

**Common Market for Eastern and Southern Africa**

**Accelerating Sustainable & Clean Energy Access Transformation Project in AFE Region Multi-Phase Programmatic Approach**

**(P180547)**

**Final**

**Labour Management Procedure for Staff Employed under the Project**

**03 April 2024**

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# ACRONYMS

ASCENT Accelerating Sustainable and Clean Energy Access Transformation

CoC Code of Conduct

COMESA Common Market for Eastern and Southern Africa

D-MRV Digital Monitoring, Reporting and Verification

DRE Distributed Renewable Energy

ESS Environmental and Social Standard

GN Guidance Notes

LMP Labor Management Procedure

MTF Multi-Tier Framework

OHSPs Occupational Health and Safety Plans

PDO Project Development Objective

PrDO Program Development Objectives

PWD Persons with Disability

REAAP Regional Energy Access Acceleration Platform

RIFF Regional Infrastructure Financing Facility

SEA Sexual Exploitation Abuse

SH Sexual Harassment

SRA Security Risk Assessments

TDB Trade and Development Bank

# INTRODUCTION

## Overview

The Common Market for Eastern and Southern Africa (COMESA) is implementing a project called, Accelerating Sustainable and Clean Energy Access Transformation (ASCENT) in the AFE region (Eastern and Southern) Multi-Phase Programmatic Approach (MPA). The ASCENT MPA Project is a $5billion USD project financed by the World Bank and seeks to provide electricity access to 100 million people. The project has country specific projects implemented between the Bank and the participating countries, and two regional components implemented by COMESA and the Trade and Development Bank (TDB). COMESA will implement a $50million regional component of the project which will provide Technical Assistance Support to ASCENT participating countries. The COMESA regional platform will support project preparation, knowledge management, capacity building, advisory services, climate finance activities and a digital monitoring platform among others.

This Labor Management Procedure (LMP) has been developed by COMESA[[1]](#footnote-2) in consultation with the World Bank, to identify and manage risks associated with labor and working conditions under the ASCENT Project. The LMP identifies labor requirements in line with applicable laws and standards and sets out the procedures for addressing labor conditions and risks associated with the ASCENT Project in line with the World Bank Environmental and Social Standard 2 (ESS2) and Good International Industry Practice (GIIP). ASCENT is a Multi-Programmatic Approach (MPA) with various participating countries.

The LMP is valid for the duration of the ASCENT Project and shall apply to project staff engaged under ASCENT and RIFF Projects. This LMP will apply to all Project workers including fulltime, part-time, temporary and seasonal. The Project scope does not provide or anticipate the employment of irregular migrant workers. Although international consultants may be recruited to offer specific services, their conditions of engagement will be as contained in their contracts and TORs. The LMP may be revised as need arises in line with COMESA and World Bank requirements.

## Purpose and Objectives of the LMP

The purpose of this LMP is to facilitate the identification of different types of workers that are likely to be involved in the ASCENT Project and sets out the ways in which those workers will be managed in accordance with the requirements of ESS2, GIIP and the labor laws of the participating ASCENT countries.

The LMP will also provide a methodical and coherent approach to dealing with the labor-related issues, impacts and risks likely to emanate from the implementation of this Project whilst facilitating the identification of diverse types of Project workers likely to be involved in the Project.

The LMP identifies the main labor requirements and risks associated with the project and helps the Borrower to determine the resources necessary to address project labor issues. The LMP is a living document, which is initiated early in project preparation, and is reviewed and updated throughout development and implementation of the project.

Consistent with ESS2, this LMP seeks to:

1. Promote safety and health at the workplace;
2. Promote the fair treatment, non-discrimination, and equal opportunity of Project workers;
3. Protect Project workers, including vulnerable workers such as women and persons from communities meeting the ESS7 criteria,;
4. Prevent the use of all forms of forced labor and child labor;
5. Support the principles of freedom of association and collective bargaining of Project workers in a manner consistent with COMESA rules and respective national laws ; and
6. Provide Project workers with accessible means to raise workplace concerns.

## Project Description

### Project Development Objective

The ASCENT Project Development Objective (PDO) is ***to accelerate access to sustainable and clean energy in the AFE region.*** The COMESA Secretariat will support the entire ASCENT MPA and will track progress towards all Program Development Objectives (PrDO).

### PDO Level Indicators

The implementation of the ASCENT Project will include specific components described in the following section and the relevant indicators are listed as Intermediate indicators in the results framework, including:

1. Establishment of Digital Monitoring Reporting and Verification (D-MRV) platform at COMESA and linkage with at least 80% ASCENT participating countries;
2. Carbon finance revenue generated by the regional (D MRV) platform (Amount in USD);
3. Number of private companies assisted by the Project Preparation Facility (PPF) reaching financial close (Number);
4. Number of Projects requested by ASCENT participating countries supported (Number);
5. Number of countries implementing updated energy access strategies and plans (Number);
6. COMESA Knowledge and skills plan implemented (Text); and
7. Bi-annual capacity strengthening plans implemented (Yes/No).

### Project Components

The ASCENT COMESA Regional Platform is made of the following components:

1. ***Component 1: Digital Monitoring, Reporting and Verification (D-MRV Platforms for Energy Access and Climate Finance* –** The Project will support countries with adoption of D-MRV platforms and other digital tools to facilitate better and faster planning, implementation, monitoring, reporting and verification of their energy access efforts and enable access to climate financing, including through their participation in carbon markets.
2. ***Component 2: Project Preparation Facility (PPF)* –** The PPF is one of the critical components of ASCENT, which will support governments and the private sector to develop bankable, investment-ready Projects through a demand-driven approach. This component has three sub-components viz:Sub-component 2A: National agencies Project; Sub-component 2B: Cross-border solutions; and Sub-component 2C: Private sector distributed renewable energy (DRE) companies.
3. ***Component 3: Advisory support to governments on planning, policy regulation and finance mobilization* –** This component will support participating countries on strengthening the policy and regulatory environment for energy access.
4. ***Component 4: Knowledge exchange, convening, data, skills development and consumer engagement* –** This component will enable participating countries to share both technical knowledge and experiences of energy access interventions, allowing countries with large energy access deficits to learn from faster-electrifying countries in the region, through regional and bilateral knowledge exchanges and workshops for governments, private sector, development partners, etc.
5. ***Component 5: Project management and capacity building support to PIU* –** This component will provide specific support to building the capacity of the COMESA PIU for the implementation and monitoring of the activities under the regional platform. COMESA will use the same PIU which is already involved in the implementation of the RIFF Project (P171967) but with a strengthened capacity to account for increased scope under ASCENT.

### Project Beneficiaries

The main Project beneficiaries are people in the AFE region who will gain affordable, reliable and sustainable access to electricity and clean cooking, associated benefits from increased jobs, access to information and technologies, improved health and reduced time spent on cooking chores, better services provided by electrified schools and health clinics and other benefits that accrue from having energy access. Other beneficiaries include enterprises, schools and health clinics (and their employees) that will receive energy access. Additionally, beneficiaries also include electric utilities, private sector DRE and clean cooking providers and government agencies that will be supported by the Project, as well as newly created workforce in the renewable energy/energy access fields, in particular women, having benefitted from ASCENT skill development engagements.

# OVERVIEW OF LABOUR USE ON THE PROJECT

## Project Workers Categorization

 Project workers, as it relates to the applicability of the ESS2, refers to workers who will be employed or engaged under the ASCENT and RIFF Projects, whether as a full-time, part-time, temporary, seasonal or as a migrant worker. The ESS2 categorizes Project workers into four broad categories:

1. **Direct Workers:** People employed or engaged directly by the Grantee (in this case COMESA Secretariat’s PIU and Consultants) to work specifically in relation to the Project;
2. **Contracted Workers:** People employed or engaged by contractors (in this case workers of consultants) to perform work related to core activities of the Project, regardless of location;
3. **Primary Supply Workers:** People employed or engaged by the Project’s primary suppliers of goods and materials for core Project activities; and
4. **Community Workers**: People employed or engaged in providing community labour.

The ASCENT Project will engage both direct workers and contracted workers but will not engage the services of primary suppliers or community workers.

## Number of Project Workers

### Direct workers

1. **PIU** –The Project will adopt and strengthen the existing RIFF Project (P171967) PIU at COMESA Secretariat. The RIFF PIU currently has 6 project staff in the following functions (Project Manager, Renewable Energy and Regulatory Expert, Administrator Assistant, Internal Auditor, Procurement Expert and Finance Expert). These functions will be reviewed and strengthened to respond to increased scope under ASCENT by recruiting and maintaining E&S staff, including an Environmental specialist with OHS experience, and a Social specialist with experience in sexual exploitation and abuse, and sexual harassment matters. Both experts should have expertise and experience in labor and working conditions issues, Gender, Monitoring and Evaluation (M&E), DRE, Strategy and Communication, including others that may be identified as the project evolves. As such, the PIU will have approximately 10-15 staff recruited nationally and internationally on a fulltime basis.
2. **Consultants** – the PIU will be supported by national and/or international consultants, who will be hired on part-time basis. The consultants will mainly be involved in the execution of technical tasks/studies across different Project components. The PIU will hire consultants with different expertise and maintain a database of approximately 20. From the pool and on a revolving basis, the PIU will fulfill requests from different Project beneficiaries.

### Contracted workers

Contracted workers will consist of both locally and internationally recruited staff of the consultancy firms that will be procured to undertake the technical studies to be performed under the TA aspects of the MPA Project being implemented by COMESA. It is estimated, as necessary, that each subproject will use between 3-10 local contracted workers on a temporary basis.

Table 2‑1 Worker Category, Description, Estimated Numbers and Timing

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Category | Description | Number | Mode of engagement | Timing |
| Direct workers | PIU Staff | Over 10 officers: Project Manager, Team Leader – DRE Environmental Specialist, Social Specialist Officer, FM Officer, Legal Officer, Procurement Officer, Gender Officer, M&E Officer, GRM Officer, DRE Expert Technical, DRE Expert Policy, Climate Expert, Stakeholder Engagement Expert including other to be identified as the project evolves  | Fulltime | All Project phases |
| Consultants | A pool of 20 consultants to conduct various technical studies. | Part-time | Operation phase  |
| Contracted workers | Local workers | 3-10 contracted workers for each subproject supporting the consultants in technical studies. | Temporary | Operation phase  |

# ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

This section describes the Project’s key potential labour risks and their mitigation.

Table 3‑1 Key Labour Risks, Sources, and Mitigation

| Key labour risk | Source of risk | Mitigation |
| --- | --- | --- |
| Sexual harassment, exploitation and abuse | There is potential for sexual exploitation and abuse of community members by TA studies staff, especially if the studies involve an extended period during field data collection; and sexual harassment among TA workers. | * Develop and implement a SEA/SH Action Plan to assess and manage the risks of SEA and SH in the Project.
* Conduct sensitization on SEA/SH to project workers and project affected stakeholders and require workers to sign a code of conduct (CoC) with key prohibitions on SEA/SH as a condition of employment in the project and before signing on to work on the project.
* The E&S staff will be trained, and PIU management sensitized on SEA/SH risks in relation to TA activities to enable them to ensure that TORs they prepare for the proposed studies and other TA activities have provisions for the prevention and response to SEA risks that may result from such studies and activities.
* Safe and confidential grievance channels that are easily accessible to all stakeholders will also be provided for all Project stakeholders to enable them report on SEA/SH incidents.
* The TA Staff and Consultants will make written declarations that they have not been involved in forced and child labour.
 |
| Occupational health and safety | COMESA does not continue to observe and comply with relevant national requirements and standards regarding providing a safe working environment. | * Develop and implement occupational health and safety plans (OHSPs) for the Project
* Assure a safe working environment for all workers through complying with ESS2 requirements.
* Provide regular training to workers on workplace hazards so that they have a safe working environment
 |
| Security risks | Security remains a challenge in some ASCENT MPA countries which may pose a threats to Project workers who may face abduction, being held hostage, or being caught in crossfire in those countries.  | * Conduct regular security risk assessments (SRA) prior to deployment of TA workers to security prone countries/areas to ensure the safety of Project workers (direct and contracted).
* The Project will not sanction any use of force by direct or contracted workers in providing security except when used for preventive and defensive purposes in proportion to the nature and extent of the threat. Due diligence will be done to ensure the hired security firm are: (i) not implicated in past abuses; (ii) adequately trained (or determine that they are properly trained) in the use of force (and where applicable, firearms), and appropriate conduct toward workers and affected communities; and (iii) compliance with the applicable law and any requirements set out in the ESCP and the World Bank Good Practice Note on Assessing and Managing the Risks of Use of Security Personnel (October 2018).
 |
| Discrimination | Discrimination in relation to recruitment and employment of project workers is a potential risk. Such discrimination includes potential inappropriate treatment or harassment of Project workers due to sexual identity/orientation, gender, age, disability, ethnicity, or religion; potential exclusion or preferences with respect to recruitment, hiring, termination of employment, working conditions, or terms of employment made on the basis of personal characteristics unrelated to inherent work requirements; in training and development provision.  | In this Project, no discrimination is acceptable as per COMESA rules and in line with ESS2 requirement which states that "*The Labor Management Procedures will set out measures to prevent and address harassment, intimidation, and/or exploitation*",. The Project supports equal opportunities for women, men and Persons with Disability (PWD), with emphasis on equal criteria for selection, remuneration, and promotion, and equal application of those criteria. Decisions relating to the employment or treatment of project workers will not be made on the basis ofpersonal characteristics unrelated to inherent job requirements. The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices. Where national law is inconsistent with this paragraph, the project will seek to carry out project activities in a manner that is consistent with the requirements of this paragraph to the extent possible. Where there is an inconsistency between Zambian law and ESS2, the standard providing the greater protection to the worker will prevail. |
| Violation of workers’ rights | In line with ESS2, violation of workers’ rights could occur, among others, if: 1. Labor management procedures applicable to the project are not developed, which set out the way in which the different categories of project workers will be managed by COMESA and its Consultants.
2. Project workers are not provided with information and documentation that is clear and understandable regarding their terms and conditions of employment, including their rights under national labor and employment law (which should include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits.
3. The information and documentation on workers’ rights under the project is not provided in a timely manner, e.g., at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.
4. Project workers are not paid on a regular basis as required by national law and labor management procedures or if they are denied their other rights such as sick leave, maternity, or family leave etc.
5. Project workers are not given written notice of termination of employment and details of severance payments in a timely manner, and if all the severance payments are not made to the worker before termination of the working relationship.
6. Workers are denied the right to form and to join workers’ organizations of their choosing and to bargain collectively without interference in countries where the national law recognizes workers’ rights to form or join such organization the project will be implemented.
7. Project workers are restricted from developing alternative mechanisms to express their grievances and to protect their rights regarding working conditions and terms of employment, in countries where national law restricts workers’ organizations.
 | Through pre-contractual due diligence, the Project will ensure that staff of all Project workers and outsourced contractors have working conditions and rights consistent with COMESA rules and ESS2. Where there is an inconsistency between the applicable COMESA member country labor law and ESS2, the standard providing the greater protection to the worker will prevail. |

# BRIEF OVERVIEW OF LABOUR LEGISLATION: TERMS AND CONDITIONS

Employment contracts of workers on this Project are governed by the following:

1. COMESA Employment Contracts;
2. World Bank’s ESS2; and
3. Respective Country’s National law.

## COMESA Employment Contracts

The contracts of consultants, project and temporary staff will be based on templates mutually agreed between COMESA and the Bank which will provide specific terms and conditions of service to be applied . COMESA staff rules and regulations shall only apply where it has been expressly provided for in the contract.

## The World Bank Environmental and Social Standards: ESS2

The World Bank’s stipulations related to labor are outlined in its ESS Standard (ESS2). This together with the World Bank Environmental, Health, and Safety (EHS) Guidelines helps the Borrowers/Grantees in promoting 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. Key objectives of the ESS2 and the EGS guideline are to:

1. Promote safety and health at work;
2. Promote the fair treatment, nondiscrimination and equal opportunity of Project workers;
3. Protect Project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
4. Prevent the use of all forms of forced labor and child labour;
5. Support the principles of freedom of association and collective bargaining of Project workers in a manner consistent with national law; and
6. Provide Project workers with accessible means to raise workplace concerns.

ESS2 applies to Project workers including fulltime, part-time, temporary, seasonal and migrant workers. Where civil servants are working in connection with the Project, whether full-time or parttime, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the Project.

Regarding Working conditions and management of worker relationships, the Borrower/Grantee will develop and implement written labour management procedures applicable to the Project. These procedures will set out the way in which Project workers will be managed, in accordance with the requirements of national law and the ESS. The procedures will address the way in which the ESS will apply to different categories of Project workers including direct workers, and the way in which the Borrower/Grantee will require third parties to manage their workers.

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labour 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 the ESS. 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.

For more details on the WB Environmental and Social Standards and the EHS guidelines, please follow the below links: [www.worldbank.org/en/Projects-operations/environmental-and-socialramework/brief/environmentaland-social-standards](http://www.worldbank.org/en/projects-operations/environmental-and-socialramework/brief/environmental-and-social-standards); https://documents1.worldbank.org/curated/en/157871484635724258/pdf/112110-WP-Final-General-EHS-Guidelines.pdf and

[http://Projects-beta.vsemirnyjbank.org/ru/Projects-operations/environmental-andsocialframework/brief/environmental-and-social-standards.](http://projects-beta.vsemirnyjbank.org/ru/projects-operations/environmental-and-socialframework/brief/environmental-and-social-standards)

## Respective Country’s National Labour Laws

The ultimate beneficiaries of the ASCENT- Project are people in the ASCENT Participating countries, which initially consists of Rwanda; Tanzania; Sao Tome and Principe; and Somalia but this is set to increase to more than 21 as more countries join the programme. These countries have their country specific national labour laws which, in addition to ESS2 and the ILO core conventions that participating countries have ratified, will guide the management of Labor in each country. The national labor laws, ESS2 and the ratified ILO core conventions on labor management, will to all project workers, including direct and contracted workers as well as consultants.

# RESPONSIBILITY FOR IMPLEMENTATION OF THE LMP

## Overview

ASCENT MPA PIU’s Project Manager has the overall responsibility to oversee all aspects of the implementation of this LMP, to ensure project staff and consultant compliance. The PIU will address all LMP aspects as part of recruitment and procurement process as well as during induction. The consultant, subsequently, is responsible for management of contracted workers in accordance with contract specific Labour Management Plans (which should be in line with ESS2, the national labour law and the ratified ILO core conventions), implementation of which will be supervised by the PIU monthly or at shorter intervals as defined by specific Plans. The detailed approach is described in the following sections:

Table 5‑1 Responsibility for Implementation of LMP Aspects

| No. | Aspect | Responsibility |
| --- | --- | --- |
|  | Occupational Health and Safety | The PIU in cooperation with the COMESA Secretariat’s Human Resources Unit shall act as the safety representative that ensures the day-to-day compliance with specified safety measures and records of any incidents. Where a minor incident(s) occurs, they will be reflected in the quarterly reports to the World Bank, major issues including SEA/SH and fatalities are flagged to the World Bank within 24 hours of occurrence. |
|  | Labour and Working Conditions | The PIU in cooperation with the COMESA Secretariat’s Human Resources Unit will keep incident records in accordance with specifications set out in this LMP. The PIU will review the incident records against actuals at a minimum monthly and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.  |
|  | Worker Grievances | GRM procedures will apply for Project staff. Consultants will be required to present a worker grievance redress mechanism which responds to the requirements in this LMP. The PIU Designated Officer will review records on a case-by-case basis. The PIU will keep abreast of resolutions and reflect in quarterly reports to the World Bank. |
|  | Additional Training for Project Staff | The PIU is required to, always, have a qualified designated officer on board to identify and assess skills gaps. Where additional or refresher training is required, the COMESA Secretariat, through the PIU, will procure training services to address knowledge gaps and will provide a schedule for trainings required. Project staff will be obligated to make themselves available for this training, as well as any additional mandatory trainings required by the COMESA Secretariat, as specified by the contract. |
|  | Raising Awareness | Where the Project is required to organise awareness initiatives, the PIU will take initiative to organize sessions on raising awareness of the communities on issues relevant to the Project’s activities. This, in addition to the Project’s Communication Strategy, will ensure effective and efficient participation of different stakeholders in the Project. |
|  | Staff Insurance | The COMESA Secretariat, through ASCENT project funds, will be responsible for facilitating medical insurance for the PIU staff while consultants will cater for their own insurance including that of their contracted workers. |
|  | Transportation and Settlement of PIU Staff | The COMESA Secretariat, through ASCENT project funds, will meet the cost for transportation and settlement on initial recruitment and separation of the PIU staff according to COMESA Staff rules. |

# POLICIES AND PROCEDURES

## Discrimination and exclusion of vulnerable/disadvantaged groups

1. The PIU will maintain fair terms and conditions guided by ESS2 and GIIP for all Project Staff and consultants working on the ASCENT Project.
2. Decisions relating to the employment or treatment of Project workers will be made in accordance with the requirements of the job. The recruitment of Project workers will be based on the principle of equal opportunities and fair treatment, and there will be no discrimination in recruitment and hiring, remuneration (including wages and benefits), working and employment conditions, access to training, assignment of a position, promotion, termination or retirement, or disciplinary practices.
3. Decisions relating to the employment or treatment of project workers will not be made on the basis of personal characteristics unrelated to inherent job requirements. The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices. Where national law is inconsistent with this paragraph, the project will seek to carry out project activities in a manner that is consistent with the requirements of this paragraph to the extent possible. Where there is an inconsistency between COMESA regulations or applicable national laws and ESS2, the standard providing the greater protection to the worker will prevail
4. The contractor will be also required to comply with the national Labour law on gender equality in the workplace, which will include provision of maternity leave and sufficient and suitable toilet and washing facilities, separate from men and women workers.

## Labour disputes over Terms and Conditions of Employment

1. To avoid labour disputes, fair terms and conditions will be applied for Project workers.
2. The Project will respect the workers’ right of joining labour unions and freedom of association, as set out in the COMESA rules and national laws.

## The Project will maintain a grievance mechanism for all Project workers to promptly address their workplace grievances, including in relation to workplace sexual harassment, in line with the provisions of ESS2.Forced Labour

1. Forced labour shall not be permitted on the Project, this is strictly prohibited by the World Bank ESS2. The EHS code of conduct to be assented to by all project workers will be clear on this. Further, the established GRM will allow for any concerns related to forced labour to surface and be managed .
2. For the reference of consultants, this may also include excessive limitations of freedom of movement, imposition of recruitment or employment fees payable at the commencement of employment, loss or delay of wages that impede the workers’ right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other personnel to force or extract work from Project workers, or other restrictions that compel a Project worker to work in a non-voluntary basis.

## Occupational Health and Safety

The PIU and consultants will be required to:

1. Comply with ESS2, and respective national legislation on occupational health and safety;
2. Communicate these policy statements and procedures to all workers on the ASCENT Project ;
3. Undertake OHS risk assessments and provide OHS training and enable workers’ attendance of such training;
4. Regularly screen all Project sites to identify potential hazards and set out measures to eliminate them;
5. Procure and provide relevant PPEs for contracted workers and other stakeholders as and when needed;
6. Ensure availability of emergency first aid box and display emergency numbers;
7. Document all occupational accidents and incidents and report severe and serious (as per World Bank incident classification) incidents to the World Bank through the PIU within 24 hours after the occurrence of such major accidents and provide a full detail report within three weeks
8. Conduct root cause analysis to inform corrective actions required; and
9. Ensure that all drivers implementing ASCENT MPA activities have undertaken training in defensive driving, enforce maximum speed limits on roads and ensure adequate insurance cover for vehicles.

##  Sexual exploitation abuse (SEA) and Sexual Harassment (SH)

1. Overall, Project Staff and all consultants are required to adhere to and implement measures contained in the Project SEA/SH mitigation and response action plan;
2. All consultants are required to ensure that their contracted workers sign a Code of Conduct (CoC) that set out acceptable standards of behavior. The CoC shall include sanctions for non-compliance, including non-compliance with specific policies relating to SEA/SH. Consultants whose employees CoC does not meet these standards will be required to adapt the Project CoC for employees to sign. The CoC shall be signed by each worker to indicate that they have:
3. Received a copy of the CoC as part of their contract;
4. Had the CoC explained to them as part of induction process;
5. Acknowledged that adherence to this CoC is a mandatory condition of employment; and
6. Understood that violations of the CoC can result in serious consequences in line with the sanctions provided for under the GRM.
7. All consultants shall be further required to act against SEA/SH, through:
8. Organization of mandatory training and awareness raising for their workforce about refraining from unacceptable conduct toward local community members, specifically women and children. Training may be repeated;
9. Informing workers about national laws and institutional policies that make sexual harassment and gender-based violence a punishable offence;
10. Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence; and
11. Maintaining a separate grievance mechanism to capture and refer SEA/SH related complaints/issues and report SEA/SH complaints to the World Bank through the PIU within 24 hours upon receipt.

# AGE OF EMPLOYMENT

No child under 18 years shall be required or allowed to work on a Project irrespective of the country’s national labor law.

The age of prospective workers will be verified before engagement. The National Identification Card (ID), Passport, birth certificates or national driver’s licenses will be used as proxy documents for verifying workers’ age. In the absence of one of those forms of IDs, the Project will apply and document an age verification process. The age verification process will consist of alternative methods including copies of academic certificates, testimony/affidavits from officials of the schools attended, a medical examination, statements from family members and locality/village officials/local authorities.

# TERMS AND CONDITIONS

As stated in section 4 of this LMP, the terms and conditions of employment for staff employed under the PIU shall be specified in their employment contracts. The contract shall contain such terms as period of contract, grade, remuneration, conditions of service, retirement benefits, fringe benefits, and provisions for termination of appointment. COMESA staff rules and regulations shall only apply where it has been expressly provided for in the contract.

# GRIEVANCE MECHANISM

This section provides a summary of the grievance management procedures that internal and external stakeholders have to use to present their complaints and grievances.

## Objectives

The objectives of the GRM are to:

1. Provide procedures for harmonious resolution of complaints and grievances for internal and external project stakeholders arising out of the implementation of the ASCENT project;
2. Create a working environment characterised by fairness, consistency, accountability and transparency in dealing with employees’ obligations and rights throughout the implementation of the project amongst the relevant stakeholders;
3. Resolve any emerging environmental and social grievances in project implementation areas; and
4. Promote relations between the project implementers, executers and beneficiaries.

##  Scope

The GRM is intended to receive feedback from internal and external stakeholders on the quality of services, complaints about shortcomings, failures, or dissatisfaction with service delivery, as well as issues regarding any aspect of project implementation, and to ensure their processing and follow-up. In this regard, the mechanism will handle complaints relating to:

**(a) Internal Stakeholders**

(i) Sexual Exploitation and Abuse/Sexual Harassment;

(ii) Delayed Payment of wages/salaries;

(iii) Discrimination in award of salaries/wages for equal work due to gender or racial considerations;

(iv) Misconduct of any kind which would discredit COMESA and the Project, or which would cause harm to a worker; and

(v) Dismissal including summary.

**(b) External Stakeholders**

(i) lack of stakeholder consultations;

(ii) exclusion of some segments of society and or some stakeholders in for participation in project activities;

(iii) failure to incorporate stakeholder views in subproject decision or final study documents; and

(iv) inadequate or lack of information disclosure to stakeholders etc

More details regarding the grievance management procedures can be obtained in the Grievance Redress Mechanism (GRM) for the ASCENT Project which can be accessed at <https://www.comesa.int/accelerating-sustainable-clean-energy-access-transformation-ascent-in-afe-region-multi-phase-programmatic-approach-mpa/>

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## WB’s Grievance Redress Service (GRS)

Communities and individuals who believe that they are adversely affected by a Project supported by the World Bank may submit complaints to existing Project-level grievance mechanisms or the Bank’s Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed to address Project-related concerns. Project affected communities and individuals may submit their complaint to the Bank’s independent Accountability Mechanism (AM). The AM houses the Inspection Panel, which determines whether harm occurred, or could occur, because of Bank non-compliance with its policies and procedures, and the Dispute Resolution Service, which provides communities and borrowers with the opportunity to address complaints through dispute resolution. Complaints may be submitted to the AM at any time after concerns have been brought directly to the attention of Bank Management and after Management has been given an opportunity to respond. For information on how to submit complaints to the Bank’s Grievance Redress Service (GRS), visit [http://www.worldbank.org/GRS](https://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service). For information on how to submit complaints to the Bank’s Accountability Mechanism, visit [https://accountability.worldbank.org](https://www.worldbank.org/en/programs/accountability).

# CONSULTANT MANAGEMENT

The Project Environmental and Social Commitment Plan (ESCP) requires COMESA to ensure that relevant environmental and social requirements are included in the terms of reference and tender documents for consultants (including codes of conduct, coordination, monitoring reports, and grievance management mechanisms); and include provisions for non-compliance. Thereafter, there is need to ensure that the consultants comply with the ESHS specifications of their respective contracts, including SEA/SH aspects.

# COMMUNITY WORKERS

The ASCENT Project will not engage community workers as defined by ESS2 to implement any aspect of the Project.

# PRIMARY SUPPLY WORKERS

The ASCENT Project will not engage primary suppliers as defined by ESS2 to support the delivery of the Project.

# ANNEXES

## Annex 1: Individual Code of Conduct (ASCENT MPA Sample)

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, undertake to adhere to the ASCENT MPA Project environmental, social, health and safety (ESHS) standards requirements, and preventing sexual exploitation and abuse and sexual harassment (SEA/SH), and violence against children (VAC).

I understand that failure to adhere to ESHS standards, or to commit acts of SEA/SH or VAC —be it on the work site, the work site surroundings, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties, or potential termination of employment and prosecution.

**I commit that while working on the Project, I shall:**

1. **Regarding Occupational Health and Safety**
2. Comply with legislation and other applicable requirements relating to occupational health and safety risks;
3. Attend occupational health and safety trainings as requested by employer or the Project;
4. Identify the potential risks associated with each activity and workstation;
5. Make recommendations regarding safety and health issues affecting employees;
6. Wear prescribed and appropriate personal protective equipment (PPE) all times on Project site;
7. Prevent avoidable accidents and report conditions or practices that pose a safety hazard or threaten the environment; and
8. Report any violations of this code of conduct to workers’ representative, HR, or grievance redress committee. No employee who reports a violation of this code of conduct in good faith shall be punished in any way.
9. **Regarding Sexual Exploitation and Abuse and Sexual Harassment**
10. Attend and actively partake in training courses related to SEA/SH and VAC as requested by the Project;
11. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other affiliation, nationality, ethnicity, or social origin, property, disability, birth or nationality, sexual orientation, gender identity, or other status;
12. Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
13. Not engage in sexual exploitation, which is defined as any actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another;
14. Not engage in sexual abuse, which is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
15. Not engage in sexual harassment, which is defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment;
16. Not participate in sexual contact or activity with children (including grooming or contact through digital media, community members married to minors will not be hired, mistaken belief regarding the age of a child or consent from the child) ;
17. Not have sexual interactions with members of the host communities (NB: an exception applies to a locally hired worker already married to an adult member of the community). This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code; and
18. Consider reporting through the Grievance Mechanism or to my immediate supervisor any suspected or actual SEA/SH or VAC by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.
19. **Regarding children under the age of 18:**
20. Wherever possible, ensure that another adult is present when working in the proximity of children;
21. Not invite unaccompanied children unrelated to my family into my home unless they are at immediate risk of injury or in physical danger;
22. Not use any computers, mobile phones, video, and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below);
23. Refrain from physical punishment of children;
24. Refrain from hiring children below the minimum age of 15, for domestic or other labor which places them at significant risk of injury, as specified by the national law;
25. Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s E&S standards on child labor and minimum age; and
26. Take appropriate caution when photographing or filming children (see details below).
27. **Use of children's images for work related purposes. When photographing or filming a child for work related purposes, I shall:**
28. Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images;
29. Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I shall explain how the photograph or film will be used;
30. Ensure photographs, films, and videos present children in a dignified and respectful manner and not in a vulnerable or submissive manner and that the children are adequately clothed and not in poses that could be seen as sexually suggestive;
31. Ensure images are honest representations of the context and the facts; and
32. Ensure file labels do not reveal identifying information about a child when sending images electronically.
33. **Sanctions**

I understand that if I breach this Code of Conduct, ASCENT MPA shall take disciplinary action which may include:

1. Issuance of an informal warning;
2. Issuance of a formal warning;
3. Loss of up to one week’s salary;
4. Suspension of employment (without payment of salary/contract fees), for a minimum period of 1 month up to a maximum of 6 months;
5. Termination of employment; or
6. Reporting to the police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. I shall adhere to the occupational health and safety management requirements and avoid actions or behaviors that could be construed as SEA/SH or VAC. Any such actions shall be a breach of this Code of Conduct. I do hereby acknowledge that I have read the foregoing Code of Conduct and undertake to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to OHS, SEA/SH and VAC issues. I understand that any action inconsistent with or failure to act in accordance with this Code of Conduct may result in disciplinary action and may adversely affect my employment.

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

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

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

## Annex 2: Incident Investigation Form

**OHS Incident Investigation Form**

Classification of Accident (Indicative, Serious, Severe) ..................................................................

Description of the accident:.....................................................................................................................

………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..

Date and Time of Accident: …………………………………………….

Location of the accident: ………………………………………………..

Source of accident alert: …………………………………………………

**Investigation**

Date and Time of Investigation:

Names and Status of Investigating Team

Name................................... Position..................................................Sign...................

Name...................................Position..................................................Sign................... Name...................................Position..................................................Sign...................

Complete accident investigation questionnaire and attach copies to Incident Investigation Form.

Findings of Investigation Team

Team's description of events leading up to the accident

Team's Description of the accident itself

Team’s view on the causes of the accident

Recommendation to reduce potential accident (immediate fix)

Date...................No...............Section...................................

1. Root causes.........................................................................................................
2. Preventive Action taken.....................................................................................
3. Further Recommendation - Preventive actions......................................................

Project Manager: Comments and Actions to be taken or recommended to higher authority:

Signature.................................................... Date.......................................................

1. COMESA Member States are Burundi, Comoros, Congo, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Eswatini, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Tunisia, Uganda, Zambia, and Zimbabwe. [↑](#footnote-ref-2)