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**THE NIGERIA FOR WOMEN
PROJECT SCALE - UP
(NFWP - SU)
(P179447)**



FINAL REPORT
FOR
LABOUR MANAGEMENT PLAN (LMP)

DECEMBER, 2022

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Abbreviations & Acronyms

ACHPR	African Charter on Human and Peoples Rights
ARLAC	Africa Regional Labour Administration Centre
AULSAC	Africa Union, Labour and Social Affairs Commission
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
SPCUs	State PCUs
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

ES1 Background

This Labour Management Plan (LMP) is prepared as an annex to the ESMF of the Nigeria For Women Project Scale-up (NFWP-SU) as a requirement of the Nigerian EIA laws and the World Bank Environmental and Social Environmental & Social Framework by which the activities of Component 2 and Component 3, which has triggered six out of the ten environmental & social standards (ESS), among which is ESS2 (labour and working conditions), and this has the preparation of a Labour management plan (LMP) as a specific instrument for projects with activities that would create employment. This LMP sets out general guidance relevant to labour risks associated with the NFWP SU project. The LMP will be reviewed continually during implementation and adequate measures and procedures to manage negative impacts will be put in place.

Project description

The proposed NFWP-SU builds on the successful Nigeria for Women Project (NFWP – P161364), which is currently being implemented in six states¹ across Nigeria. The original project tested the WAG model as a platform for addressing key constraints to women's social and economic empowerment at the societal, community, and household levels. This program will scale up NFWP and integrate lessons learned as it is expanded into a national program. The program is structured around three components. The first focuses on building community institutions by creating WAGs at the community level and federating these at higher levels (village level and local government area [LGA] level) to take advantages of economies of scale to build linkages to markets and access to finance. The second component supports improvement of livelihood opportunities for WAG members through Community Investment Fund (CIF) and livelihood collective (LC) grants to enable women to increase income and enhance livelihood opportunities. The third component covers project management, monitoring and evaluation, and adaptive learning.

Objectives of the Nigeria-for women scale up project (NFWP-SU)

The Project Development Objective (PDO) is to institutionalize Women's Affinity Groups and other platforms for women's economic empowerment and enhance the economic opportunities of unbanked women. The following key results will measure progress toward the Project Development Objective:

- (a) Number of women who are members of WAGs (disaggregated by state);
- (b) Number of WAGs that are in operation for more than one year;
- (c) Number of higher-level federations established and in operation for at least one year;
- (d) Policies and programs at the state level to support the functioning of WAGs;
- (e) Savings mobilized by WAGs per year before share out;
- (f) Number of unbanked women²; and
- (g) Increase in the number of livelihood sources per household.

Component 1: Building Community Institutions (US\$168 million)

This component aims to leverage existing practices of mutual help among women to address gender inequalities and create economic opportunities. Specifically, activities under this component will support the creation of WAGs that will build on practices of mutual help and leverage these as an institutional platform to support access to finance, enhance women's voice and agency, and drive behavior change. Activities under this Component will be implemented through three subcomponents: (i) Women Affinity Groups and Federations; (ii) Platforms for Behavior Change in Health, Sanitation, and Climate Adaptation, and (iii) Influencing Social Norms.

Subcomponent 1.1: Influencing Social Norms (US\$14.9 million equivalent)

This subcomponent will finance Operational Project Communication (OPC), as well as activities to facilitate positive shifts in norms, behaviors, and attitudes to reduce gender stereotypes detrimental to women's socioeconomic engagement, household decision-making, and resilience to climate change.

¹ Abia, Akwa Ibom, Ogun, Niger, Kebbi and Taraba States.

² This indicator measures the Project's effect on the overall number of unbanked women in Nigeria (this is defined as women without bank accounts or mobile wallets, as measured in the Global Findex). The Project expects to open accounts or wallets for about 3.1 million women, therefore this would bring down the number of unbanked women in Nigeria from approximately 37 million to 34 million.

Subcomponent 1.2: Women Affinity Groups and Federations (US\$144.4 million equivalent)

As in the original project, this subcomponent is the core investment of the Project in developing and strengthening community institutions (WAGs, VOs, and CLFs) and will be implemented in a phased manner.

The Project will support strengthening the organizational capabilities of the VOs and CLFs in livelihood promotion, climate and disaster risk management, developing linkages with public and private service providers, and building a knowledge base and skills at the grassroots level by developing a cadre of good-quality community resource persons (CRPs)—community-managed bookkeepers, livelihood associates, and other VO- and CLF-level functionaries.

Subcomponent 1.3: Platforms for Behavior Change in Health, Sanitation, and Climate Adaptation (US\$8.7 million equivalent)

This subcomponent will finance the mobilization of mature WAGs, VOs, and CLFs as platforms for improving behaviors related to health, sanitation, and climate adaptation.

Component 2: Livelihood Program (US\$272 million)

This component aims to facilitate improvement in the livelihood opportunities of WAG members through the CIF and promotion of LCs.

Subcomponent 2.1: Community Investment Fund (US\$176.2 million equivalent)

A Community Investment Fund (CIF) is a grant to WAGs that will enable WAG members to invest in productive assets for low-carbon, climate-resilient livelihood activities at the household level based on Micro Investment Plans (MIPs).

Subcomponent 2.2: Support to Livelihood Collectives (US\$79 million)

The aim of this subcomponent is to leverage economies of scale and enhance the bargaining power of the WAG members and their households. This subcomponent will support the formation and strengthening of LCs and provide them with livelihood grants based on approved business plans.

Subcomponent 2.3: Technical Assistance and Innovations for Livelihoods Programs (US\$16.8 million equivalent)

The subcomponent will support improving the supply of key support and technical services for the community institutions and LCs in the areas of institution building, financial management/services, climate and disaster risk management and livelihood enhancement (including enhancing the climate resilience of livelihood activities).

Component 3: Project Management, Monitoring and Evaluation, and Learning (US\$50 million)

This component will finance project management, monitoring, evaluation, and learning at both federal and state levels and will build government capacity to facilitate the implementation of Project activities and consequently ensure sustainability.

Labour Management Procedures

This Labour Management Procedure (LMP) has been prepared for the NFWP SU project to ensure compliance with Environmental and Social Standard 2 (ESS 2) on Labour and Working Conditions. Due to the activities to be supported under component 2.2 in particular, the project will create employment based on the activities involved in the implementation of the SU. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by the FPCU and participating States PCUs by identifying the main labour requirements, the associated risks, the procedures and resources necessary to address the related labour issues.

Objectives of the 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 NFWP SU 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.

Scope of LMP

The NFWP SU will create employment under activities that would likely require direct workers, contracted workers, primary supply workers, and community workers, and with this comes the likelihood of labor risks such as poor working conditions, poor working environments, improper handling of workers' relations, misunderstanding of the rule of engagement for community workers, and use of child and forced labor by primary suppliers. Under community health and safety, the small-scale construction activities in components 2 and 3 sites will likely attract a small number of migrant workers from other states in Nigeria, which may have major impacts on receiving communities.

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, where applicable etc. The LMP covers all categories of workers but excludes government workers/civil servants working in connection with this project except there is a legal transfer of their employment or engagement to this project.

ES2 Institutional and Legal Requirements

The institutional framework for this LMP comprises:

- Federal Ministry of Labour & Employment
- Federal Ministry of Women Affairs & Social Development

Legal framework

- Labour Act, Chapter 198, Laws of the Federation of Nigeria (LFN) 2004
- Factories Act, Cap F1, LFN 2004
- Trade Unions (Amended) Act, 2005
- The Occupational Safety and Health Act 2005
- National Policy on Occupational Safety and Health, revised 2020

International Regulations

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

- International Labor Organization (ILO)
- Africa Regional Labor Administration Centre (ARLAC)
- Organization of African Trade Union Unity (OATUU)
- Africa Union, Labor and Social Affairs Commission (AULSAC)
- Organization of Trade Union of West Africa
- Pan African Employers Association
- Pan African Productivity Association (PAPA)
- International Social Security Association (ISSA)

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.

ES3 Overview of Labour Use on The NFWP SU Project

NFWP SU will have minimal environmental and social risks and impacts associated with the activities, such as training and exposure visits, office setup, support in storage facilities, drying yards, and higher volume weighing scales. Even though the activities are expected to have minimal E&S impacts due to the limited scale of the activities, there are inherent Environmental, Social Health and Safety (ESHS) risks. These include noise, dust emission, solid waste, occupational and community health and safety risks common to civil works, procurement of non-energy efficient energy machinery, organic waste and wastewater discharges from the processing machinery, and the risks of communicable diseases, including COVID-19. The labour requirements on this project are for the following types of workers; direct workers, contract workers, community workers & primary supply workers.

This LMP has also given due and necessary attention to the terms and conditions, labour and timing dimensions of labour.

ES4 Key Potential Labour risks

Chapter four has given proper contemplation for the key labour issues: non-discrimination and equal opportunity, terms and conditions of employment, poor working conditions, OHS risks, child labour, forced labour, sexual harassment (SH) and sexual exploitation and abuse (SEA), Grievance redress mechanism (GRM), right for collective bargaining, labour influx, contractors management, gender based violence (GBV), disciplinary measures and termination of employment.

ES5 Policies & procedures on labour management

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

ES6 Roles & responsibilities of managing the LMP

The FPCU and the SPCUs have the overall responsibility to oversee all aspects of the implementation of this LMP including contractor's compliance across NFWP SU project activities. The SPCUs 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 SPCU, 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.

The LMP identifies implementation arrangements and describes responsibilities at all levels. Institutional Arrangements, effective supervision and monitoring of LMP implementation will be done through the FPCU in collaboration with the SPCUs. Details of the responsibilities of each category is presented in chapter six.

ES7 Grievance Redress Mechanism (GRM)

To ensure social accountability, inclusion, sustainability and transparency in the implementation activities, the NFWP established a mechanism to receive and act on complains and grievances by beneficiaries, stakeholders or project affected persons (PAPS) against activities being conducted by the Project in the State. This mechanism will remain operational under the SU.

ES8 Monitoring Contractors for Labour Management Compliance

Construction activities as well as supply and installation within the NFWP SU project will include provisions related to labor and occupational health and safety as provided in the World Bank Standard Procurement Documents and Nigerian laws. In this chapter, proper consideration was given to:

- Verification, Monitoring Mechanism & Reporting
- Human Resources Employee Database
- Contractor Database
- Supply chain database
- Participation / Consultation Measures

Budget for Implementation

To effectively implement the LMP measures suggested, the cost elements that will be vital towards implementing the plan have been included under the ESMF.

The FPCU will disclose the LMP as required by the Nigeria EIA public notice and review procedures as well as the ESS10 (Stakeholder engagement and information disclosure) at the World Bank Website. Copies of other Environmental & Social Framework instruments (such as ESMFs/RPFs etc.) are required to be disclosed in this similar manner

CHAPTER ONE INTRODUCTION

1.0 Background

This Labour Management Plan (LMP) is prepared as an annex to the ESMF of the Nigeria For Women Project Scale-up (NFWP-SU) as a requirement of the Nigerian EIA laws and the World Bank Environmental and Social Environmental & Social Framework by which the activities of Component 2 and Component 3, which has triggered six out of the ten environmental & social standards (ESS), among which is ESS2 (labour and working conditions), and this has the preparation of a Labour management plan (LMP) as a specific instrument for projects with activities that would create employment. This LMP sets out general guidance relevant to labour risks associated with the NFWP SU 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 Labour Management Procedures

This Labour Management Procedure (LMP) has been prepared for the NFWP SU 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 FPCU and participating states PCUs by identifying the main labour requirements, the associated risks, the procedures and resources necessary to address the related labour issues.

1.3 Objectives of the 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 NFWP SU 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.

1.4 Scope of LMP

The NFWP SU will create employment under activities that would likely require direct workers, contracted workers, primary supply workers, and community workers, and with this comes the likelihood of labor risks such as poor working conditions, poor working environments, improper handling of workers' relations, misunderstanding of the rule of engagement for community workers, and use of child and forced labor by primary suppliers. Under community health and safety, the small-scale construction activities in components 2 and 3 sites will likely attract

a small number of migrant workers from other states in Nigeria, which may have major impacts on receiving communities.

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 needs 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 and a 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.

Direct 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 FPCU and State PCUs (SPCUs) under the project. Direct workers will also comprise project staff hired as consultants.

Contracted Workers: Two categories of contracted workers will be involved in NFWP SU project, first is consultant service providers who will provide implementation support services to the FPCU and SPCU 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 NFWP SU project may implement. Within the contractor's workers, three categories of workers will be involved, these are permanent workers, contract workers and casual workers

1.5 COVID-19 Compliance Protocol in NFWP SU LMP Preparation

As the entire world is coming out of the recent 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 NFWP SU project preparation were carried out with strict compliance with the COVID-19 preventive guidelines.

1.7 Project Description

The proposed program builds on the successful Nigeria for Women Project (NFWP – P161364), which is currently being implemented in six states³ across Nigeria. The original project tested the WAG model as a platform for addressing key constraints to women’s social and economic empowerment at the societal, community, and household levels. This program will scale up NFWP and integrate lessons learned as it is expanded into a national program. The program is structured around three components. The first focuses on building community institutions by creating WAGs at the community level and federating these at higher levels (village level and local government area [LGA] level) to take advantages of economies of scale to build linkages to markets and access to finance. The second component supports improvement of livelihood opportunities for WAG members through Community Investment Fund (CIF) and livelihood collective (LC) grants to enable women to increase income and enhance livelihood opportunities. The third component covers project management, monitoring and evaluation, and adaptive learning.

Objectives of the Nigeria-for women scale up project (NFWP-SU)

To institutionalize Women’s Affinity Groups and other platforms for women’s economic empowerment and enhance the economic opportunities of unbanked women. The following key results will measure progress toward the Project Development Objective:

- (h) Number of women who are members of WAGs (disaggregated by state);
- (i) Number of WAGs that are in operation for more than one year;
- (j) Number of higher-level federations established and in operation for at least one year;
- (k) Policies and programs at the state level to support the functioning of WAGs;
- (l) Savings mobilized by WAGs per year before share out;
- (m) Number of unbanked women⁴; and
- (n) Increase in the number of livelihood sources per household.

Component 1: Building Community Institutions (US\$168 million)

This component aims to leverage existing practices of mutual help among women to address gender inequalities and create economic opportunities. Specifically, activities under this component will support the creation of WAGs that will build on practices of mutual help and leverage these as an institutional platform to support access to finance, enhance women’s voice and agency, and drive behavior change. Activities under this Component will be implemented through three subcomponents: (i) Women Affinity Groups and Federations; (ii) Platforms for Behavior Change in Health, Sanitation, and Climate Adaptation, and (iii) Influencing Social Norms.

Subcomponent 1.1: Influencing Social Norms (US\$14.9 million equivalent)

This subcomponent will finance Operational Project Communication (OPC), as well as activities to facilitate positive shifts in norms, behaviors, and attitudes to reduce gender stereotypes detrimental to women’s socioeconomic engagement, household decision-making, and resilience to climate change.

³ Abia, Akwa Ibom, Ogun, Niger, Kebbi and Taraba States.

⁴ This indicator measures the Project’s effect on the overall number of unbanked women in Nigeria (this is defined as women without bank accounts or mobile wallets, as measured in the Global Findex). The Project expects to open accounts or wallets for about 3.1 million women, therefore this would bring down the number of unbanked women in Nigeria from approximately 37 million to 34 million.

Subcomponent 1.2: Women Affinity Groups and Federations (US\$144.4 million equivalent)

As in the original project, this subcomponent is the core investment of the Project in developing and strengthening community institutions (WAGs, VOs, and CLFs) and will be implemented in a phased manner.

The Project will support strengthening the organizational capabilities of the VOs and CLFs in livelihood promotion, climate and disaster risk management, developing linkages with public and private service providers, and building a knowledge base and skills at the grassroots level by developing a cadre of good-quality community resource persons (CRPs)—community-managed bookkeepers, livelihood associates, and other VO- and CLF-level functionaries.

Subcomponent 1.3: Platforms for Behavior Change in Health, Sanitation, and Climate Adaptation (US\$8.7 million equivalent) This subcomponent will finance the mobilization of mature WAGs, VOs, and CLFs as platforms for improving behaviors related to health, sanitation, and climate adaptation.

Component 2: Livelihood Program (US\$272 million)

This component aims to facilitate improvement in the livelihood opportunities of WAG members through the CIF and promotion of LCs.

Subcomponent 2.1: Community Investment Fund (US\$176.2 million equivalent)

A Community Investment Fund (CIF) is a grant to WAGs that will enable WAG members to invest in productive assets for low-carbon, climate-resilient livelihood activities at the household level based on Micro Investment Plans (MIPs).

Subcomponent 2.2: Support to Livelihood Collectives (US\$79 million)

The aim of this subcomponent is to leverage economies of scale and enhance the bargaining power of the WAG members and their households. This subcomponent will support the formation and strengthening of LCs and provide them with livelihood grants based on approved business plans.

Subcomponent 2.3: Technical Assistance and Innovations for Livelihoods Programs (US\$16.8 million equivalent)

The subcomponent will support improving the supply of key support and technical services for the community institutions and LCs in the areas of institution building, financial management/services, climate and disaster risk management and livelihood enhancement (including enhancing the climate resilience of livelihood activities).

Component 3: Project Management, Monitoring and Evaluation, and Learning (US\$50 million)

This component will finance project management, monitoring, evaluation, and learning at both federal and state levels and will build government capacity to facilitate the implementation of Project activities and consequently ensure sustainability.

CHAPTER TWO
INSTITUTIONAL AND LEGAL REQUIREMENTS

2.0 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 NFWP SU project. These requirements are presented in the sub- sections.

2.1 Institutional framework for labour and employment in Nigeria

2.1.1 Federal Ministry of Labour & Employment

The Nigeria Ministry of Labor and Employment is the national 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 Banks ESS 2 – Labor and Working Conditions.

Table 1: overview of the relevant department 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 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.
Employment and Wages Department	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: <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"> Employment Exchanges Professional and Executive Registries National Electronic Labour Exchange 3. Coordination of Decent Work Country Program 4. Wages administration through: <ul style="list-style-type: none"> Wages Monitoring Processing of Collective Agreements 5. Issuance of Recruiter’s Licenses. 6. Labour migration management.

Department	Functions
	<p>7. Initiating and implementing programs on active aging</p> <p>8. Oversight functions over National Directorate of Employment.</p>
<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 Occupational Safety Health Information Centers (CIC). • Provision of technical assistance and advisory services to workplaces on HIV and AIDS interventions.
<p>Office of the registrar of trade unions</p>	<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.

Department	Functions
	<ul style="list-style-type: none"> 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.

2.1.2 Federal Ministry of Women Affairs & 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.

2.2 Legal Framework for labour & employment in Nigeria

2.2.1 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 organization. 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

2.2.2 Factories Act, Cap F1, LFN 2004

- 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

2.2.3 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 dependents 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.

2.2.4 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.

2.2.4 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.

2.2.5 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 Organization of Nigeria, Office of the Head of Civil Service, Mass Media, Academia, other stakeholders.

2.3 International Regulations

Other international regulations which may be considered for the NFWP SU 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)

2.4 World Bank Environmental & Social Standards

The World Bank has 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.

2.4.1 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.

2.4.2 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 NFWP SU 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

A comparison between the labour legislation of Nigeria and the World Banks ESS is presented in Table 2.

Table 2: Comparison between the Nigeria Labour Legislation against World Bank ESS2

Description	Nigerian Labour Law	ESS2	Comparison/Gaps	What to do
Minimum Age	Sixteen Years and above	National Minimum Age but under special conditions	Disparity in age of engagement	Nigeria labour law will be adopted with evidence like birth certificate

Description	Nigerian Labour Law	ESS2	Comparison/Gaps	What to do
		<p>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.</p>		<p>required to certify actual age and to ensure that children between 16-18 will not be engaged in work which is considered hazardous, harmful to the education, health, physical, mental, moral, spiritual and social development of the person.</p>
Forced labour	<p>Any person who requires other person or permits any other person to be required to 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 N 1,000 or to imprisonment for a term not exceeding two years or to both</p>	<p>All works associated with this project shall be performed voluntarily without coercion 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.</p>	Both condemn forced labour	<p>Periodic checks and screening for forced labour shall be carried out on the project by the Project Management Units of all participating States</p>
Term and Condition of Employment	<p>Wages shall become due and payable at the end of each</p>	<p>Same ESS 2 provides for all workers associated with</p>	Both uphold the workers right to their wages	<p>Effective workers grievance mechanism</p>

Description	Nigerian Labour Law	ESS2	Comparison/Gaps	What to do
	period: daily, weekly or monthly. No employer shall make deductions or make any agreement or contract with a worker for any deduction from the wages to be paid by the employer	the project to be paid on regular basis as required by national law and labour management procedures.		should be put in place to manage complaints that may arise from irregularities in wages payment by the employer.
Hours of work	Working hours shall be agreed mutually or by collective bargain	ESS 2 provides that projects workers are duly provided with 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.	Same provisions	An attendance register shall be maintained at all work locations to record time of arrival 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	ESS 2 provides procedures for managing labour risks and impacts.	Lack of unified procedure in the Nigeria labour legislation	SU will adopt the provisions of ESS2 with improved consultations with both ministries throughout the duration of the project

Description	Nigerian Labour Law	ESS2	Comparison/Gaps	What to do
	and social issues arising from 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 SU	Lack of adequate provisions for OHS implementation and monitoring in the Nigeria Legislation	SU will adopt the ESS2
Gender Issues	No provisions in the labour act for sexual harassment, though there is a separate National Act that addresses sexual harassment	SS 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 SU
Terms and conditions of employment	The labour law provides that employer must provide and employee with a clear agreement of engagements within the first 3 months.	Provides clear information and documentation are provided at the onset of working relationship	Both have documented evidence, but the procedures differ	SU will adopt the ESS2
Workers Organization	The labour Act provides well for formal sector but casual workers are not given the same benefits (such as compensation for injuries,	ESS 2 makes provision for borrowers to promote sound worker-management relationship and enhance the development benefits of a	The Nigeria legislation lack provisions for GRM	The SU will adopt the will adopt the provisions of ESS2

Description	Nigerian Labour Law	ESS2	Comparison/Gaps	What to do
	right to belong to trade unions and collective bargain. There is also the absence of Grievance Mechanism in the labour act	project by treating all workers in the project fairly and proving safe and healthy working condition.		

2.5 Policies, Treaties and Legislations on GBV

2.5.1 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).

2.5.2 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).

2.5.3 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.

CHAPTER THREE

OVERVIEW OF LABOUR NEEDS ON THE NFWP SU PROJECT

3.0 Introduction

This chapter examines the overview of labour use in the NFWP SU 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 NFWP SU project activities.

3.1 NFWP SU Labour requirements

NFWP SU will have minimal environmental and social risks and impacts associated with the activities, such as training and exposure visits, office setup, support in storage facilities, drying yards, and higher volume weighing scales. Even though the activities are expected to have minimal E&S impacts due to the limited scale of the activities, there are inherent Environmental, Social Health and Safety (ESHS) risks. These include noise, dust emission, solid waste, occupational and community health and safety risks common to civil works, procurement of non-energy efficient energy machinery, organic waste and wastewater discharges from the processing machinery, and the risks of communicable diseases, including COVID-19. The labour risks that will likely accompany these activities are working conditions, poor working environments, improper handling of workers' relations, misunderstanding of the rule of engagement for community workers, and use of child and forced labor by primary suppliers are likely risks, with a remote probability all these labor risks could materialize. Under community health and safety, the small-scale construction activities in components 2 and 3 sites will likely attract a small number of migrant workers from other states in Nigeria, which may have major impacts on receiving communities⁵.

3.2 Types of Workers

The NFWP SU 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:

3.2.1 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 FPCU and State PCUs (SPCUs) under the project. Direct workers will also comprise project staff hired as consultants.

3.2.2 Contract workers

Two categories of contract workers will be involved in NFWP SU project, first is consultant service providers who will provide implementation support services to the FPCU and SPCU in preparation of documents and support. Second is the staff of contractors, suppliers, and contractors to be subcontracted to arrange for civil

⁵ Environmental & Social Review Summary (ESRS) for the NFWP SU: updated 10/20/22

works that the NFWP SU project may implement. Within the contractor's workers, three categories of workers will be involved, these are permanent workers, contract workers and casual workers.

3.2.3 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 NFWP SU project.

3.2.4 Manpower/primary supply workers

Manpower or primary supply workers are workers employed or engaged by a manpower/primary supplier or agency, providing goods and materials to the NFWP SU project, over whom a primary supplier exercises control for the work, working conditions, and treatment of the person. The SPCU of participating states will ensure that any contractor or supplier engaged to work in the NFWP SU 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.

3.3 Number of Project Workers Requirements

NFWP SU 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 be a requirement for the activities identified on this project during implementation (through the physical aspects of NFWP SU project).

3.4 Terms & conditions of employment

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

- Project workers will be provided with information and documentation that clearly communicates the terms and conditions of their 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.

3.5 Timing & Labour

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.

The 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. However, the workforce of SPCUs (State Project Coordinating Units) will work full time like every other civil servant.

CHAPTER FOUR

ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

4.0 Introduction

This chapter outlines the potential Labor risks and impacts associated with the NFWP SU Project and proffers mitigation measures. Some of the potential labour risks and impacts associated with the project have been identified in Table 3 while mitigation measures are also provided:

4.1 Potential labour risks & mitigation Plan

Table 3 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 FPCU in collaboration with the SPCUs of participating states will monitor contractor's compliance to the LMP through the supervising engineers at each SPCU. Adequate sanctions such as blacklisting shall be applicable to erring contractors.

Table 3: Potential Labour Risks & 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 strifes 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 SPCU of participating states to monitor contractors in implementing mitigation measures</p> <p>*The SPCUs 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>
<p>Terms and Conditions of Employment</p>	<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>Workers may become frustrated, lack focus or be redundant</p> <p>High staff turnover</p>	<p>The SPCUs 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</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 could be over worked, worker fatigue & stress</p> <p>Legal action against sub- projects</p> <p>Under-compensation Unfair dismissal procedures</p>	<p>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 workll</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 contract shall be implemented, and all overtime shall be compensated for.</p>
<p>Poor working conditions</p>	<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>Lead to injuries, incidents, accidents, Loss Time Injury</p> <p>Workers could be over worked, grievances, high turnover, poor reputation for the project, worker fatigue & stress.</p>	<p>SPCUs 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</p>

	Lack of provision of basic facilities – water, food, toilets, washing hand facilities, medical aid.	Increased accidents during project execution Spread of diseases and illnesses amongst workers including COVID 19	signages in place, provision of adequate PPEs, first aid boxes, appropriate work tools, work permit etc. All project workers will be provided with adequate periods of rest per week, annual holiday and sick leave, as required by national law Contractors are to provide basic facilities including water for hand washing, first aid and also have retainership agreement with health care facility for referrals. 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.
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	PMUs (Federal and State levels) and contractors to provide facilities that can prevent poor ergonomics in workplace. Arrangement of furniture, facilities and equipment should promote good ergonomics. Work tools should be provided to PMUs (Federal and State levels) and contractors to provide facilities that can prevent poor ergonomics in workplace. Arrangement of furniture, facilities and equipment should promote good ergonomics. Work tools should be provided to Only skilled and licensed drivers will be used under with continual training. Implement proper procedures for transportation of hazardous materials like e-waste Posture defects, stress, fatigue, lost time injury to serious injury, accident, fatality, legal action against sub-projects
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. SPCUs will also supervise this through the monitoring activities of their E&S officers.</p> <p>The SPCUs 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</p>	<p>SPCUs, 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>
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>All category of workers in to be made aware of zero tolerance to GBV.</p> <p>Contractors to sign code of conduct forms</p>

		Legal action against sub- projects, and reputational risk for and the World Bank	SPCUs shall encourage contractors to 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
Grievance Mechanism (GRM)	Lack of grievance redress channel for workers	Workers may be aggrieved due to unfair treatment, poor working conditions, conflicts, poor pay, overstretched working hours amongst other things Refusal to work	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 The effectiveness of the system will be reviewed periodically or when there is any significant change in the project by the SPCUs and contractors etc.
Right of Association and Collective Bargaining	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 Workers may not be allowed the right to organize and collective bargaining, and representation	Underpayment Poor working conditions leading to injury, accident, ill- health Abuse of power by employers Reprisals, legal action against sub-projects	SPCUs shall ensure that contractors inform all workers about their right of association and collective bargaining according to ESS2 Workers will also be informed of the workers GRM and their right to utilize the system
Contractors Management	Contractors on the project may not be adequately managed or monitored Non-compliance to provisions of this LMP and other national Labour requirements, especially by international migrant workers	Accidents/incidents, Loss Time Injury Unruly behaviour of contractors Unfair treatment of workers, conflicts Legal actions against sub- project, bad reputation for	Labour Management Plans will be prepared by the respective contractors as part of Contractors 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 FPCU in collaboration with the SPCUs, as appropriate. Contractors to maintain records of: <ul style="list-style-type: none"> workers engaged under the Project, including contracts must be kept

			<ul style="list-style-type: none"> • 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
Labour Influx	Influx of workers into project communities due to 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 action, conditions of work
	Worker's mismanagement	functions Workers could be treated unfairly	E&S officers of the SPCU 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	Grievances, reprisals etc. Unfair dismissal from work	Disciplinary process will be laid out before commencement of work and explained to every worker under
	Conditions for termination may be clearly outlined in the terms of employment	Abuse of power and human rights Legal action against sub- project	Termination of appointment should abide by the following principles: <ul style="list-style-type: none"> • Valid or reasonable;

			<ul style="list-style-type: none"> • 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.
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Risk Category	Labour Risks	Impacts	Mitigation
Non- discrimination and equal opportunity	<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 SPCU of participating states to monitor contractors in implementing mitigation measures</p> <p>*The SPCUs will also track supplier’s performance to check whether labor management procedures and mitigation measures are being appropriately</p>

			implemented and provide feedback on performance as well as any new areas of risk
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 over worked, worker fatigue & stress</p> <p>Legal action against sub- projects</p> <p>Under-compensation Unfair dismissal procedures</p>	<p>The SPCUs 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 workll</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 contract shall be implemented, and all overtime shall be compensated for.</p>

<p>Poor working conditions</p>	<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 over worked, 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>SPCUs 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>
<p>Occupational Health and Safety</p>	<p>Poor ergonomics in the workplace</p>	<p>Posture defects, stress, fatigue, lost time injury to serious injury, accident, fatality, legal action against sub-projects</p>	<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 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 Only skilled and licensed drivers will be used under with continual training.</p>

			<p>Implement proper procedures for transportation of hazardous materials like e-waste</p> <p>Posture defects, stress, fatigue, lost time injury to serious injury, accident, fatality, legal action against sub-projects</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. SPCUs will also supervise this through the monitoring activities of their E&S officers.</p> <p>The SPCUs 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</p>	<p>SPCUs, 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>

<p>Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV)</p>	<p>Workplace sexual harassment /sexual exploitation and abuse/Gender-Based Violence</p>	<p>Abuse of human rights Injury and associated physical and mental health conditions Unwanted pregnancies Legal action against sub- projects, and reputational risk for and the World Bank</p>	<p>All category of workers in to be made aware of zero tolerance to GBV. Contractors to sign code of conduct forms SPCUs shall encourage contractors to 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</p>
<p>Grievance Mechanism (GRM)</p>	<p>Lack of grievance redress channel for workers</p>	<p>Workers may be aggrieved due to unfair treatment, poor working conditions, conflicts, poor pay, overstretched working hours amongst other things 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 The effectiveness of the system will be reviewed periodically or when there is any significant change in the project by the SPCUs 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 Workers may not be allowed the right to organize and collective bargaining, and representation</p>	<p>Underpayment Poor working conditions leading to injury, accident, ill- health Abuse of power by employers Reprisals, legal action against sub-projects</p>	<p>SPCUs shall ensure that contractors inform all workers about their right of association and collective bargaining according to ESS2 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>Accidents/incidents, Loss Time Injury Unruly behaviour of contractors</p>	<p>Labour Management Plans will be prepared by the respective contractors as part of Contractors ESMPs based on the provisions of this LMP and the details of labour to be used in those contracts. These plans</p>

	Non-compliance to provisions of this LMP and other national Labour requirements, especially by international migrant workers	Unfair treatment of workers, conflicts Legal actions against sub- project, bad reputation for	will be reviewed and cleared by the FPCU in collaboration with the SPCUs, as appropriate. Contractors to maintain records of: <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
Labour Influx	Influx of workers into project communities due to 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 action, conditions of work
	Worker's mismanagement	functions Workers could be treated unfairly	E&S officers of the SPCU shall monitor the performance of primary suppliers as regards workers management.

<p>Discipline and Termination of Employment</p>	<p>Disciplinary process may not be fairly or equitably employed across board</p> <p>Conditions for termination may be clearly outlined in the terms of employment</p>	<p>Grievances, reprisals etc.</p> <p>Unfair dismissal from work</p> <p>Abuse of power and human rights</p> <p>Legal action against sub- project</p>	<p>Disciplinary process will be laid out before commencement of work and explained to every worker under</p> <p>Termination of appointment should abide by the following principles:</p> <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.
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4.2 Situational Analysis of Gender Based Violence & key indicators in NFWP SU 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.

Overall, GBV risks in the participating States might include Intimate Partner Violence (IPV), public harassment including harassment, verbal insults, physical abuse, rape, harmful widowhood practices and women and child trafficking. Targeted support to women under the program could likely exacerbate these risks. Development and implementation of specific GBV risk prevention and mitigation strategies, tailored to local contexts, will be critical. Guidelines for situation analysis of GBV and safe reporting guidelines in line with international best practices will be implemented.

The relevance of education 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 Wajih, 2015). Factors militating against girl child education includes cultural biasness (UNICEF, 2005).

4.2.1 Mitigation measures against GBV

According to section 5.4.2.4 of the ESMF, the key principles and specific requirements to address GBV/SEA shall be included in the bidding documents ('pre-qualification' and 'employers' requirements'). As such specific measures to reduce and mitigate the risk of GBV/SEA in the NFWP-SU project that are already in place from the first phase of this project and will contribute towards the effective operationalizing of these environmental and social guidelines are:

- i) GBV/SEA assessment of project;
- ii) mandatory contractors' code of conduct on sexual harassment;
- iii) appointment of NGO to monitor GBV/SEA in NFWP-SU;
- iv) community and workers' sensitization on GBV/SEA;
- v) provision of referral units for survivors of GBV/SEA;
- vi) provisions in contracts for dedicated payments to contractors for GBV/SEA prevention activities against evidence of completion;
- vii) contractor and SPCU requirement to ensure a minimum target of female employment with incremental rewards of the obtainment of this target.

The following actions are also recommended for immediate implementation:

- Training & re-training of the GBV/SEA specialist by the NFWP-SU,
- Building and improving FPCU/SPCUs, local communities and other relevant stakeholders' capacities to address risks of GBV/SEA by developing and providing guidance, training, awareness, and dissemination of relevant GBV/SEA materials to communities,
- Developing a clear NFWP-SU specific internal "Reporting and Response Protocol" to guide relevant stakeholders in case of GBV/SEA incidents,
- Strengthening operational processes of NFWP-SU participating States project area on GBV/SEA,
- Identifying development partners and cultivating pragmatic partnership on GBV/SEA prevention measures and referral services,
- Developing Codes of Conduct for civil works contractors with prohibitions against GBV/SEA,

- Strengthening consultations and operationalizing GBV/SEA specific grievance redress mechanisms,
- Providing financial support implementation of the GBV/SEA actions described herein, including training and awareness building for various stakeholders,
- Establishing inter-ministerial committee to advance GBV/SEA actions described above.

CHAPTER FIVE

POLICIES AND PROCEDURES FOR LABOUR MANAGEMENT

5.0 Policies guiding management of labour under the NFWP SU

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

The guiding policies shall include the following:

- 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.
- All civil servants deployed to work on the project shall be given official letters of deployment by their parent ministries.
- Contractors shall provide safe and healthy working conditions for workers, void of worker exploitation, and shall ensure provision of standard facilities.
- SPCUs and contractors shall conduct job hazard and risk assessment and implement actions to address such risks.
- Contractors shall provide adequate work tools and personnel protective equipment to all workers.
- There shall be non-discrimination and opportunity provided for all workers.
- 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 NFWP SU project have been proposed in the Environmental and Social Management Framework (ESMF).
- Workers shall have their right of association and collective bargaining.
- There shall be proper documentation of contractors/supplier's management in line with OHS requirements.
- Termination of appointment shall be valid or reasonable, clear and unambiguous, without prejudice and employee must be aware of the reason.
- There shall be continuous consultation with workers on the effectiveness and improvement of the labour management procedures.

5.1 Procedures guiding management of labour under the NFWP SU

5.1.1 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 FPCU/SPCU and contractors and monitored by the respective E&S team of the SPCU:

- 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 FPCU/SPCU 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.

5.1.2 Age of Employment

The guidelines on age of employment are:

- Sub-projects of NFWP SU will only engage individuals at minimum age of Eighteen (18) where it does not affect the workers 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.

5.1.3 Terms and Conditions of Employment

Preparation of workers terms and conditions of employment shall be guided by:

- 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 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.

5.1.4 Working Conditions

Conditions under which employees work shall be guided by:

- 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

5.1.5 Occupational Health & 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. 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 FPCU/SPCU, 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.

5.1.6 Forced Labour

To ensure compliance with provisions of ESS2 & Labour laws;

- 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 FPCU to be addressed according to the guiding laws & standards.

5.1.7 Sexual Harassment (SH), Sexual Exploitation & Abuse (SEA), Gender Based Violence (GBV)

- All category of workers in NFWP SU 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.

5.1.8 Grievance Redress Mechanism (GRM)

The NFWP has a GRM process already established and the SU shall build upon this existing GRM structure. 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 SPCUs 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.

5.1.9 Right of Association & 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.

5.1.10 Contractors Management

- SPCUs 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.

5.1.11 Primary Suppliers

- SPCUs will track supplier's 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.

5.1.12 Discipline & 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

6.0 Introduction

The FPCU and the SPCUs have the overall responsibility to oversee all aspects of the implementation of this LMP including contractor’s compliance across NFWP SU project activities. The SPCUs 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 SPCUs, 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.

6.1 Roles & Responsibilities

Specific roles are outlined below in Table 3.

Table 4: Roles & responsibilities matrix

Institution	Action party	Responsibilities
NFWP FPCU	Environmental officer, social officer and GBV specialist	<ul style="list-style-type: none"> • Oversee the corresponding officers in all participating states to ensure that contractors are made to prepare appropriate LMP and implement accordingly. • Conduct scheduled supervision across states to ensure compliance with appropriate plans.
SPCU of participating states	Environmental officer, Social officer and GBV specialist	<ul style="list-style-type: none"> • Ensure the contractors prepare LMP for their projects and implement accordingly • Carry out site inspection during project implementation to ensure that the LMPs prepared are implemented
Contractors	HSE Officers	<ul style="list-style-type: none"> • Provide workers with safety materials as well as training on safety procedures • Implement mitigation measures and procedures outlined in this LMP • iii. Keep OHS records
Trade Unions	Leadership of unions	<ul style="list-style-type: none"> • Manage workers welfare
Workers Association	The union/association	<ul style="list-style-type: none"> • Promote workers health and safety • Provide a fair system of grievance redress
Federal Ministry of Labour & Employment	Relevant departments	<ul style="list-style-type: none"> • Overall responsibility for enforcing labour laws

6.2 Capacity assessment for implementing the LMP

This section outlines the capacity assessment of SPCUs in the States responsible for NFWP SU implementation in terms of policies, procedures, roles and responsibilities. Strengthening actions to ensure effective implementation of this LMP are therefore suggested. This is presented in Table 5.

Table 5: Capacity Assessment for Implementing the LMP

Aspect	Capacity Assessment	Strengthening Actions
Policies	<p>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.</p> <p>ESS 2 however makes provisions for all categories of workers.</p>	<p>The LMP has provided a set of straightforward mitigation measures to be adopted for NFWP SU in addition to applicable laws and the provisions of ESS2.</p> <p>The provisions of this LMP should be disseminated for adoption to all participating states under NFWP SU.</p> <p>The requirement for LMP should be included in procurement contracts.</p>
Procedures	<p>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.</p>	<p>Procedures have been outlined in this LMP which will guide the implementation of mitigation measures for risks associated with labour and working conditions under NFWP SU.</p>
Roles	<p>Some contractors do not engage HSE officers while some engage HSE officers who do not have basic understanding therefore become limited in capacity to implement provisions of ESS2 and thus this LMP</p>	<p>Contracts should ensure they employ competent HSE officers, enhance the 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.</p>
Responsibilities	<p>The responsibilities of various parties in implementing and monitoring matters relating to labour and working conditions have been highlighted in this LMP</p>	<p>Implement capacity building programs to strengthen understanding of responsibilities, especially with respect to ESS2 and the provisions of this LMP.</p>

CHAPTER SEVEN

GREIVANCE REDRESS MECHANISM (GRM)

7.0 Introduction

To ensure social accountability, inclusion, sustainability and transparency in the implementation activities, the NFWP established a mechanism to receive and act on complains and grievances by beneficiaries, stakeholders or project affected persons (PAPS) against activities being conducted by the Project in the State. This mechanism will remain operational under the SU to address labour related issues and grievances related to poor working environments, improper handling of workers' relations, misunderstanding of the rule of engagement for community workers, and use of child and forced labor by primary suppliers are likely risks, with a remote probability that all these labor risks could materialize.

7.1 Objectives of the GRM

The fundamental objectives of the GRM, implemented through the GRC serving as a para-legal body, are to resolve any labour-related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the social and environmental action plans. Another important objective is to democratize the development process at the local level and to establish accountability to the affected people. In other words, the grievance mechanisms:

- a. Provide a way to reduce risk for projects.
- b. Provide an effective avenue for expressing concerns and achieving remedies for communities and promote a mutually constructive relationship.
- c. Prevent and address community concerns and assist larger processes that create positive social change.
- d. change.

7.3 Importance of NFWP-SU GRM

The GRM is beneficial for organizational and Project strengthening. Grievances should be seen as a gift and not a threat to the Project. Grievances submitted are a source of valuable information that can help to strengthen the implementation of the Project and provide support and protection to Project beneficiaries. NFWP's ability to resolve grievances demonstrates transparency and accountability to beneficiaries and non-beneficiaries.

Anyone can raise a grievance about NFWP-SU. Beneficiaries and non-beneficiaries are all welcome to submit complaints on any aspect of NFWP-SU via any of the available grievance channels (e.g. in-person to staff or volunteers or by phone, letter, email, or social media).

7.4 Structure for managing grievances and Staff responsible

The following can receive grievances from complainants under the NFWP-SU GRM:

1. Grievance Volunteers and Ward Facilitators (at community the level)
2. LGA Field Supervisors (LFS) and WAG Support Officers (at LGA level)
3. SPCU GRM Focal Points - specifically the Social Safeguards and Environmental Safeguards Anchors and Advisers (at State the level)
4. FPCU GRM Focal Points – specifically the Social Safeguards and Environmental Safeguards Anchors and Advisers (at Federal the level)

7.5 Pathway for submission of grievances

At the LGA, State, and Federal levels:

1. **LFSs / WSOs:** Complaints can be made through the LFSs or WSOs in person or in writing. They are also responsible for reviewing any complaints relating to their LGA received via any channel. They are effectively trained on project

activities to collate and address grievances, channeling them as necessary to the SPCU GRM FPs.

2. **SPCU GRM FPs:** Grievances can be made at the state offices either in person, via telephone, in writing, or through any other accessible channel as there are SPCU GRM FPs that have been trained on effectively handling and managing grievances. Telephone numbers for State hotlines will be displayed at various state and local government offices and in Project communities.
3. **FPCU GRM FPs:** At the FPCU level, there are GRM FPs who have been trained on handling and managing grievances and they can receive and register grievances from beneficiaries and non-beneficiaries using any channel convenient for them. Grievances may come in via hotline, in writing, in person, or via social media. The different categories of grievances under the NFWP-SU are presented in Table 6. Category 7 is specific for labour related grievances.

Table 6: Categorise of Grievances under NFWP-SU

CATEGORIES	CATEGORIES OF GRIEVANCES UNDER NFWP PROJECTS	RESPONSIBILITIES	RESPONSE TIME FOR FURTHER ACTION
CATEGORY 1	WRONGFUL INCLUSION/EXCLUSION <ul style="list-style-type: none"> • WAG - Wrongful inclusion • WAG - Wrongful exclusion • Livelihood grants – wrongful inclusion • Livelihood grants – wrongful exclusion 	LFS	21 DAYS TO 1 MONTH
CATEGORY 2	PAYMENTS <ul style="list-style-type: none"> • Delay in payment • Incorrect payment amount 	LFS, SPCU FP, SPCU accounting	WITHIN 7 DAYS
CATEGORY 3	SERVICE DELIVERY ISSUES <ul style="list-style-type: none"> • Mistreatment/rudeness by staff • Complaints not responded to • Wrong information / poor communication • Other Service Delivery Issues 	State- or Federal-level GRM FPs, SPCU or FPCU Coordinator	WITHIN 7 DAYS
CATEGORY 4	FRAUD AND CORRUPTION ISSUES <ul style="list-style-type: none"> • Bribe and Extortion • Misappropriation / Theft 	SPCU/FPCU GRM FPs, SPCU Coordinator, NPC	21 DAYS OR MORE
CATEGORY 5	INQUIRIES AND INFORMATION REQUESTS	All GRM FPs	WITHIN 7 DAYS
CATEGORY 6	OTHERS	LFS	7 TO 14 DAYS
CATEGORY 7	GENDER-BASED VIOLENCE <ul style="list-style-type: none"> • Sexual exploitation and abuse (SEA) or sexual harassment (SH) (e.g. staff or contractor inflicting SEA/SH on a beneficiary, community member, or other staff members) • Other forms of GBV (not SEA/SH), e.g., IPV and domestic conflicts (e.g. between project beneficiaries) 	LFS and SPCU GRM FPs, Gender/GBV Anchors and Advisers are responsible for ensuring GBV-related complaints are treated according to the NFWP GBV Accountability Response Framework The survivor/complainant maintains the right to	As soon as the incident becomes known refer using the referral directory If the perpetrator is associated with the project and the survivor wants to proceed with the case the GRM FP should

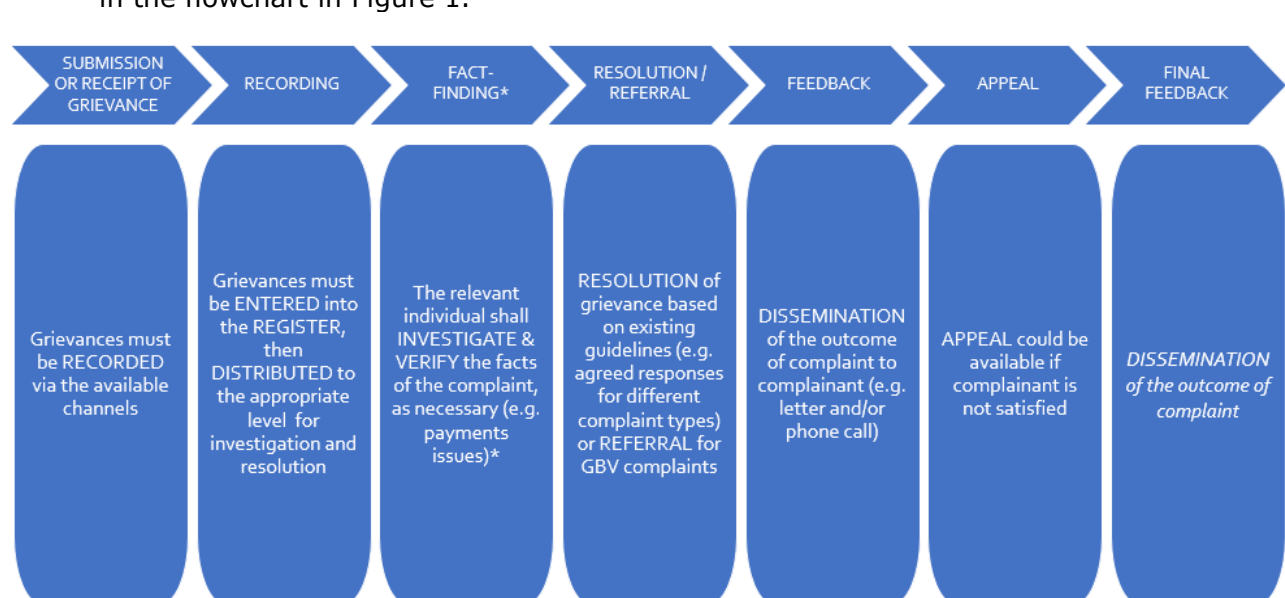
		or community members - not involving staff or contractors)	choose whether further action should be taken on their complaint. They also have the right to change their mind and stop seeking resolution of their complaint.	notify the SPCU GRM FP/SPCU Coordinator
CATEGORY 7	LABOUR RELATED GRIEVANCES	<ul style="list-style-type: none"> poor working environments improper handling of workers' relations misunderstanding of the rule of engagement for community workers, and use of child and forced labor by primary suppliers are likely risks 	LFS, State- or Federal-level GRM FPs, SPCU or FPCU Coordinator	7 TO 21 DAYS

7.6 Addressing complaints related to GBV and SEA/SH

The NFWP GRM takes complaints related to gender-based violence (GBV) and sexual exploitation or abuse / sexual harassment seriously. A separate GBV accountability and Response Framework have been prepared to address GBV allegations and to hold perpetrators accountable. However, for any complaint that is reported to the GRM (including complaints involving other forms of GBV that are not related to the project), the GRM will also have procedures in place to refer the individual to GBV service providers.

7.6.1. Handling Grievances

The following are basic processes to be followed in handling grievances is presented in the flowchart in Figure 1.



*There is no investigation for GBV complaints – these should be referred via the appropriate referral pathway if the complainant so desires.

Figure 1: Grievance Redress Flowchart

7.7 Service Standards for NFWP-SU GRM

- NFWP will ensure that all grievances are handled and resolved within the specified time frame depending on the category of complaint. The maximum time frame for

resolving categories of issues that are within the remit of NFWP will be 3 months (90 days).

- NFWP will ensure that feedback is provided to complainants on the status of their grievances within 28 working days from the time the complaint was first received.
- Where investigations are likely to take more than 7 days, NFWP will provide complainants with a progress update.
- NFWP will guarantee that all complainants are treated with respect and fairness.
- NFWP will ensure that persons with disabilities and other vulnerable groups can easily access the GRM using available channels for registering complaints.
- NFWP will ensure that GBV and SEA/SH complaints are treated appropriately following a survivor-centered approach.

7.8 Guiding Principles

To effectively manage grievances, there are basic principles that must be followed to ensure that the grievance redress mechanism is effective and valuable to beneficiaries and non-beneficiaries. The key principles include the following:

I. Communicated and Visible

A good grievance mechanism should be clearly communicated to all relevant stakeholders (beneficiaries, the general public, and others). Information on how to channel grievances should be clear and widely publicized. Beneficiaries and non-beneficiaries should be informed on the timelines and the necessary steps that will be taken in handling their grievances. Information on what type of grievances can be made should also be clearly communicated to the beneficiaries, staff, and any other interested party. In the case of NFWP the Ward Facilitators (WFs), WAG Support Officers (WSOs), and LGA Field Supervisors (LFSs) are the frontline staff who engage directly with citizens hence should be well knowledgeable on how the GRM operates.

II. Accessible

An effective GRM should be easily accessible by all. It should offer multiple channels for receiving and responding to grievances (e.g. in person, by phone, in writing, etc.). The conditions of the beneficiaries and other interested citizens should be taken into account when establishing a GRM. For example, if the GRM has a hotline element and there are beneficiaries with no phones, the grievance handling process should offer other alternatives such as face to face interaction or writing letters as alternatives for channeling grievances. Also, a good GRM should enable and encourage the use of different local languages in channeling grievances, which makes it more accessible for those who may not understand the official language.

III. Responsive

It is essential that a GRM should be responsive to the needs of its beneficiaries and non-beneficiaries. It should ensure that grievances are acknowledged, and issues resolved promptly. Staff handling the complaints must follow the agreed targeted timelines for resolving grievances. A responsive GRM will ensure that complainants are regularly informed on the progress or status of their grievances. A good GRM should be responsive to the needs of different people, including vulnerable persons such as the elderly or disabled, and those who cannot speak or write in English. It should also take a survivor-centered approach to gender-based violence (GBV) and sexual exploitation and abuse / sexual harassment (SEA/SH) complaints.

IV. Fair and Objective

Grievance handling staff should be fair and objective when handling and managing grievances. Grievances should be handled with all sense of fairness and without any bias. Staff receiving grievances should be objective and empathetic towards the complainant and should not be defensive, unfair or seen to be taking sides. Complainants should feel that they were treated fairly and with respect.

7.9 Expectation When Grievances Arise

When local people present a grievance, they generally expect to receive one or more of the following: acknowledgement of their problem, an honest response to questions/issues brought forward, an apology, adequate compensation, modification of the conduct that caused the grievance and some other fair remedies

In voicing their concerns, they also expect to be heard and taken seriously. Therefore, the company, contractors, or government officials must convince people that they can voice grievances and work to resolve them without retaliation. To address these challenges, companies are being called upon to lead and work with their host communities to fund non-judicial, dialogue-based approaches for preventing and addressing community grievances.

7.10 Grievance Redress Process

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals and communities will have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency. All the grievances will be channelled via the Resettlement and Compensation Committee for each sub project at the sub-project level.

There is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs and project conditions and scale. Annex 4 contains grievance redress forms that could be used for grievance mechanism. In its simplest form, grievance mechanisms can be broken down into the following primary components:

Registration

The first step is the presentation of a grievance at the uptake point at any level. The social contact person or secretary of the committee will receive grievance from the complainant, register and acknowledge receipt of grievance to the grievant within 2 days. The registration form will capture the following data: 1) Case number, 2) Name of the complainant, 3) Date of the grievance, 4) Gender, 5) Complete address, 6) Category of the grievance, 7) persons involved, and impacts on complainant life, 8) Proofs and witnesses, and 9) Previous records of similar grievances.

a. Verification

The verification determines among other things whether the matter has relationship with the project activities, and whether the matter can be handled/resolved at the level where it is presented. This will determine if the matter should be referred to the next level or not. Part of the investigations may also be to assess the cost of lost or risk involved in the grievance.

b. Processing

The processing step is when options for the approach to resolving the case are weighed and determined. Parties involved in the case are brought together for the first attempt at resolution with suggestions from the parties on practical steps to be taken which may also involve site visit for physical inspection and determination of the claim.

c. Feed back

All responses to the complainant in a grievance redress process that moves beyond a unit level must be communicated in writing and/or by verbal presentation to the complainant. This will include a follow up on the corresponding authority where cases are referred, to ascertain the status of reported cases. Feedback on outcome of each case should get to the complainant through the secretary of committee or social

contact/safeguard person. It is expected that reported complaints at each level will be resolved and determined within **21 days** from date of receipt of the complaint.

7.11 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 FOR LABOUR MANAGEMENT COMPLIANCE

8.0 Contractor Monitoring

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

8.1 Verification, Monitoring Mechanism & Reporting

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

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

8.2 Human Resources Employee Database

SPCUs of participating states shall keep a database of all workers employed under the NFWP SU 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.

8.3 Contractor Database

There shall also be comprehensive database of all primary and secondary contractors for NFWP SU 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.

8.4 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.

8.5 Participation / Consultation Measures

The FPCU, coordinating activities through the SPCU will be largely responsible for ensuring participation of the relevant stakeholders/community at sub-project level. Involvement of the stakeholders/community should not be limited to interactions with the community but also disclosing relevant information pertaining to the project tasks.

8.6 Budgets for the IPMP

To effectively implement the LMP measures suggested, the cost elements that will be vital towards implementing the plan is shown in the budget contained in Table 7.

Table 7: Budget for implementing LMP

1	IPMP Requirements	Considerations	Total Cost per State/Year (N)
A	Training & Capacity Strengthening		
a.	Capacity Building for FPCU & SPCU Personnel	Refresher training programs	Covered by ESMF implementation (Table 20, module VII of ESMF)
	Capacity Building for FPCU & SPCU Personnel	Workshops to be held in individual States.	
B	Mitigation & Management		
a.	Routine field visits for inspections of GBV compliance Unit	To cover transport, accommodation and daily allowances	Covered by ESMF implementation
C	Environmental & Social Monitoring		
a.	Monitoring Compliance LMP requirements	Mainstream into ESMF	Covered by ESMF implementation
	Total Estimated Budget		Covered by ESMF implementation
	Contingency	10% of sub-total	Covered by ESMF implementation
Total	Covered by ESMF implementation		

8.7 Disclosure of LMP

Copies of this LMP, like other Environmental & Social Framework instruments (such as ESIA/ESMFs etc.) that would be prepared for the NFWP-SU and its sub-projects will be made available to the public by the FPCU.

The FPCU will disclose the LMP as required by the Nigeria EIA public notice and review procedures as well as the ESS10 (Stakeholder engagement and information disclosure) at the World Bank Website. Copies of other Environmental & Social Framework instruments (such as ESMFs/RPFs etc.) are required to be disclosed in this similar manner. Table 8 outlines documents to be disclosed and the pathway for disclosure.

Table 8: Disclosure approach for LMP

Topic	Documents to be disclosed	Frequency	Media
Public Consultation	Minutes of Formal Public Consultation Meetings	Within two weeks of Meeting	World Bank's Info-shop, Implementation agency's website/ Project Management Unit & Project

Topic	Documents to be disclosed	Frequency	Media
			Implementation Units (FPCU), Ministry of Environment, Local government Secretariat
Environment Management	IPMP, ESMF, ESIA, EMP with Key Actions, Environmental & Social Framework Monitoring reports, and audit	Prior to awarding works and to remain on website	World Bank's Website. Implementation agency's website/ Project Management Unit (FPCU/SPCU) & Ministry of Environment, Local government Secretariat

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