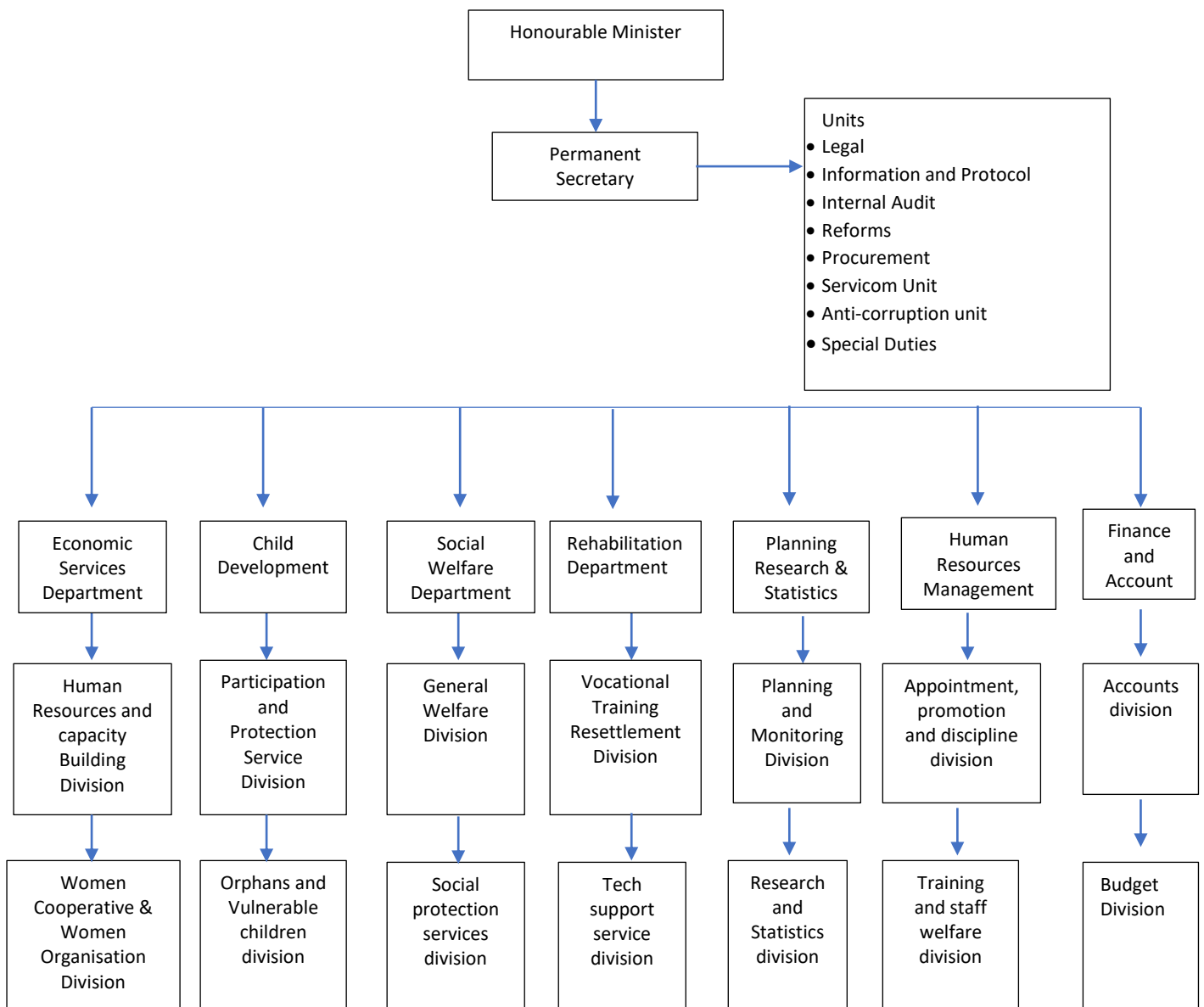


Figure 2.1: Structure of Ministry of Women Affairs and Social Development

2.1.2 Legal framework for labour and employment in Nigeria

Labour Act, Chapter 198, Laws of the Federation of Nigeria (LFN) 2004:

The Act covers general provisions including:

Protection of Wages: the wages of all project workers shall be made payable in legal tender or with prior consent of both parties in cheque and not otherwise. Wages shall become due and payable at the end of each period for which the contract is expressed (daily, weekly or at such other period as may be agreed upon), provided the period is not more than one month, the wages shall become due and payable at intervals not exceeding one month.

Contracts of Employment, Terms and Conditions of Employment: no employer shall make any deduction or make any deductions from wages to be paid to project workers. An employer may with the consent of a project worker make deductions except with consent of the worker in terms of VAT, TAX, pension funds or other schemes as agreed by the worker and approved by the State Authority. Not later than three months after the beginning of a project worker's period of employment with an employer, the employer shall give to the worker a written statement specifying

- (a) The name of the employer or group of employers, and where appropriate, of the undertaking by which the worker is employed;
- (b) The name and address of the worker and the place and date of his engagement;
- (c) The nature of the employment;
- (d) If the contract is for a fixed term, the date when the contract expires

Hours of work and overtime: Normal hours of work in any undertaken according to the regulation shall be those fixed under mutual agreement or collective bargaining within the organisation. This shall also be in line with Federal Government regulations and as maybe stipulated by the programme management at the federal level. However, being a project environment, the normal working hours is proposed to be from 8am to 5pm with one-hour interval break period.

Benefits: project workers shall be entitled to 12 working day holiday with full payment of wages after twelve months of continuous service including sick leave.

Other areas covered by the act are:

- Fair treatment and equal opportunities of project workers.
- Employment of women

- Labour health matters
- Prohibition of forced labour
- Labour complaints

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

Employee's Compensation Act (ECA) 2010: The crux of the Act is the creation of “an open and fair system of guaranteed and adequate compensation for all employees or their dependants in the case of any death, injury, disease or disability, arising out of the course of employment”. The Act also seeks to provide an “Employees' Compensation Fund” (ECF) which will be managed in the interest of the employees and their employers. The ECA further makes provision for the rehabilitation of employees affected by work related disabilities including mental illness. Like the Workmen Compensation Act, the ECA applies to employers and employees in the public and private sectors. The Act however exempts members of the Armed Forces who are not employed in a civilian capacity.

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.

The Occupational Safety and Health Act 2005: This act states that every employer shall, so far as is reasonably practicable, ensure the Safety, Health and Welfare at work of all his employees. Other special provisions relevant to this LMP include:

- Prohibitions regarding young persons
- Duties of employer regarding Safety and Health Officers
- Risk assessment by employer and Record of risk assessments
- Exposure to serious and imminent danger
- Duties of Safety and Health officers, Establishment of Safety and Health Committees
- Health and welfare: Structure of building, Overcrowding, Ventilation and temperature, Lighting, Sanitary conveniences, Supply of drinking water, Washing facilities, Provisions for first-aid
- Safety (Machinery): Training and supervision, use of equipment and machinery
- Safety (general provision): Safe means of access and safe place of employment, Substances hazardous to health, Prevention of fire, Safety provisions in case of fire.

National Policy on Occupational Safety and Health, revised 2020: This policy was approved by the Federal Executive Council (FEC) in September 2020. While this has not been legislated, in this LMP it is captured as a guide for voluntary compliance and serve as a basis for OSH programs. Furthermore, it recognizes ISO 45001:2018 and captures policy provisions for implementing Occupational Safety and Health, and duties and roles of various groups including: Statutory authority, federal ministry of health, MDAs, employers, organisations, manufacturers, transporters, workers, HSE Committees, Nigeria Social Insurance Trust Fund, Standards Organisation of Nigeria, Office of the Head of Civil Service, Mass Media, Academia, other stakeholders.

2.1.3 International Regulations

Other international regulations which may be considered for the ARCeSAL project are:

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)

2.1.4 World Bank Environmental and Social Standards

The World Bank has in place a number of environmental and social safeguards standards, which are aimed at preventing and mitigating undue harm to people and their environment in any development projects involving the Bank. The Bank recently approved the new Environmental and Social Framework which consists of ten standards, of importance to this program is the ESS 2 Labour and Working Conditions.

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 shall 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 of ESS 2 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, widows, orphans and persons living 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; and

- To provide project workers with accessible means to raise workplace related concerns, grievances etc.

World Bank Environmental, Health and Safety Guidelines (EHS)

The OHS measures will be designed to address identification of potential hazards to project workers (Direct, Casuals, Contracted and Consultants) particularly those that may be life threatening; provision of preventive and protective measures via modification, substitution or elimination of hazardous conditions; training of project workers; emergency prevention and preparedness and response arrangements to emergency situations; documentation, reporting and remedies of accidents and incidents.

In the implementation of ACRoSAL project, the following guidelines shall be adhered to:

- Identification of all occupational hazards and associated risks early as possible for project life cycle.
- Involvement of EHS professionals, who have the experience, competence, and training necessary to assess and manage ESH impacts and risks
- Conduct risk assessment to understand the likelihood and magnitude of EHS risks associated with project based on: whether the project will involve hazardous materials or processes; the potential consequences to workers, communities, or the environment if hazards are not adequately managed, which may depend on the proximity of project activities to people or to the environmental resources on which they depend. (Sample risk assessment tool attached as annex 1).
- Prioritize the risk management strategies with the objective of achieving an overall reduction of risk to human health and the environment
- Favour strategies that eliminate the cause of the hazard at its source, for example, by selecting less hazardous materials or processes
- When impact avoidance is not feasible, incorporate engineering and management controls to reduce or minimize the possibility and magnitude of undesired consequences, for example, with the application of pollution controls to reduce the levels of emitted contaminants to workers or environments.
- Monitor and document the performance of the OHS.

Table 2.2: Benchmarking the Nigeria Labour Legislation against World Bank ESS2

Areas	Nigeria labour law	ESS 2 requirements	Identified gaps	What the project will adopt
Minimum Age	Sixteen Years and above	National Minimum Age but under special conditions people of 14 years and above can be considered if the work is not considered hazardous, harmful to the education, health, physical, mental, moral, spiritual and social development of the person and if the borrower can conduct regular monitoring and other requirements of the work.	Disparity in age of engagement	Nigeria labour law will be adopted with evidence like birth certificate required to certify actual age
Forced labour	Any person who requires other person or permits any other person to be required to	All works associated with this project shall be performed voluntarily without coercion	Both condemn forced labour.	Periodic checks and screening for forced labour shall be carried out on the project by the Project Management Units of

	perform forced labour contrary to section 34(1)(c) of the constitution of the Federal Republic of Nigeria 1999 and shall be guilty of an offence and on conviction shall be liable to a fine not exceeding ₦ 1,000 or to imprisonment for a term not exceeding two years or to both.	or any form of threats. Forced labour in this context can be any form of involuntary or compulsory labour, such as indentured labour, bonded labour, or similar labour-contracting arrangements. No trafficked persons will be employed in connection with the project.		all participating States
Term and Condition of Employment	Wages shall become due and payable at the end of each period: daily, weekly or monthly. No employer shall make deductions or make any agreement or contract with a	Same ESS 2 provides for all workers associated with the project to be paid on regular basis as required by national law and labour management procedures.	Both protect workers' wages	Effective workers grievance mechanism should be put in place to manage complaints that may arise from irregularities in wages payment by the employer.

	worker for any deduction from the wages to be paid by the employer			
Non-discrimination and equal opportunity	No defined procedure to guide developmental projects	ESS 2 states that decisions relating to employment or treatment of project workers will not be made on the basis of personal characteristics unrelated to inherent job requirements. The principle of equal opportunities and fair treatment shall be applied to the various categories of workers: direct, indirect, contract staff and suppliers.	ESS 2 provides a unified approach while the National legislation does not	ACReSAL project will implement ESS2 and ensure that no discrimination and gender issues are implemented across the project.
Hours of work	Working hours shall be agreed mutually or by collective	ESS 2 provides that projects workers are duly provided with	Same provisions	An attendance register shall be maintained at all work locations to record time of arrival

	bargain	information and documentation that is clear and understandable regarding their terms and conditions of their employment. The information should include; hours of work, wages, overtime, compensation and benefits.		and departure from work.
Institutional cooperation regarding labour risk management	There is no strong provision that mandates the existence of synergy between Ministry of Labour and Employment and other ministries such as the Federal Ministry of Environment which oversees environmental and social issues arising from	ESS 2 provides procedures for managing labour risks and impacts.	Lack of unified procedure in the Nigeria labour legislation	ACReSAL will adopt the provisions of ESS2 with improved consultations with both ministries throughout the duration of the project.

	projects.			
Standard and resources for OHS Management	No adequate resources, capacity, standardized tools for effective implementation and monitoring of OHS standards	ESS 2 provides that measures relating to the OHS which are aimed at protecting project workers from injuries, illnesses or impacts associated with exposure to hazards encountered in the workplace should be applied to all subprojects associated with the AcRESAL project.	Lack of adequate provisions for OHS implementation and monitoring in the Nigeria Legislation	ACReSAL will adopt the provisions of ESS2
Gender Issues	No provisions in the labour act for sexual harassment, though there is a separate National Act that addresses sexual harassment	ESS 2 clearly forbids sexual harassment of any kind especially once the grievances have been reported.	The Labour Act does not make clear provision for sexual harassment, Sexual Exploitation and Abuse	Gender based principles as provided by ESS2 will be implemented in the ACReSAL project.
Terms and	The labour law	Provision of	Both have	ACReSAL will adopt

Conditions of Employment	provides that employer must provide and employee with a clear agreement of engagements within the first 3 months.	clear information and documentation are provided at the onset of working relationship	documented evidence but the procedures may differ.	the provisions of ESS2
Workers' Organisation	The labour Act provides well for formal sector but casual workers are not given the same benefits (such as compensation for injuries, right to belong to trade unions and collective bargain. There is also the absence of Grievance Mechanism in the labour act	ESS 2 makes provision for borrowers to promote sound worker-management relationship and enhance the development benefits of a project by treating all workers in the project fairly and proving safe and healthy working condition.	The Nigeria legislation lack provisions for GRM	ACReSAL will adopt the provisions of ESS2

2.1.5 Policies, Treaties and Legislations on GBV

International Treaties Relevant to GBV

- The International Covenant on Economic, Social and Cultural Rights (ICESCR) (2004)
- The International Covenant on Civil and Political Rights (ICCPR) (2004)

- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (1993)
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1984)
- The Convention on the Rights of the Child (CRC) (1990)
- The Convention on the Rights of Persons with Disabilities (CRPD) (2012)
- International Convention on the Elimination of All Forms of Racial Discrimination (1976)

Regional Treaties Relevant to GBV

- The African Charter on Human and Peoples’ Rights (ACHPR) (1982)
- The African Charter on the Rights and Welfare of the Child (ACRWC) (2007)
- The Protocol to the ACHPR on the Rights of Women in Africa (the “Maputo Protocol”) (2007)

National policies on GBV

- The National Action Plan for the Implementation of United Nations Security Council Resolution 1325 (2009);
- The National Gender Policy (2010).

Gender related laws at the State level in Nigeria

Some states have enacted laws to protect the rights of women and girl-child. Some of these laws are presented on table 2.3 below:

Table 2.3: State laws related to gender

The law on prohibition of female human trafficking	<ul style="list-style-type: none"> • The Sharia (Sharia law) Article 239, 2000 • Kano State Shari’a Criminal Procedure Code (Amendment) Law 2000.
The law on protection of human rights of widow	<ul style="list-style-type: none"> • The Prohibition of Infringement of a Widow's and Widower's Fundamental Human Rights Law, No. 3, 2001

The law on prohibition of early marriage, and ensuring primary school enrolment for girls	<ul style="list-style-type: none"> • Ban on early marriage in Niger state • The state law which secures primary school enrolment for girls in Kano and Gombe states
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Source: Federal Ministry of Women Affairs and Youth Development (2002) (2008b)

Since 1999, Sharia Law has been instituted, either partly or fully, as a main form of civil or criminal law in 9 States in Nigeria. These are presented below.

Table 0.4. List of Nigerian States that have adopted Sharia Law

1. Zamfara State	2. Kano State	3. Sokoto State	4. Katsina State
5. Bauchi State	6. Borno State	7. Jigawa State	8. Kebbi State
9. Yobe State	10. Kaduna State	11. Niger State	12. Gombe State

It is important to note that Kaduna, Niger and Gombe States have only instituted Sharia Law in parts of these States with large Muslim populations. The existence of Sharia Law in the States listed above does not hamper the implementation of ACRoSAL project and does not exclude women from full participation. Several other projects like NEWMAP and AGILE (Adolescence Girls Initiative for Learning and Empowerment) are being implemented successfully in Northern Nigeria with active participation of women without being hampered by the Sharia Law. The component B (Community Climate Resilience) of the ACRoSAL project will also be beneficial to women as they are at the receiving end of climate change impacts mitigation activities at household levels.

CHAPTER THREE

OVERVIEW OF LABOUR USE IN THE ACRoSAL PROJECT

3.1 Introduction

This chapter examines the overview of labour use in the ACRoSAL project implementation to ensure compliance with Environmental and Social Standard 2 (ESS 2) on Labour and Working Conditions of the World Bank's Environmental and Social Framework (ESF) and the national legislation and regulations of the Government of Nigeria. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by identifying the main labour requirements, the associated risks, and the procedures and resources necessary to address the project-related labour issues. The LMP sets out general guidance relevant to different forms of labour but also issues and concerns that relate to ACRoSAL project activities.

3.2 ACRoSAL Project Components

As currently designed, the project is structured around four components

1. Desertification control and landscape management
2. Community livelihoods and resilience
3. Institutional Strengthening and Project Management
4. Contingency emergency response component

Achieving this project components will require activities that will involve labour use.

Proposed project activities may include but not limited to:

- Construction and rehabilitation of dams and irrigation infrastructures
- Flood control systems and climate change adaptation projects

- Afforestation, oasis rehabilitation and rangeland conservation
- Support for food production through improvement of access infrastructures within rural areas.

To achieve the aforementioned project, the use of labour is inevitably important and the reason for this Labour Management Procedure is to ensure compliance with ESS2.

3.3 Types of Workers

The ACREsAL project activities will include different categories of workers, who will be engaged in different activities. With regard to ESS2, the workers required for the projects can be classified into the following groups: Direct workers, Contracted workers, Community workers and Primary supply workers. These categories of workers are described below:

a) Direct workers

This category of workers will comprise a mix of civil servants from various relevant line ministries who have been deployed or have a legal transfer of their employment or their engagement to the project as technical consultants (full and part-time by the FPMU and State PMUs (SPMUs) under the project. Direct workers will also comprise project staff hired as consultants. Based on the current NEWMAP structure, direct workers in the Project Management Unit of each participating state will be about 15 workers.

b) Contracted workers

Two categories of contracted workers will be involved in ACREsAL project, first is consultant service providers who will provide implementation support services to the FPMU and SPMU in preparation of documents and support. Second is the staff of contractors, suppliers, and contractors to be subcontracted to arrange for civil works that the ACREsAL project may implement. Within the contractor’s workers, three categories of workers will be involved, these are permanent workers, contract workers and casual workers. The organogram of contractor’s workers is shown below:

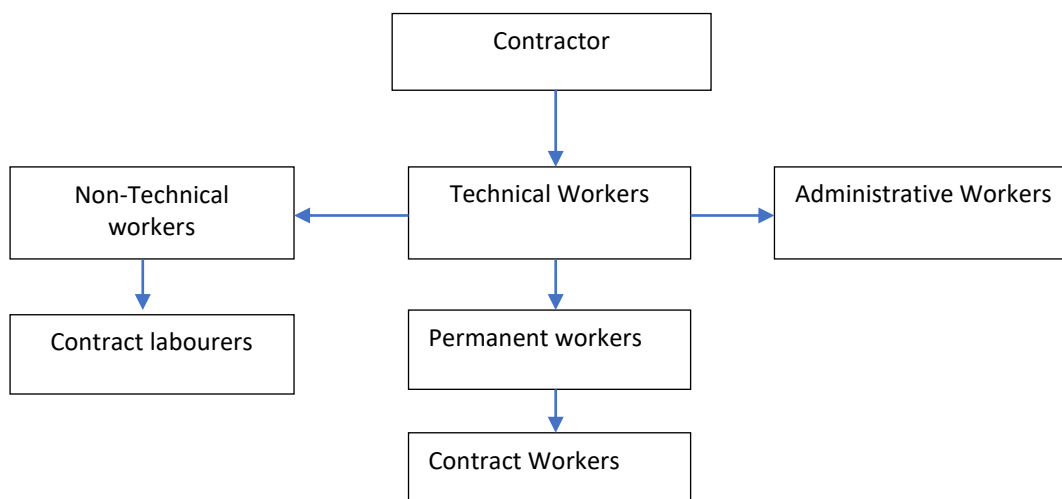


Figure 3.1: Categories of contractors' workers

C) Community Workers

Community workers are labourers sourced from communities where projects are meant for community development and the labour is a contribution by the community. Projects may include the use of community workers in a number of different circumstances, including where labour is provided by the community as a contribution to the project or where projects are designed and conducted for the purpose of fostering community driven development, providing a social safety net or providing targeted assistance in fragile and conflict affected situations. This usually gives room for child labour which is against the provisions of ESS2, the borrower will monitor each case of community workers to ensure that forced labour and child labour are totally avoided. Community workers will not be used in this ACRoSAL project.

d) Primary Supply Workers

Primary supply workers are workers employed or engaged by a primary supplier, providing goods and materials to the ACRoSAL project, over whom a primary supplier exercises control for the work, working conditions, and treatment of the person.

The SPMU of participating states will ensure that any contractor or supplier engaged to work in the ACRoSAL Project have sound environmental standards and management practices in place. Therefore, all contractors and suppliers will be assessed to ensure compliance to the required environmental and social management standards. The assessment shall be embedded in the tendering, hiring and contracting processes, and any due diligence measures required in the sourcing of contractors and suppliers for the project activities. The bidding documents for works will include specific requirements that minimize the use of workers from outside the vicinity. While hiring labour from local communities, the contractors will ensure that workers are hired as contract labour and not temporary/day wage labour to the extent possible.

The contract documents for works as well as for monitoring consultants require explicit Codes of Conduct to be signed by the contractors/suppliers and made available to all workers to also sign. (sample code of conduct attached as annex 2). Periodic mandatory training of all workers on Sexual Exploitation and Abuse issues and Code of Conduct shall be carried out.

The contractor shall develop a Gender Based Violence (GBV) Action Plan including an Accountability and Response Framework to be included in the contractor ESMP.

3.4 Number of Project Workers

ACReSAL project is at project preparation stage and as such, the specific project activities in each participating states are yet to be decided while their locations are also not 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 physical aspects of ACReSAL project).

3.5 Terms and conditions of employment

The Terms and Conditions of employment in ACReSAL project shall be in accordance to ESS 2 with the following guidelines:

- Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of ESS 2. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.
- Project workers will be paid on a regular basis as required by national law and labor management procedures. Deductions from payment of wages will only be made as allowed by national law or the labor management procedures, and project workers will be informed of the conditions under which such deductions will be made. Project workers will be provided with adequate periods of rest per week, annual holiday and sick, maternity and family leave, as required by national law and labor management procedures.
- Where required by national law or the labor management procedures, project workers will receive written notice of termination of employment and details of severance payments in a timely manner. All wages that have been earned, social security benefits, pension contributions and any other entitlements will be paid on or before

termination of the working relationship, either directly to the project workers or where appropriate, for the benefit of the project workers. Where payments are made for the benefit of project workers, project workers will be provided with evidence of such payments.

3.6 Timing of labour

All around the implementation of ACREsAL project, direct workers of contractors will be required full time and around the year for the project duration while consulting 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 workforce of PMUs (Project Management Units) will work full time like every other civil servant.

CHAPTER FOUR

ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

4.1 Potential Risks and Impacts

This chapter outlines the potential Labor risks and impacts associated with the ACREsAL Project and proffer mitigation measures.

Some of the potential labour risks and impacts associated with the project have been identified on table 4.1 while mitigation measures are also provided:

4.2 Potential labour risks and mitigation plan

Table 4.1 below presents a plan to be adopted in the management of Labour 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 FPMU in collaboration with the SPMUs of participating states will monitor contractor's compliance to the LMP through the supervising engineers at each SPMU. Adequate sanctions such as blacklisting shall be applicable to erring contractors.

Table 4.1: Potential Labour Risks and Mitigation Measures

Risk Category	Labour Risks	Impacts	Mitigation
<p>Non-discrimination and equal opportunity</p>	<p>Unfair and unclear recruitment/employment and selection practices</p> <p>Unfair and unclear deployment of government workers to work in the PMU (no contract, terms of reference, etc.)</p> <p>Lack of competitive process of employment/ deployment</p> <p>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.</p> <p>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</p>	<p>This could discriminate against women, vulnerable groups, ethnicity, religion, etc.</p> <p>Workers may become frustrated, lack focus or be redundant.</p> <p>This could also attract the attention of NGOs and legal actions against the project.</p> <p>Displeasure strives and conflicts amongst workers. Sabotage and under-performance by workers</p> <p>Create bad reputation for the project and the organisations involved</p>	<p>The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.</p> <p>Civil servants to be deployed to the PMU should have official letters of deployment, stating designation and reporting obligations</p> <p>Project Management Units (PMUs) at federal and state levels to safeguard the interests of vulnerable groups, women including gender parity at the workspace</p> <p>The Environmental and Social team at SPMU of participating states to monitor contractors in implementing mitigation measures</p> <p>The SPMUs will also track supplier’s performance to check whether labor management procedures and mitigation measures are being appropriately implemented and provide feedback on performance as well as any new areas of risk</p>

	of qualification and experience,		
Terms and Conditions of Employment	<p>Project workers may not be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment/ deployment</p> <p>Lack of unified rules and regulations for all workers</p> <p>Exploitative wages: wages may not be commensurate with the level of work/services performed</p> <p>Over-stretched working hours: undefined cut-off time, no break periods, denial of time for religious practices etc.</p>	<p>Workers may become frustrated, lack focus or be redundant</p> <p>High staff turnover</p> <p>Workers could be overlaboured, worker fatigue & stress</p> <p>Legal action against sub-projects</p> <p>Under-compensation</p> <p>Unfair dismissal procedures</p>	<p>The SPMUs will ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations and requirements set out in this LMP. They will also closely supervise contractors to ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations and requirements set out in this LMP</p> <p>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</p> <p>Government workers deployed to the PMU (Federal and State levels) should have clearly defined terms of reference, terms and conditions of employment, entitlements amongst others</p> <p>Contractors' workers will be paid on a regular basis as required by national law and labour management with a principle of "equal pay for equal work"</p> <p>All project workers will abide by the national adopted hours of work, which is eight hour, five days a week, be provided with adequate periods of one hour rest per day and one day per week, annual holiday and sick leave, as required by national law.</p> <p>For contractors' workers, the provisions of their employment</p>

			contract shall be implemented, and all overtime shall be compensated for.
Poor working conditions	<p>Unsafe and unhealthy work environment</p> <p>Poor work safety culture such as lack of provision of PPEs, absence of hazard analysis and HSE training</p> <p>Lack of provision of basic facilities – water, food, toilets, washing hand facilities, medical aid.</p>	<p>Lead to injuries, incidents, accidents, Loss Time Injury</p> <p>Workers could be overlaboured, grievances, high turnover, poor reputation for the project, worker fatigue & stress.</p> <p>Increased accidents during project execution</p> <p>Spread of diseases and illnesses amongst workers including COVID 19</p>	<p>SPMUs of participating states as well as their contractors, suppliers and all those involved in the project will conduct a risk and hazard assessment for the work under their control and ensure adequate mitigation measures are in place.</p> <p>Contractors to ensure workers have appropriate working conditions, sanitation facilities separate for male and female, basic amenities, appropriate signages in place, provision of adequate PPEs, first aid boxes, appropriate work tools, work permit etc.</p> <p>All project workers will be provided with adequate periods of rest per week, annual holiday and sick leave, as required by national law</p> <p>Contractors are to provide basic facilities including water for hand washing, first aid and also have retainership agreement with health care facility for referrals.</p> <p>Contractors are to implement social distancing and train workers on COVID 19 preventive guidelines as well as make available nose masks, sanitizers and temperature checks in line with NCDC protocols.</p>
Occupational Health and Safety	Poor ergonomics in the workplace	Posture defects, stress, fatigue, lost time injury to serious injury, accident, fatality, legal action against sub-projects	<p>PMUs (Federal and State levels) and contractors to provide facilities that can prevent poor ergonomics in workplace.</p> <p>Arrangement of furniture, facilities and equipment should promote good ergonomics. Work tools should be provided to</p>

	<p>Exposure to toxic substances while handling e-waste</p> <p>Accidents from working on height, movement of equipment and infrastructure and other project works</p>	<p>Health challenges, poisoning, pollution of the environment</p> <p>Loss of lives, Permanent disability and LTIs (Loss Time Injuries).</p>	<p>minimise manual labour as much as possible</p> <p>Ensure provision of adequate PPEs, first aid tools and work tools or workers</p> <p>OHS/HSE training for all category of workers periodically including office staff, field staff, contractors.</p> <p>Accident/incidents will be timely reported to the SPMU and FPMU, where there are fatalities, it should be reported to the World Bank within 48hrs or in accordance with the Environmental and Social Commitment Plan (ESCP). Following which correction, investigation and corrective action plan (CAP) should be developed and implemented site-specific waste management plans to be developed including handling and management of hazardous waste by the Implementing Agencies and contractors.</p>
Occupational Health and Safety		Increased risk of road accident from movement of workers and materials	<p>Only skilled and licensed drivers will be used under ACRoSAL with continual training. Implement proper procedures for transportation of hazardous materials like e-waste</p> <p>Every sub-project will have project specific risk assessment and develop emergency preparedness and response plans for various work types</p>
Child Labour	Recruitment of underage children	Children could be exposed to	The minimum age of eighteen (18) will be enforced at

	(below the age of 18) by contractors or primary suppliers handling sub-projects.	dangerous situations causing injury, accidents and ill-health.	<p>recruitment and continuously during project implementation. SPMUs will also supervise this through the monitoring activities of their E&S officers.</p> <p>The SPMUs will track contractors and supplier's performance to check whether labour management procedures and mitigation measures are being appropriately implemented and provide feedback on performance and any new areas of risk</p> <p>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.</p> <p>Contractors will liaise with community to attest to the age and conduct of all locally hired workers, and maintain a list of same</p>
Forced Labour	<p>People could be coerced and threatened to work</p> <p>Involuntary or compulsory Labour, such as indentured Labour, bonded Labour, or similar Labour-contracting arrangements.</p>	<p>Exposure to injury and harm</p> <p>Abuse of human rights and poor working conditions</p> <p>Legal action against sub-projects</p> <p>Attention of NGOs and reputational risk for ACRoSAL</p>	<p>SPMUs, Contractors and Suppliers will ensure that no forced Labour exists in the project by gathering documents and appropriate proof</p> <p>A consent section will be part of the employee signed employment contract. Contractors and primary suppliers will ensure that if Labour is sourced from any sub-contracting agency, the workers are not subject to coercion and forced labour conditions.</p>

		and the World Bank	
Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV)	Workplace sexual harassment /sexual exploitation and abuse/Gender-Based Violence	<p>Abuse of human rights</p> <p>Injury and associated physical and mental health conditions</p> <p>Unwanted pregnancies</p> <p>Legal action against sub-projects, and reputational risk for ACRE SAL and the World Bank</p>	<p>All category of workers in ACRE SAL to be made aware of zero tolerance to GBV.</p> <p>Contractors to sign code of conduct forms</p> <p>SPMUs shall encourage contractors to establish and inform workers of a reporting mechanism for such incidents including referral services</p> <p>Implement any World Bank approved GBV action plan prepared for the project</p>
Grievance Mechanism (GRM)	Lack of grievance redress channel for workers	<p>Workers may be aggrieved due to unfair treatment, poor working conditions, conflicts, poor pay, overstretched working hours amongst other things</p> <p>Refusal to work</p>	<p>A GRM section has been in this LMP 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</p> <p>The effectiveness of the system will be reviewed periodically or when there is any significant change in the project by the SPMUs and contractors etc.</p>

<p>Right of Association and Collective Bargaining</p>	<p>Workers may not 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</p> <p>Workers may not be allowed the right to organize and collective bargaining, and representation</p>	<p>Underpayment</p> <p>Poor working conditions leading to injury, accident, ill-health</p> <p>Abuse of power by employers</p> <p>Reprisals, legal action against sub-projects</p>	<p>SPMUs shall ensure that contractors inform all workers about their right of association and collective bargaining according to ESS2</p> <p>Workers will also be informed of the workers GRM and their right to utilize the system</p>
<p>Contractors Management</p>	<p>Contractors on the project may not be adequately managed or monitored</p> <p>Non-compliance to provisions of this LMP and other national Labour requirements, especially by international migrant workers</p>	<p>Accidents/incidents, Loss Time Injury</p> <p>Unruly behaviour of contractors</p> <p>Unfair treatment of workers, conflicts</p> <p>Legal actions against sub-project, bad reputation for</p>	<p>Labour Management Plans will be prepared by the respective contractors as part of Contractor’s ESMPs based on the provisions of this LMP and the details of labour to be used in those contracts. These plans will be reviewed and cleared by the FPMU in collaboration with the SPMUs, as appropriate.</p> <p>Contractors to maintain records of:</p> <ul style="list-style-type: none"> • workers engaged under the Project, including contracts must be kept • 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

		ACReSAL	<p>and preventive activities required (Corrective Action Register)</p> <ul style="list-style-type: none"> • strike actions, reasons and resolution reached • sanctions, punishments and terminations with reasons and follow-up actions taken <p>These records will be periodically reviewed by the E&S team of the FPMU in collaboration with the SPMU</p>
Labour Influx	Influx of workers into project communities due to ACReSAL project activities.	Sub-Projects 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 that have been exposed to contractors, sexual relations between contractors and minors and resulting pregnancies, encourage presence of sex workers in the project communities	<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) • 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.
Primary Suppliers	Primary suppliers could also be exposed to occupational risks	Incident/accidents while performing project related	Primary suppliers should maintain records related to occupational injuries, illness and lost time accident, corrective

	Worker's mismanagement	functions Workers could be treated unfairly	action, conditions of work etc. E&S officers of the SPMU shall monitor the performance of primary suppliers as regards workers management.
Discipline and Termination of Employment	Disciplinary process may not be fairly or equitably employed across board Conditions for termination may be clearly outlined in the terms of employment	Grievances, reprisals etc. Unfair dismissal from work Abuse of power and human rights Legal action against sub-project	Disciplinary process will be laid out before commencement of work and explained to every worker under ACRoSAL 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.

4.3 Situational Analysis of Gender Based Violence and key indicators in ACRESAL States

Gender Based violence against women has been acknowledged worldwide as a violation of basic human rights. Increasing research has highlighted the health burdens, intergenerational effects, and demographic consequences of such violence (United Nations 2006). Gender-based violence is defined by the United Nations as any act of violence that results in physical, sexual, or psychological harm or suffering to women, girls, men, and boys, as well as threats of such acts, coercion, or the arbitrary deprivation of liberty.

Sexual and Gender Based Violence (SGBV) is a serious public health concern and a human rights violation with grave consequences that negatively impact people's lives, including those of women, girls, boys, the elderly and other demographic groups. Nigeria has witnessed persistent armed conflicts and criminalities in the last decades resulting in a dramatic increase in the number of internally displaced persons (IDPs) streaming into different parts of northern states from the Boko Haram ravaged north-east Nigeria. The disruption in the socioeconomic lives of women and girls in this region places them at a high risk of all forms of abuse from the insurgents, the security agents and other members of the community. Apart from the influx of the IDPs into the North-West geopolitical zone of Nigeria, the zone has continued to witness peace and security challenges relating to armed banditry, the farmer-herder conflicts, sectarian violence and terrorists' attacks by the Boko Haram Islamic sect. In fact, the sectarian content of the peace and security trends and dynamics in the zone has exacerbated the violent character of social interactions and exposes women to gender-based violence.

Across the Northern states, strong cultural expectations dictate that women ascribe to certain gender roles; be obedient, faithful, perform household chores, defer to their husbands on decision-making and bearing children (Joab-Peterside, 2010). When women are seen not to meet these expectations, this can result in the perpetration of violence. DHS 2018 reports 23-40%, 10-22%, 35-45%, 58-69% of women has experienced spousal violence within the last 12 months (Sokoto, Kano, Lafia, Gombe respectively). Often, religious norms can often be used to justify domestic violence against women in the state. In some settings, the prevalence of the need for

“submissiveness” by a woman is often preached in the religious community, cutting across many of the major faiths practiced in Nigeria (Antai and Antai, 2009).

More so being a patriarchy society, masculinity in the Northern states is perceived as entailing ownership and control over women once they are married, it’s been perceived as giving license to completely own their wives as they are seen to have “paid for” this right. The DHS study shows that 48.5 %, 33%, 31.4% of men in Gombe, Niger, Sokoto respectively state, exhibits controlling behaviours such as denying her access to visit her female friends, limiting contacts with her family members, frequently accuses her of being faithful, insists on knowing where she is at all times. This worthy to note because male jealousy is a key driver of GBV particularly in developmental projects and its reported that Gombe 74% records the highest, Niger 63.3%, Sokoto 79.4%, Kano 30.7% according to DHS 2018 report.

Furthermore, the study reveals that most northern women believes that a husband is justified in beating his wife in certain circumstances such as when she argues with him, burns food, neglects the children, refuses to have sexual intercourse with the husband. (73.9% of women in Sokoto) Such social attitudes that accepts and normalize violence encourages perpetrators, undermines gender equality and women’s empowerment. It also hinders efforts to prevent and redress the problem. While physical violence and sexual violence may not occur in isolation; rather, women may experience a combination of different forms of violence 73.8% never sorted for help or told anyone about it (DHS, 2018). Many women do not report domestic violence for fear of stigmatization or being perceived as a rebel for going against religious teachings, thus resigning themselves to the abuse being part of marriage (Antai and Antai, 2009; Folami, 2016).

Considering Nigeria is one of the most populated country in Africa, it shares same experience in the high number of women illiterates particularly in the northern part of the country. Education relevance to social and economic development cannot be overemphasized. It improves capabilities and is strongly associated with various socioeconomic variables such as lifestyle, income, and fertility for both individuals and societies (Babalola, 2015; Bushra and Wajiha, 2015). Factors militating against girl child education includes cultural biasness (UNICEF, 2005).

4.3.1 Mitigation measures against GBV that ACRoSAL will adopt

- 1) Integrate Gender Based Violence (GBV) risk management in project’s ESMP and Contractors’ ESMP (c-ESMP).

- 2) Inform project affected communities about GBV risks through a dedicated communications campaign.
- 3) Conduct GBV service mapping in the project area for effective referral and response. This coordination will be aimed at minimizing duplication of efforts since these data already exist and fostering greater coherence of approaches and programmes.
- 4) Strengthen FPMU/SPMU capacity to prevent and respond to GBV in the project
- 5) Hire GBV specialist on the ACRESAL project at all SPMUs.
- 6) Define and reinforce GBV requirements in procurement processes and contracts.
- 7) Separate toilet and shower facilities for men and women and add GBV-free signage at the project site.
- 8) GBV risks must be evaluated and updated throughout the project life cycle.
- 9) Training throughout the life cycle of the project, thus a Stakeholder Engagement Plan of the project should be drawn up.

Ensure that all levels of GRM in the ACReSAL project as stated in the Stakeholders Engagement Plan (SEP) incorporates specific procedures for GBV cases confidentiality reporting with safe and ethical documenting. In addition to the non-exhaustive mitigation measures listed above, the GBV mitigation measures shall be complemented by GBV risk management mechanisms in section 7.4.3 of the ESMF for this ACReSAL project. Contractor specific Gender Based Violence/Sexual Exploitation and Abuse Management Plan shall be required by the SMPU of participating states in accordance to the provisions of the ESMF in section 10.8.2.

CHAPTER FIVE

POLICIES AND PROCEDURES FOR LABOUR MANAGEMENT

5.1 Policies

Management of labour under ACREsAL project will be governed by the provisions of the World Bank ESS2: Labour and Working Conditions, International Labour Organisation (ILO), ISO 45001 standards, the Nigeria Labour Act, 2004 and other regulations as outlined in this LMP.

The guiding policies include:

1. The terms and conditions of employment shall be outlined in clear and understandable terms, ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations for all workers.
2. All civil servants deployed to work on the project shall be given official letters of deployment by their parent ministries.
3. Contractors shall provide safe and healthy working conditions for workers, void of worker exploitation, and shall ensure provision of standard facilities.
4. SPMUs and contractors shall conduct job hazard and risk assessment and implement actions to address such risks.
5. Contractors shall provide adequate work tools and personnel protective equipment to all workers.
6. There shall be non-discrimination and l opportunity provided for all workers.
7. Timely and adequate training on OHS/HSE shall be provided to all workers. (HSE training plan) has been attached as appendix 3 while a more detailed Occupational Health and Safety Management (OHSM) training for the entire ACREsAL project have been proposed in the Environmental and Social Management Framework (ESMF).
8. There shall be no use of child labour or forced labour, depending on the work area, minimum age of employment shall be 18 years.
9. Workplaces shall be free of Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV).
10. Grievance Redress Mechanism for workers shall be instituted at all levels of engagement in consultation with the affected worker category.

11. Workers shall have their right of association and collective bargaining.
12. There shall be proper documentation of contractors/suppliers management in line with OHS requirements.
13. Termination of appointment shall be valid or reasonable, clear and unambiguous, without prejudice and employee must be aware of the reason.
14. There shall be continuous consultation with workers on the effectiveness and improvement of the labour management procedures.

5.2 Procedures

1. Non-discrimination and equal opportunity

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 the FPMU/SPMU and contractors and monitored by the respective E&S team of the SPMU:

- 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 the terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- 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.
- Government workers deployed to work in FPMU/SPMU will be given official deployment letters from their parent ministries which will state the designation at the

PMU, reporting obligations, commencement date and end date (where possible), entitlements amongst others.

2. Age of Employment

- Sub-projects of ACREsAL will only engage individuals at minimum age of Eighteen (18) where it does not affect the worker's ability to attend school and this will be enforced at recruitment and monitored by the PMUs for suppliers and contractors.
- Contractors will verify the identity 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.
- Hired project workers above 18 will conduct their 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.

3. Terms and Conditions of Employment

- All workers will be provided with clearly defined terms and conditions of employment
- Consultants will apply the terms and conditions stipulated in their contract of engagement.
- The conditions of employment will set out workers' rights under national labour and employment law (which will include any applicable collective agreements), including job title, supervisor, their rights related to hours of work, wages, overtime, compensation and benefits, contract duration, disciplinary procedures, rules & regulations, procedure for termination of appointment, as well as those arising from the requirements of this LMP. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.

- Oral communication and explanation of working conditions and terms of employment will be provided where project workers do not read or have difficulties understanding the documentation.
- Project workers will be paid on a regular basis as required by national law and in the conditions of employment. Deductions from payment of wages will only be made as allowed by national law or the labour management procedures, and project workers will be informed of the conditions under which such deductions will be made

4. Working conditions

- Project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest.
- Where workers camps are provided to project workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the health, safety, and well-being of the project workers, and to provide access to or provision of services that accommodate their physical, social and cultural needs in line with the provisions of ESS 2.
- Provide protection and assistance for pregnant women against prejudice, physical harm, and unfair dismissal and allow for adequate maternity leave in line with applicable laws.
- Ensure workplace ergonomics including: adequate lighting to avoid eyestrain including protective screens on computers, position computer workstation at a parallel position to the eyes, use of supportive chairs for good lumbar support
- good housekeeping practices
- proper layout of electrical wires and appliances
- provision of fire extinguishers

5. Occupational Health and Safety

Contractors and suppliers will implement the following procedures:

- Conduct hazard and risk assessment for all job types/activities.
- Provide preventive and protective measures for such risks, including modification, substitution, or elimination of hazardous conditions or substances.

- Provide adequate work tools, first aid boxes, appropriate personnel protective equipment (PPEs) and implement job controls such as work permits and standard operating procedures (SOPs).
- Provide HSE/OHS training for workers and maintain records of such training, (Sample HSE training plan attached as annex 3).
- Ensure the inclusion of EHS guidelines in contract documents and make them obligatory/mandatory. In consonance with the provisions of the ESMF in section 10.8.1, selected contractors shall be required to develop and implement an Occupational Health, Safety and Security plans that contributes to a healthy workforce and local community for the subproject
- Document and report occupational accidents, diseases and incidents to the relevant authority in line with the project structure, implement correction, investigate the root cause, develop and implement corrective action plan (CAP). Fatalities should be reported to FPMU/SPMU, and to the World Bank within 48 hours or as soon as the root cause investigation has been carried out and draft CAP prepared.
- Prepare emergency prevention and preparedness and response plan, assign responsibilities, train responsible parties, test and improve on such plans.
- Establish Environmental, Social, Health and Safety System (ESHSS) and ensure training for associated workers in line with the required national labour requirements, World Bank ESS2 requirements and procedures set out in this LMP.
- Include women representative on OHS team to help design policies and practices responding to the needs of female project workers.
- Provide mechanism for consultation and participation of workers in OHS matters and implementation of OHS measures.
- Provide training to all employee at the beginning on their engagements and periodically on OHS covering aspects such as use of chemicals, use of PPEs, traffic safety, fire incidents etc. (HSE training plan is attached as appendix 3).
- Project workers have the right to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health

6. Forced Labour

- Workers will be allowed free and informed consent of the type of job they are being engaged to perform.
- Where forced labour is discovered in the project's workforce, prompt action will be taken to address the practice that has coerced the worker, and reported to the FPMU to be addressed in accordance with requirements of ESS 2 and national law.

7. Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV)

- All category of workers in ACREsAL will be made aware of zero tolerance in matters relating to SEA/SH/GBV.
- All contractors will sign code of conduct forms that prevent GBV, SEA and SH.
- Contractors will establish and inform workers of a reporting mechanism for such incidents including referral services.
- Implement any World Bank approved GBV action plan prepared for the project, including management of suppliers.

8. Grievance Mechanism (GRM)

- A workplace Grievance Redress Mechanism will be provided for all category of workers to raise workplace concerns. Such workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use.

Project level GRM shall also be established and managed by the SPMUs to give room to Project Affected People to air their views and concerns regarding the project. Measures will be put in place to make the grievance mechanism easily accessible to all project workers. The GRM will be in line with the procedures set out in this LMP. The funding required for the Project Level GRM shall be part of the Project Management cost which have been duly captured in the ESMF and SEP.

9. Right of Association and Collective Bargaining

- Workers will be allowed rights to form and to join workers' organizations of their choosing and to bargain collectively without interference.
- Employees will also be provided with information needed for meaningful negotiation in a timely manner.
- Contractors will not discriminate or retaliate against project workers who participate, or seek to participate, in such workers' organizations and collective bargaining.

10. Contractors Management

- SPMUs will ensure that contracted workers (contractors, subcontractors, brokers, agents or intermediaries) are legitimate and reliable entities.
- Have documentation of their business licenses, registrations, permits and approvals.
- Should have safety and health personnel, review their qualifications and certifications.
- Records of safety and health violations, and responses, accident and fatality records and notifications to authorities.
- Records of legally required worker benefits and proof of workers' enrolment in relevant programs, worker payroll records, including hours worked and pay received.
- Contractors to prepare Labour Management Plans as part of their ESMPs based on the provisions of this LMP and the details of labour to be used in those contracts. These plans will be reviewed and cleared by the PMU, as appropriate.
- Contracted workers will have access to a grievance mechanism as provided in this LMP.

11. Primary Suppliers

- SPMUs will track suppliers' performance to help inform whether procedures and mitigation measures are being appropriately implemented and provide feedback on performance and any new areas of risk.
- Specific requirements on child labour, forced labour and work safety issues will be included in all purchasing orders and contracts with suppliers.
- Where there is a significant risk of child labour, forced labour, serious safety issues related to primary supply workers, the PMU will require the relevant primary supplier to

introduce procedures and mitigation measures to address such issues. Such procedures and mitigation measures will be reviewed periodically to ascertain their effectiveness.

12. Discipline and Termination of Employment

- Project workers will receive written notice of termination of employment and details of severance payments in a timely manner: one month for skilled labour, one week for unskilled labour. However, in cases of gross misconduct, termination can be immediate but must be accompanied with proper incident report, fair, without prejudice and ensure adequate documentation.

CHAPTER SIX

ROLES AND RESPONSIBILITIES FOR MANAGING THE LMP

6.1 Introduction

The FPMU and the SPMUs have the overall responsibility to oversee all aspects of the implementation of this LMP including contractor’s compliance across ACREsAL project activities. The SPMUs of participating states will address all LMP aspects as part of procurement for works/services as well as during contractor induction/training. This role will primarily be part of the responsibilities of the Environmental Officers, Social Livelihood officers and the GBV specialist in the SPMU, they will be required to liaise their management on the fulfilment of such duties. Contractors will be responsible for the implementation of the plan on a daily basis and providing the required human, financial and training resources for effective compliance.

6.2 Roles and Responsibilities

Specific roles are outlined below in table 6.1 below

Table 6.1: Roles and Responsibility Matrix

Institution	Action party	Responsibilities
NEWMAP FPMU	Environmental officer, social officer and GBV specialist	<ul style="list-style-type: none"> i. Oversee the corresponding officers in all participating states to ensure that contractors are made to prepare appropriate LMP and implement accordingly. ii. Conduct scheduled supervision across states to ensure compliance with appropriate plans.
SPMU of participating states	Environmental officer, Social officer and GBV specialist	<ul style="list-style-type: none"> i. Ensure the contractors prepare LMP for their projects and implement accordingly ii. Carry out site inspection during project implementation to ensure that the LMPs prepared are implemented
Contractors	HSE Officers	<ul style="list-style-type: none"> i. Provide workers with safety materials as well as training on safety procedures ii. Implement mitigation measures and procedures outlined in this LMP iii. Keep OHS records
Trade Unions:	Leadership of	<ul style="list-style-type: none"> i. Manage workers welfare

Workers associations	the union	ii. Promote workers health and safety iii. Provide a fair system of grievance redress
Federal Ministry of Labour and Employment	Relevant Departments	i. Overall responsibility for enforcing labour laws

6.3 Capacity assessment for implementing the LMP

This section outlines the capacity assessment of SPMUs under NEWMAP as well as the MDAs responsible for ACRoSAL implementation in terms of policies, procedures, roles and responsibilities. Strengthening actions to ensure effective implementation of this LMP are therefore suggested.

Table 6.2: Capacity Assessment for Implementing the LMP

Aspect	Capacity Assessment	Strengthening Actions
Policies	There are robust policies governing workers management, safety and wellbeing, however, provisions for freedom of association, grievance redress mechanism, gender-based violence, forced labour etc. especially for casual workers is not adequate in the Nigerian Law. ESS 2 however makes provisions for all categories of workers.	The LMP has provided a set of straightforward mitigation measures to be adopted for ACRoSAL in addition to applicable laws and the provisions of ESS2. The provisions of this LMP should be disseminated for adoption to all participating states under ACRoSAL. The requirement for LMP should be included in procurement contracts.
Procedures	Most contractors do not have defined procedures for managing labour and working conditions including procedures for grievance redress mechanism, gender-based violence, workers consultation & participation, etc as required by ESS2.	Procedures have been outlined in this LMP which will guide the implementation of mitigation measures for risks associated with labour and working conditions under ACRoSAL.
Roles	Some contractors do not engage HSE officers while some engage HSE	Contracts should ensure they employ competent HSE officers, enhance the

	officers who do not have basic understanding therefore become limited in capacity to implement provisions of ESS2 and thus this LMP.	capacity of the HSE teams in terms of staffing and qualifications, and also coverage of social issues such as SEA/SH/GBV, vulnerable persons etc.
Responsibilities	The responsibilities of various parties in implementing and monitoring matters relating to labour and working conditions have been highlighted in this LMP	Implement capacity building programs to strengthen understanding of responsibilities, especially with respect to ESS2 and the provisions of this LMP.

CHAPTER SEVEN

GRIEVANCE REDRESS MECHANISM FOR WORKERS

7.1 Introduction

This procedure according to the provisions of ESS2 requires every employer, including contractors, to have a formal grievance procedure which should be known and explained to the employees. The FPMU/SPMU staff and consultants will be informed of the applicable grievance procedure to adopt in their contracts or terms of employment. All the contractors who will be engaged for the projects under ACRoSAL will be required to produce their grievance procedure in line with the GRM provided in this LMP as a requirement for tender.

All grievance mechanisms should at a minimum comply with these requirements:

- Reporting line of all employees;
- Specify time frame for addressing all reported grievances at each level;
- Give opportunity to report to a higher-level authority if grievance is not resolved within the stipulated time;
- Give right to seek judicial redress if unsatisfied with internal GRM

The grievance process should be guided by the following principles:

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

Internal GRM for contractors' workers is not the same as the project-level GRM which sets out procedures for resolving project related grievances between project communities and contractors as a result of project activities. The former sets out specific procedures for workers management

(labour and working conditions), while the latter sets out procedures for reporting issues related to the implementation of the project.

7.2 Establishing a GRM

A Grievance Redress Mechanism (GRM) will be implemented to ensure that all complaints from workers are dealt with appropriately, with corrective actions implemented, and the complainant informed of the outcome. ACREsAL recognizes that various categories of workers may be deployed to work on project activities and as such a uniform grievance process will be beneficial. This is described in line with the required grievance redress committees (GRC) in table 7.1 below. This procedure will guide the preparation of site specific GRM to be prepared as part of the Environmental and Social Management Plans (ESMPs) for all project activities.

Table 7.1: Grievance Redress Procedures

First Level GRM (project level GRM)	The GRC will be formed at the project level and be easily accessible to project workers. The committee will comprise of Social Safeguard officer, Project Coordinator, Environmental Safeguards Officer at the State level. The contractor’s representative will also be part of the committee. The complainant shall make official complaint to the GRC through the social safeguard officer. Complaints shall be duly received, registered and reviewed by the committee. If the complainant does not accept the solution offered by the first level GRC, then the complaint is referred to the 2 nd level GRC.
Second Level of GRM: GRC at the institutional level	The GRC will be more of an institutional level. This committee shall be expanded to comprise of members from the parent ministries that makes up the SPMU. Only grievances that are not resolved by the first level GRM will be referred to the second level GRM. Complaints shall be duly received, registered and reviewed by the committee. If the complainant does not accept the solution offered by the first level GRC, then the complaint is referred to the court redress of grievances.
Court Redress of Grievances	While the purpose of GRM put in place for workers is to resolve all issues of labour and working conditions under ACREsAL 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, the project shall inform aggrieved persons of their right to seek for redress in the court of law as the final resort.
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Kindly note that this is a generic procedure, the SPMUs may need to adapt their GRM to ensure that while they adopt the requirements of the World Bank ESS2, they do not contravene with national laws.

7.3 Roles of the GRC

The Grievance Redress Committees will be responsible for:

- Communicating with the affected worker and the contractor;
- Evaluate grievances received;
- Making the established grievance redress procedure public;
- Escalating unresolved matters to the next level GRC; and
- Maintain proper documentation of complaints, proceedings and resolutions.

7.4 Expectation when grievances arise

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

- acknowledgement of the receipt of their grievances;
- timely and honest response to questions/issues brought raised;
- an apology, adequate compensation if recommended by the GRC;
- Modification of the conduct that caused the grievance and some other fair remedies.

7.5 Typical Grievance Redress Process

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

The complaint shall contain records of the person responsible for an individual complaint, and dates which 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 (Secretary of the GRC) 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 SPMU, which should act on the grievance within 15 working days of its filing. These timelines are further illustrated in table 7.2 below:

Table 7.2: 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, location, nature of complaint, inform the GRC	1 day	GRC Secretary
2	Acknowledgement of grievance	By letter, email, phone (text)	1-2 days	GRC Secretary
3	Screen and establish the merit of the grievance	Visit the site, listen to the complainant, assess the merit of complain	5-10 days	GRC & the aggrieved worker or his/her representative
4	Implement and monitor a redress action	Where complaint is justified, carry out actions recommended by GRC	14 days or at a time specified in writing to the aggrieved worker	Contractor
5	Extra intervention for a dissatisfied complainant	Review the redress steps and conclusions, provide intervention solution	10 days of receiving status report	2 nd / level GRC

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

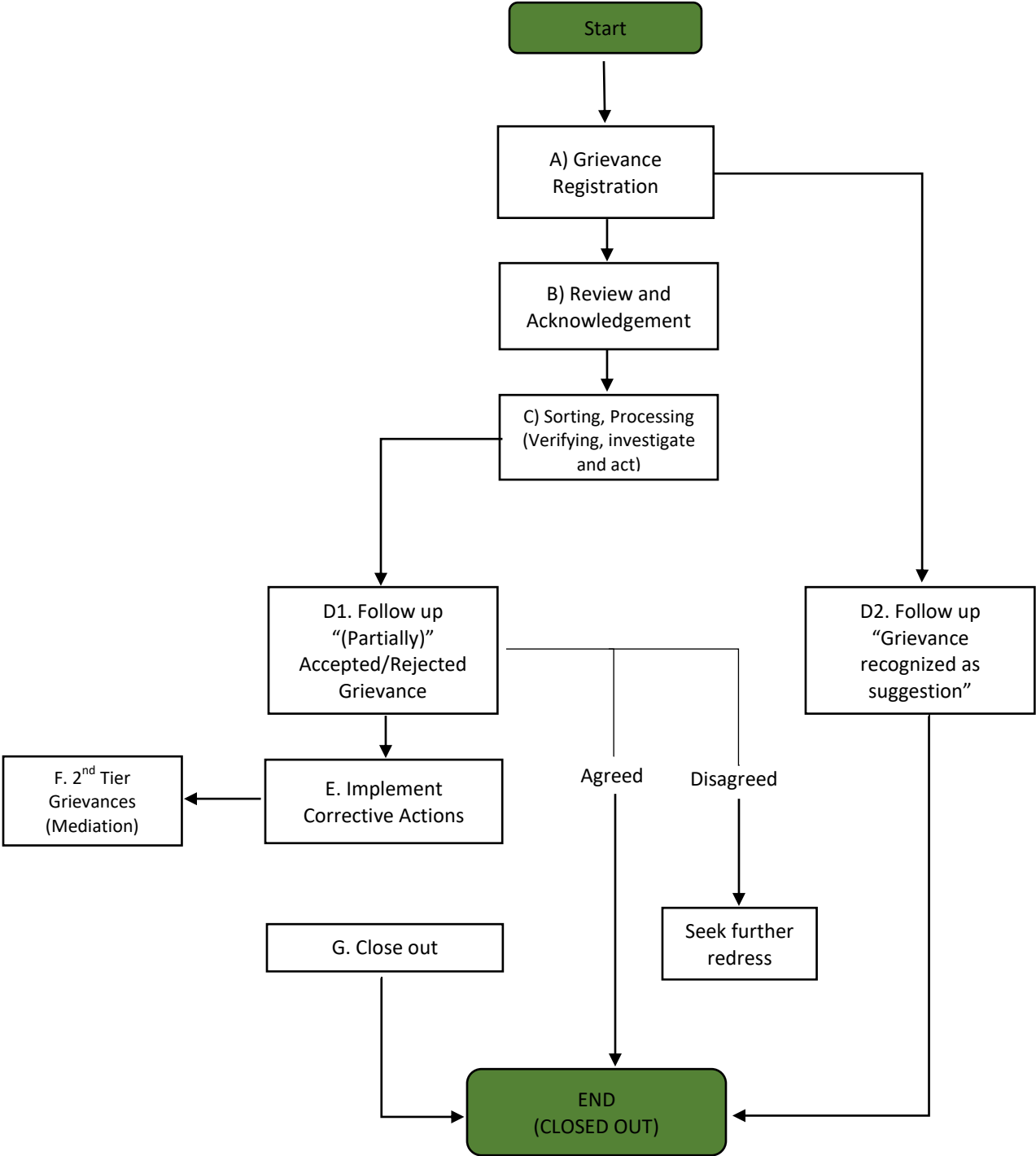


Figure 7.1: Grievance Redress Mechanism flowchat

7.6 How to register a complaint

There shall be a variety of channels to submit complaints:

1. The complaints are submitted to the GRC secretary whom they have easy access.
2. The complainants can put their grievances into the complaints boxes which will be checked every two days by the grievance redress officer.
3. The GRC will acknowledge the receipt of complaints.
4. Received complaints should be registered in a grievance logbook.
5. GRC will inform complainant about the timeframe in which a response can be expected.
6. GRC will investigate the grievance, consult with the aggrieved worker and resolve the issue.

7.7 Role of Trade Unions in GRM

Where a trade union is recognized, it is entitled to negotiate on a regular basis with the employer over terms and conditions existing at the workplace and the employer is obliged to negotiate with it. The procedures followed in such instances is usually contained in the Recognition Agreement, which state how the issues are raised, the procedure for negotiations, the composition of the parties involved in the negotiation and the procedure to deal issues that are not resolved through consensus.

If the dispute is not resolved at the workplace, the parties to the dispute can utilize the dispute resolutions mechanisms provided for in this LMP.

CHAPTER EIGHT

MONITORING CONTRACTORS

8.1 Contractor Monitoring

Construction activities as well as supply and installation within the ACREsAL project will include provisions related to labor and occupational health and safety as provided in the World Bank Standard Procurement Documents and Nigerian laws. ACREsAL 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.

8.2 Verification, Monitoring Mechanism and Reporting

In realization of the project objectives for ACREsAL, several layers of monitoring systems will be instituted as part of Labour Management Plan. These will include the following:

- Employee's grievance register (where applicable)
- Nominal roll and class of employment
- Workers benefits in relation to contract between contractors and workers

8.3 Human Resources Employee Database

SPMUs of participating states shall keep a database of all workers employed under the ACREsAL project, the database will record information on the personal details of employees (such as home address, next of kin/emergency contact); their job description, role and responsibilities, training records and training needs, etc.

8.4 Contractor Database

There shall also be comprehensive database of all primary and secondary contractors for ACREsAL Project. The database will record a summary of their scope of work, business origins, and a brief profile about history of compliance to environmental and social standards.

8.5 Supply Chain Database

This will contain information of the key suppliers which will be used to monitor the primary supply chain and record results of risk assessments for incidents of child and / or forced labour and significant environmental safety issues.

CHAPTER NINE

STAKEHOLDERS CONSULTATIONS DURING LMP PREPARATION

9.1 Categories of stakeholders

Several stakeholders were consulted in the preparation of this Labour Management Procedure, these stakeholders include the SPMU of selected states like Sokoto, Kano, Niger, Nasarawa and Gombe state. Others are line ministries that makes up the SPMU as well as NGOs, Labour Unions, etc. The essence of the stakeholder's consultations was to carry stakeholders along as well as collect useful information that will help in putting a comprehensive plan in place for ACREsAL implementation to meet up with the requirements of ESS 2. A separate Stakeholders Engagement Plan (SEP) has also been prepared for ACREsAL project to guide continuous stakeholders' consultation all through the lifetime of ACREsAL implementation. A list of stakeholders consulted during LMP preparation is presented below.

Table 9.1: List of stakeholders consulted for Labour Management Procedures

S/N	State	Name	Designation	Phone Number	Date of Consultation	Summary of information obtained
1	Sokoto	Alh Rilwan Balarabe	Dir labour	09034959542	January 25, 2021	Labour issues in the private sector is not under the purview of the state government as the construction sector have their own union under the trade union, another arm of the NLC
2	Sokoto	Alh Suleiman Dikko	NLC Secretary	08036529249	January 25, 2021	Labour issues in the construction sector are managed and regulated by the trade union arm of the NLC
3	Sokoto	Comm. Kola Olufemi	NLC (Construction sector Union)	08032053244	January 25, 2021	Guidelines on rights of workers in construction sector. This has been used in chapter 5
4	Sokoto	Engr. Frank	Site Engineer, Corberg Nig Ltd.	07035074413	January 25, 2021	Categories of workers at construction sites and their remuneration/benefits. The company policy on casual workers was also discussed.
5	Nasarawa	Asibi Omeri Ogabo	FNGO and Perm Sec Mins of Women Affairs	08036302119	January 29, 2021	GBV Risk assessment in the state, past projects and effective mitigation measures
6	Nasarawa	Engr. Daudu S. Edward	Project Engineer, Nasarawa SPMU	08146423956	January 29, 2021	E&S requirements from contractors during selection process and the types of project that ACRoSAL may embark on during implementation.
7	Nasarawa	Hanututu David Luka	Women famers of Nigeria	0813429460	January 29, 2021	Concerns of women and

			State coordinator			Information dissemination procedure amongst Societal and cultural norms that affects women GBV Service providers
8	Nasarawa	Ashiya Alfa	Assistant Director Min of Works	08136338856	January 29, 2021	Labor laws and Child protection laws Mandate of Min of works in line with world bank projects How the Ministry achieves its objectives
9	Nasarawa	Mr Sule Yaya	Head of Service	08131340400	January 29, 2021	Labor laws and implementation in projects
10	Kano	Musa Shuaibu	KN-NEWMAP PC	08065075376	February 1, 2021	Gender based violence Risk and capacity assessment of the SPMU Trainings and capacity building Grievance redress mechanism Code of conducts
11	Kano	Zaynab Yaiaya-Baba	KN-NEWMAP SLO	09083650220	February 1, 2021	Capacity risk assessment GBV risk assessment and response Service providers Grievance redress mechanism
12	Gombe	Engr Mohamed Garba	GOMBE-NEWMAP PC	08023747538	February 5, 2021	Gender based violence Risk and capacity assessment of the SPMU Trainings and capacity building Grievance redress

						mechanism Code of conducts
13	Gombe	Garba D. Sheegay	NLC Rep Chairman	08035482558	February 5, 2021	Labor laws available in the state
14	Gombe	Ada Daniel Tadi	Community Livelihood Officer	07068203499	February 5, 2021	Women inclusion on developmental projects Community Expectations and proper communication GBV Risk and sensitization Preventing marginalization of vulnerable groups
15	Gombe	Fibi Yusuf Dutse	Director Women Development Min of women affairs		February 5, 2021	Referral pathways in the state GBV Risk assessment Child labor, causes and prevention Attainable GBV laws in the state
16	Gombe	Abdulkadir I. Jalo	NEWMAP-Gombe Director Procurement	08036802905	February 5, 2021	Code of conducts for workers Contracts in line with the world bank standard Employment procedures in line with the ESS2
17	Gombe	Grace M. Garba	Teenager Empowerment Initiative	08034991381	February 5, 2021	Overview of GBV in the state Preventive measures Effectively engaging young girls and women on projects
18	Niger	Musa Salihu Bawa Bosso	Chairman Board of Trustees Africa Youth Empowerment in Agriculture	08035887503	January 27, 2021	Local content and its importance in community development Employment

			and industrial development initiatives (AYEAD)			procedures and eligibility GBV Risks and prevention
19	Niger	Women leader	Women Leader Police headquarters Dustea Kura	08054228788	January 27, 2021	GBV Risks in projects Survivors challenges and cultural norms Service providers/ Referral pathways

A comprehensive list of all stakeholders for the ACRoSAL project has been compiled in the Stakeholders Engagement Plan (SEP) prepared separately for the project.

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ANNEX 1: SAMPLE OF A RISK ASSESSMENT TOOL

What are the hazards?	Who may be harmed and how?	What are you already doing?	What further action is necessary?	How will you put The assessment into action?		
Spot hazards by:	Identify groups of people. Remember:	List what is already in place to reduce	You need to make sure that you have	Remember to prioritize. Deal with those hazards that are high-risk and have serious consequences first.		
<ul style="list-style-type: none"> ■ Walking around the workplace; ■ Asking workers what they think; ■ Checking safety instructions; ■ Contacting your supervisors 	<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; 	<ul style="list-style-type: none"> the likelihood of harm or make any harm less serious 	<ul style="list-style-type: none"> 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 	Action	Action	Done
				by	by	
				whom	when	
Review your assessment to make sure you are still improving, or at least not sliding back						
If there is a significant change in your worksite, remember to check your risk assessment and where necessary, amend it			Review Date:			

ANNEX 2: SAMPLE OF A CONTRACTOR’S 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), Sexual Exploitation and Abuse (SEA), 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 legislations 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 STDs including HIV and AIDS issues, provided with condoms;
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 workings 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, SAFETY AND ENVIRONMENT TRAINING 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 PPEs	Upon mobilization of every worker to site Refresher on a monthly basis	HSE Expert Contractor HSE Officer
2	First Aid administration/	To train selected officers (Contractor HSE Officer, Site Manager, Yard Manager, Team Leaders, Female workers representatives) on the right first aid administration for different scenarios including demonstrations.	Upon mobilization to site	Public Health Expert/ First Aid Care Giver
3	Protocol for construction sites, staging areas, borrow pits and camp site	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	Daily	Contractor HSE

		environmental and social protection including do's and don'ts for all Workers		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

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 shall be 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 tank

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 behaviour 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 behaviour 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.