

REPUBLIC OF TAJIKISTAN

MINISTRY OF ENERGY AND WATER RESOURCES
AGENCY FOR LAND RECLAMATION AND IRRIGATION

TAJKISTAN STRENGTHENING WATER
AND IRRIGATION MANAGEMENT PROJECT
(P175356)

LABOR MANAGEMENT PROCEDURES



March 2022

TABLE OF CONTENTS

ABBREVIATIONS / ACRONYMS	2
1. INTRODUCTION.....	3
1.1. Project Brief Description	3
1.2. Project Coverage Area	4
1.3. Project Components	4
2. OVERVIEW OF LABOR USE IN THE PROJECT.....	4
2.1. Direct workers.....	5
2.2. Contract workers.....	6
2.3. Characteristics of labor resources	7
2.4. Terms of labor requirements	7
3. ASSESSMENT OF MAJOR POSSIBLE RISKS ASSOCIATED WITH PERSONNEL.....	8
4. BRIEF OVERVIEW OF LABOR LEGISLATION	9
4.1. National legislation.....	9
4.2. World Bank Environmental and Social Standard 2: "Labor and Working Conditions".	13
5. RESPONSIBLE STAFF.....	14
6. POLICIES AND PROCEDURES	15
7. AGE OF EMPLOYEES	19
8. TERMS AND CONDITIONS OF EMPLOYMENT.....	19
9. WORKER GRIEVANCE MECHANISM	20
9.1 Worker GRM Structure	20
9.2 Grievances Logs	21
9.3 Monitoring and reporting grievances.....	21
10. CONTRACTOR MANAGEMENT	23

ABBREVIATIONS / ACRONYMS

ALRI	Agency for Land Reclamation and Irrigation
EA	Executing Agency
ECA	Europe and Central Asia
ESMF	Environment Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
EU	European Union
FM	Financial Management
GRM	Grievance Redress Mechanism
IDA	International Development Association
IWRM	Integrated water resources management
LMP	Labor Management Procedures
M&E	Monitoring and evaluation
MEWR	Ministry of Energy and Water Resources
NGOs	Non-governmental organization
NWSRP	National Water Sector Reform Program
PCU	Project Coordination Unit under PMU
PDO	Project Development Objectives
PIG MEWR	Project Implementation Group under Ministry of Energy and Water Resources
PMU FVWRMP	Project Management Unit “Fergana Valley Water Resources Management Project” under ALRI
POM	Project Operational Manual
RPF	Resettlement Policy Framework
RT	The Republic of Tajikistan
SCINHP	Strengthening Critical Infrastructure Against Natural Hazards Project
SEP	Stakeholder Engagement Plan
SWIM	Tajikistan Strengthening Water and Irrigation Management Project
WB	World Bank
WUA	Water Users Associations
ZIRMIP	Zarafshan Irrigation Rehabilitation and Management Improvement Project

1. INTRODUCTION

Within the framework of the National Water Sector Reform Program (NWSRP) for the period 2016-2025¹ an emphasis is placed on water as a valuable resource and a call for the widespread implementation of the Integrated Water Resources Management (IWRM) based on the basin principle. In order to accelerate the implementation of the principle of integrated water resources management and infrastructure rehabilitation in the Vakhsh river basin, the Government of the Republic of Tajikistan, with the financial support of the World Bank and the European Union, is developing a design of "Tajikistan Strengthening Water and Irrigation Management Project" (SWIM) aimed at rehabilitating and modernizing large-scale irrigation infrastructure and increasing the resilience of smaller irrigation systems exposed to flood and mudflows. The Project is fully aligned with the World Bank's Partnership Strategy Framework with the Republic of Tajikistan for 2019-2023 and the ECA Green Transition Framework.

The World Bank's Environmental and Social Framework sets out requirements for the Borrower to identify and assess the environmental and social risks and impacts associated with projects. The Government of the Republic of Tajikistan and Project Implementing Agencies (IA) recognize the importance and adopt the World Bank's environmental and social standards for identifying, assessing and managing the environmental and social risks and impacts associated with this Project. In accordance with the social and environmental risk assessment carried out by the Bank, the environmental and social risks are both rated substantial. These risks are covered under Environmental and Social Standards ESS 1, ESS 2, ESS 3, ESS 4, ESS 5, ESS 6, and ESS 10.

To manage the risks that may arise in relation to the recruitment and working conditions of the Project workers, the Project Management Unit (PMU) under the Project Executing Agency, has developed "Labor Management Procedures" (LMP). This document has been prepared in accordance with legislation of the Republic of Tajikistan and covers the provisions of the World Bank's Environmental and Social Standard 2: "Labor and Working Conditions" (ESS 2). The document defines the main aspects of the planning and regulation of labor relations helps the Executing Agencies (EA) determine the preliminary scope of resources required to resolve issues related to personnel and establishes the basic requirements for personnel and the labor risks associated with the Project implementation. The LMP is a dynamic document that is initiated in early stages of the Project preparation, revised and updated throughout the design and implementation of the Project.

1.1. Project Brief Description

The Project will strengthen the capacity of government institutions in basin water resources planning and assist in the transition to resilient and user-centered irrigation service delivery. The Project will also support the rehabilitation of the selected target infrastructure and build on the experience of previous projects supported by the World Bank, including the Zarafshon Irrigation Rehabilitation and Management Improvement Project (ZIRMIP) co-financed by the EU funds.

Anticipated project implementation duration: **2022 - 2027**

The project development objectives (PDO) are to:

- (i) strengthen capacity for water resources planning and irrigation management in Tajikistan;
- (ii) improve performance of selected irrigation schemes in the Vakhsh and Zarafshon river

¹ Republic of Tajikistan (2015): [Tajikistan Water Sector Reform Program for 2016-2025](#)

basins.

Performance of selected irrigation schemes will be interpreted in terms of water delivery, energy efficiency, and economic productivity. The project has adopted indicators for screening and selection of irrigation schemes, and performance indicators will be monitored during implementation.

Indicators for the two PDO outcomes are as follows: Outcome 1 (*Strengthen capacity...*) (i) national and basin-level water planning institutions established, resourced, and effective, (ii) irrigation service provider effectively managing targeted major schemes; Outcome 2 (*Improve performance...*): (i) area with improved water delivery in targeted large schemes, (ii) energy intensity of water delivered in targeted large schemes, (iii) value of irrigated production in targeted large schemes.

1.2. Project Coverage Area

Project will be open to beneficiaries located in three river basins of the Republic of Tajikistan, covering 22 project districts.

- 1) Districts of the Zarafshon river basin: *Panjakent, Ayni, Kuhistoni Mastchoh*;
- 2) Districts of the upper and lower sub-basins of the Vakhsh river:
 - a) upper: Rasht, Tojikobod and Lakhsh.
 - b) lower sub-basin: Kushoniyon, Vakhsh, Balkhi, Jayhun and Dusti;
- 3) Districts of the upper sub-basin of the Kofarnihon River: *Rudaki, Vahdat, Faizabad, Hissar, Shahrinav and Tursun-zade*.
- 4) In addition, the project area will be extended to the following districts: Dangara (Dangara tunnel), Jami and Khuroson (Shurobad main canal), Shaartus and N. Khusrav (Beshkent unit).

1.3. Project Components

The project has four components:

- (i) Water sector reform and institutional strengthening,
- (ii) Irrigation scheme improvements,
- (iii) Project management; and
- (iv) Contingent Emergency Response Component.

2. OVERVIEW OF LABOR USE IN THE PROJECT

Worker types

This section describes the categories of Project employees, types of labor relations, quantifies the need and demonstrates the organizational structure of personnel management.

According to the provisions of **ESS 2 "Labor and working conditions"**, Project workers are divided into the following categories:

1. **Direct workers**, *persons employed or involved directly by the borrower and involved in the implementation of the Project activities;*
2. **Contract workers**, *those hired and attracted by a third party (contractors, subcontractors, etc.) to perform work related to the main functions of the Project, regardless of the place of its implementation;*

3. **Employees of the main suppliers**, *those hired or attracted by the main suppliers of the borrower who, on a regular basis, directly supply goods and materials necessary for the implementation of the main functions of the Project;*
4. **Community workers**, *persons hired or engaged to perform public works.*

The focus of this document is on direct workers directly recruited by the EA to perform Project - related tasks and contract workers, i.e. workers engaged in the Project and who are employed by a contractor or other third party. The role of community workers will be determined as the Project develops, as part of the Small Grants Program. Since the main work of the Project is construction and rehabilitation one and will be carried out in rural areas, members of the local community may be hired as the contractor's labor force. The category of employees of the main suppliers will not be applied as the Project does not recruit services of one permanent supplier. The procurement of services will be carried out through competitive bidding in accordance with the requirements of the World Bank.

2.1. Direct workers

The main responsibility for the implementation of the Project will be assigned to the existing PMU / ALRI.² The PMU will be provided with key personnel who will be directly involved in the implementation of the SWIM Project. In parallel with this, the Project Implementation Group (PIG), which will be established under the Ministry of Energy and Water Resources of the Republic of Tajikistan (MEWR), will take responsibility for the implementation of Component 1.1. At the regional level, the Project Coordination Unit (PCU) will be established in the Lower Vakhsh sub-basin, which will provide proper and orderly implementation of the Project activities in the target districts. The category of key workers provides for the recruitment and / or involvement of full-time specialists and consultants for the PMU / PIG / PCU offices, relations with which will be regulated on the basis of the concluded contracts and terms of reference. In accordance with the Law of the Republic of Tajikistan dated March 05, 2007, No. 233 «On Civil Servants», the staff of the PMU / PCU (with the exception of the Unit Director) are not civil servants, as they are hired on a contract basis to implement a wide range of development projects. The staff of the EAs are selected to carry out the activities of the Project Unit in accordance with the recruitment procedures regulated by the legal provisions of the Republic of Tajikistan, provided that they are verified by the Bank and are considered acceptable to it. Selection of Consultants is carried out through the open competition and in accordance with the WB Procurement Rules.

The exact number of workers to be involved in the Project is not yet known. Since the PIG under the MEWR has not yet been created. The preliminary number of PIG employees may be 15 people, this will be key personnel and consultants hired to implement the activities planned by Subcomponent 1.1.

Based on the experience of the functioning implementing agency PMU /ALRI and taking into account the specifics of the Project activities, only the staff of the main employees of the PMU and PCU is subject to more accurate quantitative determination. Below is the preliminary information of the main employees of the Project.

² The PMU Central Office is currently responsible for the implementation of Sub-component 2.2. under SCINHP Project supported by the World Bank.

Main staff of PMU office (Dushanbe)

1. Director of PMU
2. Project manager
3. Chief Project Engineer
4. Chief Accountant
5. Chief procurement specialist
6. Administrator / Assistant Manager
7. Accountant - cashier

PMU Consultants

1. Financial management Consultant (2 persons)
2. Procurement Consultant
3. Environmental Consultant
4. Social Consultant
5. Translator/Interpreter - Consultant
6. Legal Consultant (lawyer)
7. IT Consultant
8. Management Information System (MIS) Consultant
9. Monitoring and Evaluation (M&E) Consultant
10. Monitoring and Evaluation Consultant Assistant
11. Integrated Water Resources Management (IWRM) Consultant
12. Water Users Associations Support Consultant (2 pers.)
13. Billing system implementation and control Consultant

Project Coordination Unit staff (regional office)

1. PCU Coordinator
2. Engineer
3. WUA specialist
4. Information Technology Specialist

In addition, support personnel will be hired for the PMU and the PCU, which will include: secretary (1), drivers (5), security guards (5) and junior support personnel (3).

In accordance with the calculations made, the preliminary number of key workers employed in this Project at the level of the PMU and PCU offices makes 40 people.

The total number of the main Project employees of the PMU / ALRI, PIG / MEWR and PCU offices makes 55 people.

2.2. Contract workers

Two broad categories of contracted employees are expected: (i) employees who will be hired by consulting companies, including design organizations and (ii) employees of contractors and subcontractors.

Under Component 1, MEWR and ALRI capacity building activities are planned at the national and basin levels, under which institutional development consulting companies will be hired, including non-governmental organizations to support WUAs and implement the billing system.

Component 2 provides for construction and rehabilitation measures for irrigation infrastructure facilities. Contractors and subcontractors will be involved in construction activities. Since the activities will be carried out mainly in rural areas, most of the contract workers will be residents of rural communities. In addition, within the framework of this Component, consulting services will be provided for the design and supervision of the rehabilitation sites.

The number of contract workers that will be employed by consulting companies, contractors and subcontractors is currently unknown and a preliminary estimate is difficult. Their number will be identified only during the implementation of the Project.

2.3. Characteristics of labor resources

Staffing of the PMU/ALRI office. The PMU is already equipped with key personnel, staff specialists and consultants who are involved in implementation of the activities of Sub-component 2.2. of the Strengthening Critical Infrastructure against Natural Hazards Project (SCINHP) supported by the World Bank. There are standby consultants who were previously involved in the implementation of completed irrigation projects. In addition, in support of key PMU staff, local and international consultants will be hired in the relevant fields, with whom contracts or labor agreements to be concluded for the period necessary to carry out specific Project activities. For the sake of continuity, ALRI specialists at the national and basin levels will be involved in the Project as experts. It is supposed that female workers will make about 5-10 percent of labor, and they are most likely of fiduciary specialists, environmental and social risk management specialists, monitoring and evaluation specialists, the support personnel working at the PMU and PCU offices.

Contractor / subcontractor staffing. As practice and experience of the Project executing agency the PMU / ALRI show, the main participants in construction and rehabilitation work will be citizens of Tajikistan. Basically, residents from the same region where the construction is taking place will be involved in the Project activities and workers from the outside i.e. from other countries, will not be involved. The rural labor force involved in Project activities may consist of returned labor migrants with sufficient experience in construction, some of them may not have special construction qualifications with whom appropriate training will be carried out. These types of workers are usually employed in earthworks, concrete and auxiliary works. The technical staff is likely to be represented by the contractor's permanent staff. Mostly the male part of the rural population will be involved in the construction. Women, in the construction activities of the Project, will be presented in a limited number for light types of work (cleaning the site, preparing food for workers, washing dishes, etc.), since construction work is mechanized and time consuming. In accordance with Article 216 of the Labor Code of the Republic of Tajikistan (July 23, 2016), No. 1329, it is prohibited to employ women in heavy works and in works with harmful or dangerous working conditions.

To ensure equal access to the project benefits and social equality, when employment opportunities are available, special attention should be paid to attracting people from the category of vulnerable groups of the population and representatives of national minorities living in the Project area.

2.4. Terms of labor requirements

Key staff at the central office will generally complete full-time and full day work throughout the Project implementation period. To assist the key staff, specialists will be hired for the terms stipulated in the labor agreements.

Employees of consulting companies can be employed throughout the entire Project or for a specific period of time. The deadlines for completing the tasks will be reflected in the contract documentation and terms of reference of the organizations.

Contract workers employed in construction works will be employed for a period of 12 to 18 months. For small-scale repair work, the terms of employment can be from 2 to 3 months,

depending on the scope of work. All workers involved in the construction will be hired on the basis of a written labor agreement, indicating the time frame. Payment for labor will be made in cash, according to the time sheet in accordance with the amount of work performed, or the funds will be transferred to the bank accounts of employees.

3. ASSESSMENT OF MAJOR POSSIBLE RISKS ASSOCIATED WITH PERSONNEL

As part of the implementation of the activities planned under Component 2 in the Vakhsh and Zarafshon river basins, the Project will finance the modernization of large-scale irrigation systems, rehabilitation of selected small-scale irrigation infrastructure, as well as works to protect this infrastructure from floods and mudflows.

The main risks for Project workers may arise during construction work and the spread of the uncontrolled corona virus infection- COVID-19.

Labor risks associated with contract workers at the subproject level.

The construction phase can lead to a range of adverse health and safety consequences to construction workers. Construction sites are potentially hazardous, which is why serious accidents often occur there, especially if safety measures are not provided. The construction and rehabilitation of irrigation infrastructures will involve a range of activities that carry a particularly substantial risk, such as the use of heavy machinery; excavation on steep, potentially unstable slopes and the movement of construction equipment. This is of particular concern due to the remoteness of some construction sites from the hospitals.

The main negative health and safety impacts are associated with:

- (i) risks during construction work (noise, risk of injury),
- (ii) transmission of infectious diseases;
- (iii) pollution of local water supplies; and
- (iv) road safety and electrical appliance issues.

In addition, there possible risks of social insecurity in employment without formal contractual obligations and restrictions on the remuneration of rural workers hired by the contractors, including women. However, the risks associated with the contractual relationship and remuneration between the contractor and the employee will be negligible because the subprojects will be implemented mainly by local contractors and most of the contracted workers will be from local vicinity with written labor contracts signed.

Risks of Sexual Exploitation, Abuse and Harassment are also rated as moderate, mainly due to the status of national legislation, gender norms of rural residents, based on respect for local rules and traditions. However, the contractors will be contractually obligated to include provisions against the use of any violence, and the Code of Conduct (COC) to be signed by project workers should clearly state that the contractor and its staff must respect and observe local customs and traditions, respect local women, women involved in rehabilitation activities of the Project and their privacy. PMU / ALRI staff, contractor oversight engineers, social and environmental specialists and monitoring and evaluation specialists will monitor and report on the presence or absence of violation cases.

Risks associated with forced labor and child labor will be moderate, because this will be monitored by the EA and governed by the national laws and regulations, and the provisions of the World Bank's environmental and social standards. Article 8 of the Labor Code of the Republic of Tajikistan prohibits the use of forced labor and Article 4 “Principles of Labor Legislation of the Republic of Tajikistan” prohibits discrimination, forced labor and the use of female labor and the labor of minors in heavy, underground and at work with harmful working conditions. In accordance with the Law of the Republic of Tajikistan "On Education" in educational institutions, regardless of organizational and legal forms and ownership, it is not allowed to attract students and pupils to agricultural and other activities not related to education and training. In previous years, schoolchildren and students were actively involved in picking cotton during the cotton-picking season, which, of course, negatively affected the quality of their education. In 2006, Mr. Emomali Rahmon, the President of Tajikistan, issued a decree banning the use of student labor in cotton harvesting campaigns. The implementation of the Project was financially supported by the World Bank, which includes requirements for the Borrower to prevent the use of forced and child labor. EA will create a monitoring group to track the revealed facts and adopt the appropriate decisions.

Labor Risks at the PMU level and its regional divisions (PCUs) are rated as moderate as they are regulated by the Constitution and regulations of the Republic of Tajikistan in the field of labor, which guarantee the right to work, the right to rest, health protection, social security, non-discrimination, no sexual harassment and abuse. Control over the implementation of labor rights of workers, compliance with contractual obligations and safe working conditions, on a six-month basis, is carried out by the State Service for Supervision of Labor and Social Protection of the Population.

Labor relations with key employees are governed by contractual relations with time limits, the size of wages and bilateral obligations. In its activities, the PMU / ALRI, as an agency for the execution of WB irrigation projects, is guided by the WB requirements in the field of occupational health and safety. The Project will introduce a Grievance Redress Mechanism for project workers.

Health and Safety Risks of Project Workers are essential due to an uncontrolled situation connected with COVID-19 and its mutated strains. At the level of the PMU office, a working group has been created and is currently functioning, which carries out preventive measures to prevent the spread of infection in the workplace. Personal protective equipment is purchased and distributed to the Project workers on a quarterly basis, all office premises are treated and cleaned, and airing is carried out regularly. Most of the current employees were vaccinated in two stages. Preventive measures are also taken at the level of contractors. On the part of the PMU, a sample "Action Plan for the Prevention / Avoidance of the Spread of COVID-19" was developed, which was adapted by each contractor hired at its construction sites.

As part of the preparation and implementation of the SWIM Project, this practice of adopting preventive measures for preventing the spread of "COVID-19" among PMU / PCU personnel, contractors and consultants hired will be continued. As it evolves, the Project will regularly integrate the latest guidelines and best practices to combat COVID-19.

4. BRIEF OVERVIEW OF LABOR LEGISLATION

4.1. National legislation

Constitution of the Republic of Tajikistan, adopted on November 6, 1994, contains legal provisions on working conditions and labor protection. The Constitution provides everyone the right to:

- ✓ Safe work. It is prohibited to use the labor of women and youth in hazardous and underground work, as well as at work with hazardous working conditions (Article 35);
- ✓ The right to rest. This right is ensured by the establishment of working hours and the provision of annual leave, weekly days off and other conditions stipulated by law (Article 37);
- ✓ Health protection. The State takes measures to improve the environment, develop mass sports, physical culture and tourism (Article 38); and
- ✓ Social Security for old age and in case of illness, disability, loss of a breadwinner and in other cases provided for by Law (Article 39).

Labor Code of the Republic of Tajikistan (dated July 26, 2016) is a fundamental legislative act aimed at regulating all labor issues arising in the Republic of Tajikistan. This Code regulates labor relations and other relations directly related to the protection of the rights and freedoms of the parties to labor relations, the establishment of minimum guarantees of rights and freedoms in the labor sphere. Article 7 of the Code prohibits discrimination and guarantees all citizens equal rights to work; discrimination in labor relations is prohibited. Any distinction, exclusion or preference, refusal of employment, regardless of nationality, race, gender, language, religion, political opinion, social status, education, property, leading to a violation of equality of opportunity in the world of work is prohibited.

Relevant labor legal provisions

Forced labor and child labor. Article 8 of the Labor Code of the Republic of Tajikistan 2016 prohibits forced labor. Article 21 states that an employee, as a party to an employment contract, can be a citizen who has reached fifteen, but in exceptional cases with students who have reached and have not reached the age of fourteen, as well as with students taking part in theatrical performances, pictures filming organizations, concerts, circus programs and other creative organizations without harming their health and moral development, an employment contract may be concluded that does not violate the educational process, with the consent of the father or mother or, in accordance with the legislation of the Republic of Tajikistan, persons replacing them. Article 74 states that the duration of daily work (shift) cannot exceed: for employees aged 15 to 16 years - 5 hours, from 16 to 18 years old - 7 hours; for students of the comprehensive educational institutions, institutions of the professional education, combining study with work during the academic year, at the age of 14 to 16 years - 2.5 hours, at the age of 16 to 18 years - 3.5 hours. Article 207 states the rights of workers in labor relations under the age of eighteen and Article 208 prohibits the use of labor of workers under the age of eighteen, in hard work, underground work and work with harmful and dangerous working conditions, as well as in work, the performance of which may cause harm to their health and moral development.

Salaries and deductions. Contracts and collective agreements establish the form and amount of remuneration for work performed. The government sets a minimum wage called a social norm” (Article 103), and this can be adjusted by an index based on discipline and possibly other factors. Additional compensation is provided for works in mountainous areas.

The timing of the payment of wages is established in labor agreements and cannot be less than once every fortnight (Article 158). If payment is not made, as specified in the contract, and it is the employer's fault, the employer must pay "... additional funds in accordance with the bank's

discount rate for each day of delay" (Article 108). Employers also have to pay for work-related damage to health or property, and families are paid compensation in the event of death. Deductions are allowed for special reasons but cannot exceed 50 percent of the amount owed to the employee, and the post-deduction payment cannot be less than the minimum rate set by the government (Article 109).

Women. Article 162 prohibits pregnant women or women with children under three years of age from overtime, weekend work and business travel. Women with children from three to 14 years old are allowed overtime and business trips, but only with the consent of the woman. Article 216 states that the employment of women in heavy and underground works, works with harmful working conditions is prohibited. The list of jobs in which the use of women's labor is prohibited and the maximum permissible norms of loads for them when lifting and moving heavy loads by hand is approved by the Government of the Republic of Tajikistan. Other gender positions are described in their respective subsections.

Working hours. The standard work week is 40 hours, with less for those under 18. The number of hours per day and days per week is set in contract / agreement between employer and employee. Employers must provide up to two hours of unpaid time off each business day for "rest and food", as well as paid time off in case time is needed, to cool down, keep warm or breastfeeding. Leave details are set in contracts / agreements.

Vacation. In addition to public holidays, employees must receive at least 24 days of paid leave per year, with workers less than 18 years of age must receive at least 30 days, and workers with disabilities - 30 days. In addition, those who work in unhealthy and unfavorable working conditions receive an additional seven days, and those who work in unfavorable climatic conditions receive an additional eight days. Unpaid leave can also be taken by certain groups of people and can also be included in contracts. Upon termination, employees are paid for unused vacation time, or they can use the vacation as their last days of work. Women are granted maternity leave of up to 70 calendar days or 86 days in case of difficult childbirth, followed by 100 days of postpartum leave with 100 days of social security benefits. Maternity leave is calculated in total and is paid at a time, regardless of the actual number of days off before childbirth. After giving birth, the mother can take additional leave until the child is six months old, again paid for by social insurance. She can take unpaid leave until the child reaches the age of three. Her position is guaranteed upon returning from all these vacations. In addition, this parental leave can be used by the father, grandparents or other relatives / guardians if they are indeed responsible for caring for the child.

Overtime work. Overtime can be required up to 12 hours a day and is paid with compensation time or at a rate of at least double in excess of the regular rate. Night work is paid 1.5 times the normal rate. Overtime terms are specified in the Contract.

Labor disputes. Labor disputes include "unresolved differences between employer and employee on the application of legislative and other normative acts on labor of the Republic of Tajikistan and working conditions provided for labor agreement (contract), collective agreement and contracts" (Article 189). Disputes can be considered by commissions that are created "on an equal basis with the employer and structures representing the interests of employees, ..." (that is, with equal representation of the employee / employees and the employer), if such commissions are provided for in labor agreements / contracts (Article 191). The commissions must consider the issues within 10 days. If the employer, employee or their representatives do not agree with the decisions of the commission, or if the commission does not consider the applications within 10 days, either party can go to court, but this must be within 10 days from the date of the decision (or

not taking the decision). In addition, the public prosecutor can appeal if the decision is contrary to the law “or other regulations” (Article 192).

Appeals to the commission or the court must be filed within a limited period of time after the event that caused the dispute: within three months for appeals to the commission and during various periods of time for appeals to the court, depending on the nature of the dispute (without restrictions on moral rights and compensation for damage caused to life or health). In such cases, employees are exempt from legal fees.

Compared to individual disputes, collective disputes are “unresolved discrepancies between employers (employers' unions) and a collective of workers (employees' representatives) on the establishment and change of working conditions at enterprises, the signing and implementation of collective agreements and contracts, as well as on the application of the conditions of legislative and other normative legal acts, collective agreements and contracts”. Mediators are selected by agreement of the parties (i.e. union and employer representatives). If this does not lead to an agreement, the parties create a “labor arbitration” “in cooperation with the district or city administration” (Article 209), with the parties choosing the members and the chairman of the arbitration. The arbitration must make a decision within 10 days. If no agreement can be reached, the case is referred to the labor collective or the trade union, which can use all means of the law to resolve the issue, including strikes. If the disputes relate to the application of legislative “and other normative acts”, they can be referred to the court of one of the parties.

Grievances. The Law on Appeals from Individuals and Legal Entities (dated July 23, 2016) contains legal provisions on the established channels of information through which citizens can submit their Grievances, inquiries and claims. Article 14 of the Law establishes the terms for consideration of Grievances: 15 days from the date of receipt, which do not require additional study and research, and 30 days for applications that require additional study.

Occupational Health and Safety Legal Provisions

Occupational health and safety are also regulated by the Labor Code. Chapter 5 of the Code describes the roles and responsibilities of employers and workers related to occupational health and safety. The law requires employers to:

- Be responsible for ensuring safe working conditions and labor safety at every workplace;
- Use personal and collective protective equipment for workers (including protective clothing and equipment);
- Provide an appropriate mode of work and rest;
- Train workers in their work and safe working methods;
- Give instructions on labor protection;
- Test and verify the knowledge of workers about the safe performance of work;
- Conduct certification of workplaces at least once every five years;
- Investigate accidents;
- Provide sanitary and medical services;
- Provide social insurance against accidents and illnesses.

Employers with a staff of more than 50 people must create an Occupational Safety Service (in accordance with Article 20 of the Labor Code of the Republic of Tajikistan). This requirement must be met by PMU / PIG and will be one of the requirements for construction contractors with more than 50 employees.

Article 20 gives employees the right to refuse to perform work that violates labor protection requirements. In addition, workers employed in hazardous working conditions are entitled to free

medical and preventive care, additional paid leave and other benefits and compensations. In the event of disability or death, employers must provide compensation in multiples of the average annual earnings, as well as other amounts required by law.

4.2. World Bank Environmental and Social Standard 2: "Labor and Working Conditions".

Standard 2 is based on the need to increase employment level and generate income in order to combat poverty and promote economic growth. This assists Borrowers in fostering strong relationships between employees and management and enhancing Project development benefits by treating Project employees fairly and ensuring a safe and healthy working environment. The standard reflects fundamental principles and rights at work, and also addresses issues related to child and forced labor, freedom of association and collective negotiations. It also contains requirements for providing a grievance redress mechanism for Project workers and requirements related to health and safety.

Key objectives of ESS 2:

- ✓ *Provision of labor protection and safety measures;*
 - ✓ *Ensuring fair treatment, non-discrimination and equal opportunities for Project workers*
 - ✓ *Protection of Project workers, especially workers in vulnerable categories;*
 - ✓ *Avoiding the use of all forms of forced and child labor;*
 - ✓ *Support the principles of freedom of association and the right of Project workers to negotiate collectively in accordance with national legislation;*
- ✓ *Providing Project workers with accessible mechanisms to resolve work-related problems.*



This standard defines the types of labor relations between the borrower and the Project employees. It establishes the requirements where the borrower must ensure the development and implementation of written procedures for the regulation of labor relations, in accordance with the requirements of the WB and national legislation. It defines the conditions of work and employment, where the Project workers will be provided with clear and understandable information and documentation regarding the terms and conditions of their employment. The information and documentation will set out their rights under national labor and employment laws, including those related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of this ESS.

The recruitment of Project employees should be based on the principle of equal opportunity and fair treatment, and there should be no discrimination in any aspect of the employment relationship. Labor relations procedures provide workers with access to a grievance redress mechanism to resolve work-related problems and establish a minimum age for hiring or participating in a Project. For more information on the World Bank's environmental and social standards, please follow the links below:

<http://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards> and

<http://projects-beta.vsemirnyjbank.org/ru/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards>

5. RESPONSIBLE STAFF

Responsibility for the observance of the rights of employees, ensuring labor protection and safety measures, the requirements of national labor legislation and the provisions of ESS 2 is entrusted to the administration of the PMU/ALRI and PIG/MEWR, the procurement department, monitoring and evaluation specialists, environmental and social development specialists, construction supervision engineers, each in its own specificity of work. Labor relations with each employee will be formalized by procurement departments in accordance with national legislation and the requirements of the World Bank, indicating the timing, salary and bilateral obligations. The EA administration is responsible for creating a safe environment in the offices, providing each employee with the necessary office facilities and respecting the employee's labor rights. The EA administration and those responsible for COVID-19 will be responsible for providing workers with personal protective equipment and providing support personnel, detergents and disinfectants for the treatment of all surfaces of the office premises, as well as conducting information activities. The manager and coordinator supervise and direct all workers associated with the Project.

The contractors will be responsible for carrying out the rehabilitation works in accordance with the social and environmental requirements specified in the bidding documents. The contractor is responsible for the results of its own activities, as well as for the work performed by subcontractors.

The PMU's Chief Construction Supervision Engineer and Regional Engineers will manage the contractors' activities and oversee the quality of construction work. The construction supervision engineer, together with the protection, monitoring and evaluation specialists, will oversee the contractor's activities to ensure those workers' rights, health and safety measures are respected at the construction site.

The Project Operational Manual (POM) will include standard contract templates and general provisions for the organization of construction and work execution (technical specifications), which will detail the measures for health and safety and the obligations of contractors to fulfill all the conditions reflected in the contract documentation.

For more information, see Section 9. Contractor Management.

All parties involved in the implementation of the Project's activities, within the limits of their authority, are responsible for:

- ✓ Implementation of labor management procedures;
- ✓ Implementation of a Grievance Mechanisms for Project workers, a feedback mechanism. Informing employees about the purpose and methods of its use;
- ✓ Ensuring that contracts with contractors are designed in accordance with the provisions of the safeguards assessment documents: the Labor Management Procedures and the Environmental and Social Management Framework. An Environmental and Social Management Plan (ESMP) and a Code of Conduct must be attached in the annexes to the contract documents of each contractor contracted. Each contractor must agree on the measures reflected in the document;
- ✓ Ensuring that each contractor has their own health and safety plans for the construction site prior to commencement of construction work. PMU specialists should methodically monitor the fulfillment of labor protection requirements in the course of the contractor's dynamic activity;

- ✓ Monitoring the provision of the contractor's employees with protective equipment and notifications about all incidents with employees (injuries, illnesses and incidents of the contractor);
- ✓ Each contractor hired is responsible for the development and implementation of the "Action Plan for the Prevention / Avoidance of the Spread of COVID-19 at Construction Sites" and, if it occurs, must take the operational measures reflected in the plan;
- ✓ Monitoring employee training. The contractor, for the safety of the workers, must conduct induction, initial and re-briefings at the workplace;
- ✓ Monitoring the implementation of the Employee Code of Conduct.

6. POLICIES AND PROCEDURES

This section reflects the internal policies, procedures and practical experience of the PMU /ALRI in preventing and managing the risks identified in Section 3.

6.1. Policy and experience of the Executing Agency

Overall responsibility for the implementation of Project activities is vested in the PMU / ALRI, which has sufficient experience in managing both social and environmental risks. Over the entire period of its vigorous activity, the PMU has implemented and is currently implementing five investment projects.

PMU FVWRMP was established by the Decree of the Government of the Republic of Tajikistan dated December 27, 2005, No. 493. The Implementing Agency is the Agency for Land Reclamation and Irrigation under the Government of the Republic of Tajikistan.

With the active support of the World Bank, the PMU carries out its activities in accordance with the legislation of the Republic of Tajikistan and on the basis of the Unit's Charter.

The main objectives of the PMU FVWRMP:

- *timely and effective implementation of World Bank Projects;*
- *ensuring targeted and effective use of grants and loans allocated for the implementation of the Projects.*

Main directions of activity:

The PMU is the main body responsible for the execution of Projects and implements Project activities in accordance with the provisions and procedures set out in the Project Operational Manual (POM). The PMU has overall responsibility for Project management, staff recruitment, coordination and provision of working conditions for Project workers, and is responsible for procurement, disbursement and financial management of the Project. In addition, the PMU regularly reports on the progress of the Project, and is also responsible for the exchange of information, monitoring and evaluating of the Projects activities. The PMU establishes offices (Project Coordination Units) at the regional level in the subproject implementation area.

Responsibility for overall control over the implementation of activities within the framework of projects is assigned to the Director of the PMU and the Chief Accountant.

The PCUs are responsible for Project management at the regional level and for overseeing the activities of contractors, non-governmental organizations (NGOs) hired to carry out Project

activities, and conducting awareness-raising campaigns. PCUs assist local communities in the implementation of their sub-projects in the field. PCUs are responsible for liaising with regional and district authorities and, if necessary, for establishing and regulating relations with local government agencies, as well as with representatives of water users associations (WUAs), NGOs and other Project partner organizations.

Key personnel of the PMU:

1. Director of PMU
2. Project manager
3. Chief Project Engineer
4. Project Chief Accountant

6.2. Labor risks at the PMU / PCU office level

As part of the preparation of the Project design and its implementation, the risks associated with the Project personnel at the level of the central and regional offices are insignificant as PMU / ALRI activities are governed by the national laws and World Bank ESF. Over the period of its activity, the Unit has built up sufficient capacity to manage social and environmental risks and impacts and has developed internal procedures for regulating labor relations.

Employee recruitment procedures are based on the principles of non-discrimination and equal opportunity. Labor relations with the main employees of the PMU are drawn up by contracts in accordance with the provisions of the Labor Code of the Republic of Tajikistan and the requirements of the WB, experts are involved to help the key employees, with whom temporary labor agreements are concluded for the period from one to three months. PMU staff is recruited in accordance with the internal recruitment procedures governed by the legal provisions of the Republic of Tajikistan. The selection of consultants is carried out on the basis of the WB procurement regulations, where a consultant can be selected through:

- open competitive selection based on the announcement;
- limited competitive selection based on three bidders; and
- direct selection, according to the WB approval.

Compliance with working conditions, time mode and payment. In accordance with the legislation of the Republic of Tajikistan, the Unit creates normal conditions for its employees to fulfill labor standards. The contract stipulates the obligations of the employee and the employer, where the employer is obliged to:

- provide and equip the workplace appropriately for the performance of their duties;
- provide the employee with the necessary equipment, tools, instruments, materials and technical documentation;
- promptly notify the employee of hiring and dismissal and changes in the terms of the employment agreement;
- provide the worker's workplace with all safety, hygiene and sanitation requirements;
- ensure the payment of wages specified in the contract in accordance with the terms of the Labor Code of the Republic of Tajikistan;
- take measures to prevent risks at workplaces and compensate for harm caused to the life and health of an employee in the performance of the job duties in accordance with the Labor Code of the Republic of Tajikistan and other regulatory legal acts;
- promote training and professional development of employees.

Working hours and rest hours. Normal working hours should not exceed 40 hours per week. With a five-day working week, the duration of works should not exceed 8 hours a day.

Labor remuneration conditions. The official salary (tariff rate) is calculated from the date of signing the contract in national currency for each day worked and is paid monthly.

The employer is obliged to provide the employee with annual paid leave for the following periods:

- the minimum main leave is 24 calendar days (not less than 24 days);
- additional vacation of 10 calendar days;
- The employer must pay the average salary during labor leave no later than one week before the start of the vacation.

6.3. Forced and child labor, gender insecurity.

No child, forced, involuntary or unpaid labor will be used in any construction, contractual or Project-related work. The Project does not provide for work related to planting and collection of any agricultural products. Community manual work associated with cleaning of the irrigation channels is not planned. Construction and rehabilitation work will be time consuming and mechanized. Nevertheless, the EA will ensure effective control over the prevention of the use of forced and child labor, and within the framework of information and educational activities, special attention will be paid to highlighting the provisions of the legislation of the Republic of Tajikistan and the Social and Environmental Standards of the World Bank on this subject. During the implementation of the Project, a risk tracking monitoring group will be established comprising from the specialists of the PMU/ALRI, representatives of local khukumats responsible for the child rights monitoring and representatives of water user associations, who will be responsible for identifying facts and taking measures within the powers of the Project or bring facts to local authorities in order to solve the problem and take appropriate measures. The contractor's Code of conduct should contain provisions on no use of child and forced labor in the project activities.

Challenges related to sexual exploitation and abuse/sexual harassment (SEA/SH) within the framework of the Project are unlikely as the problems are regulated by the legislation of the Republic of Tajikistan and the WB standards on this issue. It is necessary to take into account the fact that construction activities will be carried out in rural areas and most of the workers will be hired locally. Women, in the construction activities of the Project, will be represented in a limited number for light types of work (cleaning the site, preparing food for workers, washing dishes, etc.), since the construction work is mechanized and time consuming. Local contractors / subcontractors are likely to be involved in the construction and rehabilitation activities of the Project. A Code of Conduct (CC) will be attached to the Project documentation of each contractor, which will reflect the aspects, where the contractor and the employees must respect and observe local customs and traditions, respect the local women, women involved in the rehabilitation activities of the Project and their privacy. The CC establishes standards of behavior within the company and in the communities in which the company operates and will be one of the tools to help reducing risks. The CC clearly defines the obligations of the contractor, including the subcontractor and the involved workers. Within the framework of awareness campaigns, the public will be widely informed about the possibilities of the Project and the implementation of the GRM, where each person negatively affected by the Project can submit their complaint for timely resolution (even if it was filed anonymously). Control over compliance with the rules and regulations of the CC, consideration of applications submitted through the GRM is assigned to the staff of the PMU / ALRI. The PMU specialists will monitor and report on the presence of revealed

facts or the absence of violations. To enhance gender opportunities, i.e. to increase the involvement of women in Project activities and to receive corresponding benefits for them, specialized trainings on SEA/SH prevention will be conducted aimed at increasing the capacity of women involved in the irrigation sector.

6.4. Ensuring employee health and safe working conditions. Social risks in employment.

The safety, health and safety risks of the Project staff are mainly related to the rehabilitation of the irrigation infrastructure and COVID-19. The contractor is responsible for the safety of all activities at the facility. The contractor will comply with the requirements of the laws of the Republic of Tajikistan on health and safety and / or / and the contract must include specifications and conditions based on international standards. In order to ensure the safe work of employees, both personnel and employees, the contractor, guided by the Environmental and Social Management Plan (ESMP), will develop a construction site management plan. The ESMP, as well as the LMP, will be an integral part of the contract of each contractor hired by the Project and compliance with the conditions reflected in the documents is a mandatory component. The contractor will be required to ensure that workers use basic protective equipment, basic safety training and other preventive measures as required by the ESMP. On a quarterly basis, the contractor will instruct workers on the observance of occupational safety and health. For hired workers employed at the local level, a general familiarization will be carried out taking into account the specifics of the work performed, then an introductory briefing and initial briefing at the workplace will be carried out. Information about the training provided will be reflected in the safety logbook. The contractor is obliged to comply with all the conditions reflected in the contract documentation and the provisions of the technical specifications based on the construction codes in force in the Republic of Tajikistan. The contractor is responsible for the safety of his workers and the public, and will be obliged to compensate for any damage caused as a result of his/her neglect.

Risks of social insecurity in employment are insignificant because most likely, as practice shows, the employer will be a local contractor. Local communities are usually closely related by kinship and good neighborly relations based on mutual respect, avoiding local friction. Nevertheless, each contractor / subcontractor, in accordance with the requirements of the legislation of the Republic of Tajikistan, must officially formalize an employment relationship with an employee. When hiring labor at the local level, necessarily, the moral and psychological quality of the person hired will be taken into account in order to prevent incidents at the construction site.

In accordance with the requirements of the legislation of the Republic of Tajikistan, the requirements and provisions of the ESS 2 of the World Bank, all contractors will be required to develop and implement written procedures for regulating labor relations, including procedures for creating and maintaining a safe work environment, including a Code of conduct. Under the general supervision of a Project Manager or Coordinator, PMU staff consisting of Construction Supervision Engineers, Environmental and Social Specialists, Monitoring and Evaluation Specialists and the PCU Coordinator will manage the contractor's activities and regularly monitor compliance with all requirements specified in the contractors' contracts. See Section 9 Contractor Management for more details.

Health risks at the level of EA offices, consulting and contracting organizations are significant due to the situation with COVID-19. To carry out timely preventive measures, the PMU administration developed internal regulatory documents: Order No. 79 of May 7, 2020, was issued on the formation of a group on COVID-19 and responsible persons have been appointed to carry out orders. Starting from May 2020 and to date, on a quarterly basis, personal protective equipment

(respirator masks and gloves) and skin antiseptics are purchased and distributed to all employees. Disinfectants for the treatment of all surfaces of the office premises based on sodium hypochlorite, detergents for the constant treatment of hands, dishes, etc. are purchased for the supporting staff. Currently, there are a limited number of employees in the central office of the PMU: these are key employees and those who are involved in the implementation of the activities of Sub-component 2.2. of the SCINHP Project and preparation of the design of the SWIM Project. Most of the employees were vaccinated in two stages, there are certificates provided. To ensure the safety of PMU /PIG employees, a necessary requirement of the administration for employees with signs of any colds is to have a certificate of the absence of coronavirus infection (COVID-19). The office is cleaned and wiped daily using disinfectants of all contact surfaces; Rooms are ventilated 3-4 times a day. The workspace of each employee is organized at a sufficient distance from each other, 2-3 meters. All communication interactive Project activities (meetings, missions, seminars, etc.) are conducted in the format of video and audio communication. Information materials on the symptoms of a new coronavirus infection (COVID-19) and measures to prevent infection were placed at the stands of the PMU/PIG offices and in public places. Safety reminders are posted at the front door to the office, near and inside the elevator, in the hallway and restroom. Safety notes are additionally posted on other floors of the same building, in common areas. Informing workers on the need to comply with the rules of personal hygiene and the use of personal protective equipment is conducted regularly.

Reporting, including photo reports, on preventive measures taken by the PMU/PIG administration is provided to the WB Project Task Team Leaders.

Preventive measures are also carried out by contractors on the basis of the developed "Action Plan for the Prevention / Avoidance of the Spread of COVID-19 at Construction Sites and Taking Prompt Measures in Case of its Occurrence." The PMU provided assistance in the preparation of action plans and provided recommendations on an ongoing basis. This practice will be continued as part of the implementation of the activities under the SWIM Project.

7. AGE OF EMPLOYEES

Tajikistan law prohibits anyone under 18 from performing “unhealthy or heavy” and there are special requirements for leave, work hours, and other conditions of employment. The PIU will ensure that no construction workers under 18 years are employed unless they are hired for office work. Based on the local legislation, workers between 15-18 years could be hired for office work with shortened working hours (during out of school time with guardian permission).

Contractors will be required to verify the identify and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. 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 a child in a responsible manner, considering the best interest of a child.

8. TERMS AND CONDITIONS OF EMPLOYMENT

The terms and conditions applying to the PMU/PIG employees are set out in the “HR Regulations.” These internal labor rules and regulations will apply to all PMU/PIG employees who are assigned to work on the project (direct workers). Terms and conditions of part-time direct workers are determined by their individual contracts.

The PMU applies two types of employment contract: a one-year employment agreements and short-term service contracts. Majority of staff are permanent staff with one-year employment agreements with fixed monthly wage rates. All the recruiting procedures are documented and filed in the folders in accordance with the requirements of labor legislation of the Republic of Tajikistan. The PMU/PIU staff contracts should be well documented. Monthly timesheets are to be filed and kept accurately. Forty hour per week employment should be practiced and recorded on paper.

The working hours for PIU workers are 40 hours per week, eight hours per workday. It is noted the Labor Code provides for a work week of 40 hours but allows six-day weeks and this may be required for some project workers. All project workers will receive at least one rest day (24 hours) after six consecutive days of work.

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

9. WORKER GRIEVANCE MECHANISM

The Project will establish a Grievances Redress Mechanism (GRM) for Project workers in accordance with ESS 2 prior to the Project effective date. The GRM will build on the existing national mechanism where, according to the legislation of the Republic of Tajikistan, the legal provisions reflected in the "Law of the Republic of Tajikistan on Appeals of Individuals and Legal Entities" are used. It will function at two levels - the first at the central level for employees of PIG / MEWR and PMU / ALRI offices, and the other level for employees of contracting organizations. The second level provides for the filing of Grievances and other types of appeals, mainly from employees of contractors. Grievances can be made about actions or decisions of employers that, in the applicant's opinion, have not been implemented or are being implemented in an unfair manner. Grievances can be submitted anonymously, and confidentiality will be ensured in all cases, including when the person making the complaint is known.

9.1 Worker GRM Structure

The GRM for this Project is structured at two levels: local / contractor and central / PMU.

Local level: Contractors will establish and maintain GRMs for their employees in accordance with this LMP. The contractor will appoint a contact person responsible for handling and processing of grievances. If the problem cannot be resolved at the contractor level within 15 days, it will be referred to the central level at the PMU.

Central level: A grievance redressing team chaired by the PMU manager, which includes representatives from ALRI and the Labor Inspectorate under the MLMPE. The PMU's Social Development Specialist will act as the team secretary responsible for handling and processing the grievances. S/he will be responsible for summarizing the number and types of all grievances and questions received from the Project staff sent from the target regions.

The deadline for resolving a complaint at the central level will be 15 days from the date of receipt of a complaint that does not require additional study and research, and 30 days for applications

that require additional consideration. The applicant will be informed of the result immediately and at the latest within 5 days from the date of the decision.

If the complaint is still not resolved to the satisfaction of the applicant, then he / she can submit his / her complaint to the appropriate court.

9.2 Grievances Logs

The PMU Social Development Specialist and the contractors' GRM focal points will maintain project worker grievance logs to ensure that each grievance is individually referenced and properly tracked and actions recorded are followed. The project specific GRM allows anonymous grievances to be filed. Upon receipt of feedback, including grievances, the following is determined:

- Type of appeal;
- Persons responsible for the study and implementation of the appeal;
- The term for the resolution of the appeal; and
- Agreed action plan.

The log will contain the following information:

- The person's name, his / her location and details of his / her complaint;
- Date of filing the complaint and date of uploading to the Project database;
- Details of the proposed corrective action;
- The date when the proposed corrective action was sent to the applicant (if applicable);
- Information about the meeting of the Grievances Management Group (if necessary);
- Date the complaint was closed; and
- Date the response was sent to the applicant.

9.3 Monitoring and reporting grievances

The responsible employee of the contractor is in charge for:

- Maintaining a grievance log on received grievances at the regional level;
- Monitoring of unresolved issues and proposing measures to resolve them; and
- Submission of quarterly reports on GRM mechanisms to the PMU social development specialist.

The PMU social development specialist is responsible for:

- Maintaining a grievance log on grievances received at the central level;
- Generalization, analysis and loading of grievances into a single Project database;
- Monitoring unresolved issues and proposing measures to resolve them; and
- Submission of quarterly reports on GRM mechanisms to PMU M&E specialist.

The PMU/PIG will submit quarterly reports to the World Bank, which will include a GRM-related Section that provides updated information on the following:

- GRM implementation status (procedures, training, public awareness campaigns, budgeting);
- Qualitative data on the number of grievances received \ (applications, suggestions, grievances, inquiries, positive feedback) with an indication of grievances related to the World Bank ESS 2 and the number of resolved grievances;
- Quantitative data on the types of grievances and responses, problems raised and grievances that remained unresolved;

- The level of satisfaction with the measures (answers) taken; and
- Any corrective action taken.

The PMU and its subcontractors will use the Bank's 2017 Standard Procurement Documents for tenders and contracts that include ESF provisions on labor, health and safety requirements. As part of the process for selecting contractors who will hire contract workers, the PMU may consider the following information:

- Information in public records, such as corporate registers and public records, regarding violations of applicable labor laws, including reports from labor inspectorates and other law enforcement agencies;
- Business licenses, registrations, permits and approvals;
- Documents relating to the system of regulation of labor relations and the system of occupational health and safety (e.g. HR manuals, security program);
- Identification of personnel for the regulation of labor relations and safety, as well as medical personnel, their qualifications and certificates;
- Records of legal proceedings related to the employment relationship;
- Certificates / permits / training of workers to perform the necessary work;
- Safety and health records and responses;
- Records of accidents and fatalities, as well as notifications to authorities;
- Records of legally required employee benefits and evidence of employee enrollment in appropriate programs;
- Employee salary records, including hours worked and wages received;
- Identification of members of the safety committee and recording of meetings; and
- Copies of previous contracts with contractors and suppliers, demonstrating the inclusion of terms and conditions reflecting ESS 2 or equivalent requirements.

If the complaint is not resolved to the satisfaction of the complainant, then he / she can submit his / her complaint to the appropriate court or file a complaint directly through the World Bank Grievances Redress Service (GRS) at the following link:

<https://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service> or the Country Office of the WB in the Republic of Tajikistan: 48 Ayni Street Business Center "Sozidanie", 3rd floor tel .: +992 48 701-5810 e-mail:tajikistan@worldbank.org

The complaint must clearly state the adverse impact (s) believed to be caused or likely to be caused by the Bank-supported Project. This should, as far as possible, be supported by the available documentation and correspondence. The complainant can also indicate the desired outcome of the complaint. Finally, the complaint must identify the complainant (s) or designated representative (s) and provide contact details. Grievances filed through the GRS are promptly reviewed so that Project-related issues can be quickly resolved.

10. CONTRACTOR MANAGEMENT

Typically, construction and repair and rehabilitation work on the Site is carried out by one or more contractors, who subsequently hand over the facility to operating organizations (users). Construction sites are potentially hazardous if safety measures are not provided. The construction phase can lead to a number of adverse health and safety consequences for the workers involved in the rehabilitation works and those living in the vicinity. Also, an unscrupulous contractor may violate written contractual obligations with hired workers or not formalize them at all and attracting a large number of workers from outside can contribute to infringement of the interests of the local community on employment issues and can lead to discontent among the local population. For observing the principles of equal access to the benefits of the Project, ensuring quality control of work performance in accordance with existing standards, guarantees of normal operation of the facility after completion of repair and rehabilitation works, compliance by the contractor with the rights and working conditions of workers, compliance with the requirements of national labor legislation and the provisions of the Social and Environmental Standard 2 of the World Bank "Labor and working conditions", the PMU/ALRI Construction Supervision Engineer, Social Development Specialist, Monitoring and Evaluation Specialist and the PMU Coordinator join the process under the overall supervision of the Project Manager / Coordinator.

The main negative health and safety impacts are associated with:

- (i) risks during construction work (noise, risk of injury),
- (ii) transmission of infectious diseases;
- (iii) pollution of local water supplies; and
- (iv) road safety and electrical appliance issues.

The main points on the infringement of workers' rights are related to:

- (i) Lack of measures to prevent discrimination by employers in hiring and pay (based on gender, disability, race, social origin, etc.);
- (ii) Lack of provision for a reasonable limitation of working hours;
- (iii) Emergence of a risk of social insecurity in employment without formal contractual obligations.

To prevent social and environmental risks, contractors' contracts will include provisions related to occupational health and safety, requirements for ensuring and observing workers' rights, as provided in the World Bank Standard Procurement Documents and the legislation of the Republic of Tajikistan. With each hired contractor, an agreement should be made on the mitigation measures reflected in the Project documentation by the PMU specialists on measures of social and environmental protection.

The contractor is responsible for the results of its own activities, as well as for the work performed by subcontractors. The contractor must carry out rehabilitation works in accordance with the social and environmental requirements specified in the bidding documents.

After the delivery of the contract, the contractor organizes his/her work in accordance with the execution work schedule, which includes the following stages:

- ➔ at the initial stage, conducting a site survey, organizing a construction site and mobilizing;
- ➔ the stage of object rehabilitation;
- ➔ completion stage, transfer of the rehabilitated site to the Client and the operating organization;
- ➔ warranty period

The main activities related to the contractor's personnel are envisaged in the first two stages: initial and rehabilitation.

At the initial stage, the contractor, together with the supervision engineer, will conduct a site survey and a series of consultation meetings at the level of jamoat leaders and mahalla committees to inform about the start of Project activities, benefits to the local community and identify persons in need of employment. This stage covers the organizational work for the arrangement of the construction site, the transfer of construction equipment and the mobilization of labor at the local level. The main workforce is likely to be hired locally, i.e. from the territory where the Project activities will be carried out, with whom the appropriate training will be carried out. The technical staff will be represented mainly by the permanent staff of the contractor. When hiring labor at the local level, necessarily, the moral and psychological quality of the person hired will be taken into account in order to prevent incidents at the construction site. Before starting construction work, the contractor should be guided by the opinion and recommendations of local representatives of jamoats and mahalla councils. When creating jobs, special attention should be paid to attracting people from the category of socially vulnerable groups of the population and attracting national minorities living in the territory of the location of the subproject. Mandatory, the principle of social equality and non-discrimination must be respected. The contractor should pay particular attention to gender aspects, i.e. involvement of rural women in project activities. The contractor must conclude an employment agreement with each employee hired specifying the rights and obligations of the parties, ensuring safe working conditions and timely payment of wages.

At the stage of construction and rehabilitation works information boards are installed near the construction sites to inform the local population about the Project activities. At this stage, the following should function:

- Temporary construction camps, including construction sites where equipment and machineries are located;
- The contractor creates conditions for rest and places for workers to have food, install caravans for the accommodation of visiting workers;
- Additionally, auxiliary rooms, shower and toilet are arranged;
- Vehicles are allocated for servicing workers. The duty transport means must ensure the delivery of personnel to the workplace.

For the safety of workers and the local community living near the Project site, the following safety measures must be followed:

- Placards and special signs installed to warn local residents about the danger;
- Install appropriate fencing at work sites;
- Providing the staff with special personal protective clothing, PPE (protective helmets, gloves, masks, belts, if necessary, and footwear);
- Hired qualified medical professional to conduct a medical examination of employees and provide first aid if necessary;
- Installed fire shield;

The contractor will be responsible for ensuring that all personnel are properly trained in the safe use of equipment and machinery. On a quarterly basis, contractors must instruct workers in terms of compliance with safety and labor protection. Before the start of construction and rehabilitation work, a general familiarization should be carried out taking into account the specifics of the work

performed, introductory briefing and initial briefing at the workplace. A safety register should be maintained.

In order to prevent the occurrence of disputes with the local population, the contractor, on the basis of the Code of Conduct developed by the EA, establishes and adheres to the standards of worker behavior. The Code of Conduct clearly states that the contractor and his/her staff must respect and abide by local customs and traditions, and respect local women and their privacy.

Responsible persons from PMU / PIG will manage the activities of the contractor and monitor the observance of the rights of the contractor's workers and working conditions, with particular attention to the observance of contractors of their contractual agreements (obligations, statements and guarantees) and procedures for regulating labor relations. For each contract signed, a person responsible for the work of the contractor is assigned. For a construction contract, a supervision engineer is assigned. Quality control of the works performed should be monitored daily by local supervision engineers. Act of acceptance of the work performed will be drawn up between the contractor and the customer on the monthly basis. Compliance with social and environmental measures is the responsibility of environmental and social protection specialists, monitoring and evaluation specialists. This may include periodic audits, inspections and / or spot checks of Project sites and work sites, as well as records and reports prepared by contractors. The supervision engineer, together with the safeguard specialists, is obliged to monitor the main contractual terms, check the availability of permits and the quality of work performed by contractors, including their technical indicators and compliance with health, safety and environmental requirements.

Due to the uncontrolled situation with COVID-19, the contractor will develop an "Action Plan to prevent / avoid the spread of COVID-19 at construction sites" and take prompt action if it occurs. The PMU/PIG will assist contractors in the development of the Action Plan on construction sites and development emergency measures when it occurs. Contractor appoints a responsible person for COVID-19 issues at the level of a foreman / deputy, in case of his/her illness and issue internal orders "On the approval of the Management team in the event of incidents at construction sites, on the observance of requirements and precautions, the development of necessary measures in case of its occurrence. "The contractor organizes the prompt procurement of preventive means: contactless temperature meters, personal protective equipment for the respiratory system, soap, disposable paper towels, gloves, hand sanitizers, disinfectants for surfaces and premises in an amount sufficient to provide all employed workers and carry out these activities.

The action plan, in addition to purchasing and providing workers with personal protective equipment (PPE) and other preventive measures, should include the following activities:

- a) arrangements for the delivery of workers to the site;
- b) arrangements for organizing access to the construction site and organizing the work process;
- c) measures to control the health status of employees;
- d) measures to ensure personal hygiene of employees;
- e) disinfection of premises, transport and construction equipment; and
- f) arrangements for catering for employees.

In the event of injury or death in the workplace, the contract should provide for insurance coverage or deductions for accidents occurred on the work site.

For untimely and poor-quality performance of work, penalties will be included, up to the termination of the contract.

The annexes to contracts and Project documentation will include the following annexes:

- "Labor Management Procedures";
- *Environmental and Social Management Plan (ESMP)*;
- *"Occupational health and safety plan at the construction site"*;
- *"Code of Conduct for the Contractor and its Workers" (sample)*;
- *"Labor agreement" (sample)*;
- *Action plan to prevent / avoid the spread of COVID-19 at construction sites "(sample)*.