

**United Nations Development Programme (UNDP) in
partnership with the Small and Micro Enterprise Promotion
Service (SMEPS), and the Public Works Project (PWP)**

**Sustainable Fishery Development in Red Sea and Gulf of Aden
(SFISH)
(P178143)**

Labor Management Procedure (LMP)

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List of acronyms

CFW	Cash for Work
ESS	Environmental and Social Standard
GBV	Gender Based Violence
GM	Grievance mechanism
LMP	Labour Management Procedure
M&E	Monitoring and evaluation
OHS	Occupational health and safety
PCU	Project Coordination Unit
PPE	Personal Protective Equipment
SFD	The Social Fund for Development
TPM	Third-party monitoring

EXECUTIVE SUMMARY

The environmental and social risks of the Sustainable Fishery Development in Red Sea and Gulf of Aden (SFISH) project are considered Substantial given that the project will support several interventions that might be associated with environmental and social risks and impacts, while the implementation agencies' Environmental and Social Framework capacity remains limited. Key potential environmental and social risks—such as OHS, community risks, waste generation, risk of Gender Based Violence, child labor and forced labor have been identified. This is anticipated as the project will provide temporary work opportunities to many local community members and fishers who are unskilled, largely illiterate, and with little or no knowledge or experience in applying Occupational Health and Safety (OHS) measures. Furthermore, there is a risk of ERW and COVID-19 transmission among community workers if worksites are not managed appropriately.

The Labor Management Procedures (LMP) for the Sustainable Fishery Development in Red Sea and Gulf of Aden (SFISH) Project (P178143) has been prepared to meet the objectives and requirements of the World Bank's Environmental and Social Standard 2 (ESS 2) on Labor Conditions and the Protection of the Labor Force as well as the Yemeni national Labor Law. This LMP sets out the way in which project workers will be managed, in accordance with the requirements of national law and ESS2. This project will use various types of workers (Direct, Contracted, Community workers, and Primary Supply workers, civil servants), their estimated numbers, characteristics etc. have been set out in table 1. Provisions World Bank Environment and Social Standards ESS2, Government of Yemen Labour Laws, have been thoroughly studied and cited to meet their requirements and obligations. Major points of consideration that include Conditions of Employment, OHS, Child/Forced Labor etc. have also been referred as guidelines. The LMP outlines a Grievance Mechanism (GM) for labor so that any potential dissatisfaction, concerns can be raised by all project stakeholders. For the Implementing Partners, a Contractor Management guideline has also been drafted so that selection, retention, monitoring and guiding the contractor can be done in accordance with the ESS and national laws/acts

1. INTRODUCTION

This Labor Management Procedures (LMP) has been prepared for the **Sustainable Fishery Development in Red Sea and Gulf of Aden (SFISH) project**, which will ensure compliance with Environmental and Social Standard on Labor and Working Conditions (ESS2) and Community Safety and Health (ESS4) of the World Bank's Environmental and Social Framework (ESF)¹ and the national legislation and regulations of the Government of Yemen, with the same overall risk rating consistent with the scope of the anticipated labor requirements and operational arrangements. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues. The LMP sets out general guidance relevant to different forms of labor but also issues and concerns that relate to COVID-19 considerations.

¹ <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>

2. OVERVIEW OF LABOR USE ON THE PROJECT

ESS2 categorizes the workers into direct workers, contracted workers, community workers. This Labor Management Procedure (LMP) applies to all project workers as defined in ESS2:

1. **Direct workers-** The project will be directly managed by the United Nations Development Programme (UNDP) with the involvement of implementing partners (IPs) which include, the Public Works Project (PWP) and Small Micro Enterprise Promotion Service (SMEPS). Implementing partners (PWP, SMEPS) staff are considered also as direct workers. In addition, third party monitor employees and security firm workers as well as personnel contracted directly by the IPs such as consultants are also be considered as direct workers.
- **UNDP** will have a dedicated project team based in Aden, including Project Manager (P4), National Coordination, National Specialists in M&E, Environmental and Social Safeguard Team, Gender Specialist, Communication Officer and Project Admin and Finance. The team is backed up by a sub-office in Aden and other subregional offices. The project will have support from the regional hub and from experts in New York. Additional Procurement support is provided from Malaysia. The structure builds on the experience with previous WB grants implemented by UNDP in the country around 8 workers will be recruited for this project.
- **PWP** will implement infrastructure-related works through a mix of selected sourced contractors and local communities to create employment opportunities for the beneficiary communities. PWP structure includes an E&S Safeguards' Unit with two officers covering environmental, social, and gender aspects based in Aden as well as an OHS sub-unit to provide overall support, monitoring, and coordination on OHS aspects. At the branch level, PWP maintains E&S focal points to ensure compliance with OHS measures. Furthermore, site technicians are deployed at each site to monitor and report on the technical compliance of subprojects including E&S aspects, an estimation of 51 direct workers.
- **SMEPS:** will manage the micro grants to fishery sector beneficiaries to develop their small businesses identified through beneficiary selection criteria developed jointly by the UNDP and SMEPS and consulted with relevant stakeholders. SMEPS structure consist of 6 direct workers, which include all staff & consultant staff .
2. **Contracted workers-** Include Labors / Workers recruited by the contractor, regardless of locations. The SFISH will involve different contractors for carrying out preparation of documents and implementation of different civil and TA works under components 2. To meet the objectives of the Sustainable Fishery Development in Red Sea and Gulf of Aden (SFISH) of providing temporary employment and economic opportunities for vulnerable fisher people and coastal communities, the contractor should recruit at least 50% of the workers from the local communities.
3. **Civil servants:** Where government civil servants are working in connection with the project, whether full time or part time, 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. There may be situations in which government civil servants have no employment relationship with the project and, therefore, cannot be considered project workers. Nevertheless, they may be involved in project activities in their governmental capacity. For example, they may be involved in training activities. While most standards under ESS2 do not apply to such persons, mitigation measures related to health and safety and child labor do apply. UNDP in collaboration with 20 representatives from TVET (Technical Vocational Education Training) centers and GAF (General Authority of Fishing) will support cooperatives and association's (male and female) capacity building to improve the governance and management of fishery sector at district level for each landing site.

The total number of workers is estimated at 861 for the whole project. The number of workers by categories is identified in Table 1.

Table 1. Estimated number of workers

Type of project workers	Characteristics of project workers	Timing of labor requirements	Indicative number of workers
1. Direct workers			
<ul style="list-style-type: none"> • UNDP staff 	<ul style="list-style-type: none"> • National staff & International staff 	<ul style="list-style-type: none"> • From project preparation until project completion 	Total : 8
<ul style="list-style-type: none"> • PWP staff 	<ul style="list-style-type: none"> • National staff 	<ul style="list-style-type: none"> • From project preparation until project completion 	Total : 51
<ul style="list-style-type: none"> • SMEPS 	<ul style="list-style-type: none"> • National staff 	<ul style="list-style-type: none"> • From project preparation until project completion 	Total : 6
2. Contracted workers (by UNDP, SMEPs and PWP)			
<ul style="list-style-type: none"> • Environmental and social consultants, • Construction & supervision consultants, • Independent Monitoring consultant, • Skilled workers engaged by the contractors, • Workers from the local community engaged by contractors at construction sites 	<ul style="list-style-type: none"> • National experts • Mostly national technical permanent staff • National/local host community members, female workers and persons with disabilities. 	<ul style="list-style-type: none"> • From early stage of project preparation, implementation until project completion • The timing of labor requirement will fluctuate, dependent on the construction stages, which will be determined by individual contractors at the contract award stage. • The construction stage of the project. 	<ul style="list-style-type: none"> • Environmental and social specialists approx. 6 • Construction supervision consultants : approx. 10 • Independent monitoring consultants approx. 20 • Skilled workers of the contractors: approx. 250 • Unskilled workers: approx. 510

3. *Characteristics of Project Workers:*

All workers under the contractors for civil works for the Sustainable Fishery Development in Red Sea and Gulf of Aden (SFISH) will be recruited locally. Contractors will be encouraged to recruit local workers from the coastal community including female workers (in fishing handling process and infrastructure) to the most extent possible. Female workers will be assigned to tasks appropriate with their capabilities in the construction work for landing site. Contractors will ensure that labor meet the minimum approved age i.e. not less than 18 years for light work not involving any potential risks or hazards and above 18 years for others.

- Most of the direct workers are expected to have relevant experience. They will be expected to work full time for supporting the project owners in sub-project preparation, project/subproject implementation, supervision and reports. Direct workers will mostly be local workers.
- Contracted workers by implementing partners include the design consultants, fishery specialist and E&S consultants, contractors/subcontractors and their workers hired to work during implementation phase.
- Contracted workers of the contractors/subcontractors included both skilled and unskilled members.
- Primary suppliers such as suppliers of fuel, fishing tools, etc.

4. *Timing of Labor Requirements:*

For each community asset, Direct workers and consultants will be recruited at the design stage. Contractors, supervision engineers and workers will all be recruited at the beginning of the subproject per landing site. The subprojects will provide job opportunities for fishermen, female fish processors infrastructure skilled and unskilled workers as well. However, skilled workers will be hired, when required, according to the nature of the works. The number of workers needed for each activity will be determined prior to implementation. For each category of worker, a contract will be issued with a Code of Conduct prior commencement of any assignment.

5. *ASSESSMENT OF POTENTIAL LABOR RISKS*

a. PROJECT DESCRIPTION

The Development Objective of the Project is to strengthen regional fishery information management and improve capacity for sustainable production and economic opportunities for beneficiaries across the fishery value chain in Yemen.

This proposed Project on Sustainable Fishery Development will (i) at the regional level, improve the fishery sector data/information collection and monitoring and the regional cooperation mechanism to sustainably managing this shared resource; (ii) in Yemen, improve the management of the fishery value chain, thus enhancing the country's food security, nutrition services, and coastal livelihoods; and (iii) Create the enabling environment for private sector engagement to develop the sector and sustaining the fishery related livelihoods of refugees residing in the country and their host communities. It will do so through the use of an integrated approach that combines: (i) support in strengthening the institutional capacity and data systems at the regional and country levels, fishermen (and their associations and cooperatives, private sector and other stakeholders); (ii) investments in restoration, key inputs and infrastructure for fish production, processing, quality assurance and marketing in participating countries; and (iii) a flexible design approach, able to adapt to the changing needs resulting from the ongoing conflict in Yemen and other risks in the region, as well as other regional countries to participate in the future.

The LMP is designed for the activities under component 2 and sub-components 2.1 and 2.2 to be implemented by UNDP. An indicative structure of activities is presented below:

Component 1: Strengthening regional collaboration in management of marine fisheries and aquaculture in the RSGA region

Component 2: Improving Economic Opportunities, Food Security and Effective Management of Fishery Production in Yemen, includes two components: 2.1. ***improving economic opportunities, food security and effective management to fishery protections***, by providing funds to coastal communities, micro grant for business development, cash transfers (CTs) to vulnerable fisher people households, supporting targeted female entrepreneurship opportunities, restoration to key fishery assets (infrastructure and technologies); and enhance Capacity building and training; and

2.2 ***Governance systems and knowledge developed for effective management and climate resilience of fisheries***, through supporting local fishery governance committees led by GAF to improve fishery strategies and regulations marine's ecosystem, creating approaches for regular fishery data collection and reporting, conducting study on fishery sector diversification and development of a business model, develop local-level fishery management plans according to beneficiaries' needs, and support to ratify and adopt the Regional Fisheries protection and Multinational Environmental Agreement.

Component 3. Project Management, Monitoring and Evaluation and Reporting

b. ENVIRONMENTAL & SOCIAL IMPACTS AND INHERENT RISKS

Key potential risks to laborers are expected to be caused during the project construction and risks to the project workers at working sites and workers camps.

Each sub project's ESMP will be assessed and screened for potential social, environmental and OH risks, developing required activities for mitigating such risks via a Mitigation Plan in line with updated WB ESF and UNDP's Social and environmental safeguard policies and standards.

UNDP is committed to ensuring meaningful, effective, and informed participation of stakeholders and partners according to the program or project cycle which include early planning, problem identification and project or program design. Effective stakeholder engagement and participation enable easy project acceptance and local community ownership and empowerment of the social, environmental, OHS sustainability and benefit-sharing. This will lead to full participation and achieving the project's outcomes and outputs with support of all stakeholders and reduce disagreement and conflict and support human rights and social and environmental protection at the same time. UNDP and its partners will ensure the stakeholder analysis, stakeholder consultation with affected and interested groups and engagement plan are effectively and sufficiently implemented in the project cycles. Below is the summary of activities under the components 2.

The key activities include:

- Dredging the existing storm anchorage area
- Soil excavations
- Transportation of dredged materials and wastes to disposal site; and transportation of construction materials to sites.
- Construction/upgrading of buildings
- Demolish the old structures/facilities required to be upgraded.
- Dredging, pilling.
- Install lighting system
- Leveling, construction of port yards and other ancillary works
- Microgrant management
- Technical assistance
- Capacity building and training

c. Key Labor Risks Include:

Drawing upon experience and lessons learned from other similar infrastructure projects in Yemen, the following are key labor risks anticipated during the implementation of the Project:

- **Child Labor and Forced Labor**

The conflict has caused Job opportunities and fish production to decline considerably along the coast, particularly in Hudaydah, Taiz and Hajjah governorates, which became war zones. This led to migration of people away from the coast in search of survival opportunities. In addition, most businesses in the fishery

sector are individual fishermen who use their own or privately rented boats. The deteriorating economic conditions present the risk that child and/or forced labor may be used in project activities. As the construction activities will involve hazardous work, persons under the age of 18 will not be employed by the project unless to perform light duties, and no child under the age of 14 will be employed. Similarly, no child, forced, involuntary or unpaid labor will be used in any works activities directly associated with the project. Subprojects will be implemented by local workers. Ensuring that the terms and conditions for these workers are in accordance with the requirements of national law and in compliance of this LMP, in particular child and forced labor.

- **Labor influx**

In some cases, worker unavailability or lack of technical skills and capacity among local community will require the implementing partner/ contractor to bring skilled labor from outside the project area. This influx is compounded by an influx of other people (“followers”) who follow the incoming workforce with the aim of selling them goods and services, or in pursuit of job or business opportunities. The rapid migration to and settlement of workers and followers in the project area is called labor influx, the influx of workers and followers can lead to adverse social and environmental impacts on local communities, especially if the communities are rural, remote or small. Such adverse impacts may include increased demand and competition for local social and health services, as well as for goods and services, which can lead to price hikes and crowding out of local consumers, increased volume of traffic and higher risk of accidents, increased demands on the ecosystem and natural resources, social conflicts within and between communities, increased risk of spread of communicable diseases, and increased rates of illicit behavior, crime, and GBV.

Depending on the size and the skill level of the local workforce, a share of the workers required for the project will be recruited locally. This is generally easier for unskilled workers, while more specialized staff (typically required in smaller numbers) frequently will be hired from elsewhere.

UNDP, PWP, SMEPS will ensure transparent local community engagement and participation during initial project decision-making and continue routinely throughout the life of the project through GMs to ensure effective Information disclosure, community involvement.

- **Gender-based Violence (GBV)/Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH):**

With persistent gender gaps existing even prior to the conflict (i.e., in education, legal restrictions on mobility and decision-making, barriers to female participation in the fish production and labor force and in political life, and few opportunities for voice, paid work and entrepreneurial activity), women are more vulnerable to the economic, social and security challenges that result from the conflict and should thus be proactively reached for access to cash to improve their purchasing power for food and basic necessities. The stark gender gaps are influenced by and set within the context of conservative and strict gender norms. The risk of GBV, SEA, and SH is often also increased in instances of labour influx and when temporary labour camps are established and during their work in fishing processing and fish production (more details in the Gender and GBV Action Plan). To address these issues, the project includes specific actions and design parameters to ensure the inclusion and participation of women. Such design parameters will ensure women are provided an equal opportunity to benefit from the employment opportunities (for example, targeting female-headed households, allowing flexibility in work hours, and

providing on-site childcare). Consideration for IDPs, women and youth as specific vulnerable groups are included in the targeting as well as type of intervention.

The project will ensure that gender sensitive interventions are mainstreamed across all project components, creating pathways for employment and participation in society and playing a key role in building resilience to shocks, improving livelihoods and mitigating social constraints. This is relevant in the current country context as empowering women's full productive potential can yield enormous dividends in reducing GBV, gender gaps in education, employment, and access to services.

It will also require training of stakeholders and coastal communities on the risks pertaining to child labor and gender-based discrimination, GBV, SEA and the various referral pathways, Code of Conduct (CoC), which must be signed by all workers, and GMs associated with the project to prevent and mitigate such risks (e.g. those associated with labour influx, temporary labour camps, etc.).

- **Occupational Health and Safety (OHS):**

The OHS risks are considered substantial based on the typology and scale of investment and based on the fact that a portion of contracted workers from contractors/subcontractors are unskilled and untrained local population, In addition, some accidents may occur leading to injuries and even fatalities.

In general, hazards will depend on the type of subproject works to be implemented. Workers and community members will be exposed to occupational health and safety hazards, including but not limited to:

- **Health risks.** Health risks due to working in a pollution environment with high dust concentration caused by the construction activities of site clearance and demolishing of old structures, soil excavations, leveling, machine operation and transportation.
- **Accidents due to structure collapse.** Excavation and demolishing activities can cause a damage of nearby existing structure foundations leading to the structure collapses causing serious injuries to workers.
- **Accidents due to falling in water.** Workers may fall down in water cause serious injuries due to dizzying or/and strong wind, waves or/and careless working without compliance with working safety.
- **Accidents due to falling from high levels.** Workers may fall down from a high-level due to incorrectly installed scaffolding, uninsured ladders and unprotected steel bars during construction of operational houses, roofs of wharves, bridges, electric systems leading to labor accidents.
- **Falling objects:** Workers working below a house/power tower being constructed may be hit by hard objects falling from a high-level causing injury.
- **Electrical shock:** Workers may expose to live electricity during testing TLs, substations and using power for soldering. Electrical shock can cause serious injuries or fatalities.
- **Accidence due to iron cut/ soldering.** Workers cutting irons and soldering without using proper PPE (e.g. protective glasses) may be suffered with eye accidents with serious injuries even blinding.

- **Accident due to fire and explosion.** Worker's welding can generate fire catching flammable materials nearby especially fuels and gases leading to a fire or explosion causing serious affects to workers and communities.
- **Accident due to heavy equipment.** Several working sites (e.g. Fishing ports) may gather many workers and heavy machines (e. g cranes) working in a narrow space for different works. Moving heavy equipment may hit workers working nearby causing injuries.
- **Occupational disease.** Workers working under a condition with noise generating from heavy machines (e.g. Power operators) can be suffered with occupational disease such as deaf.
- **Health risks on infection with COVID-19.** Contamination during infectious disease outbreaks if frequent and proper hygiene practices are not consistently applied (in particular frequent and proper hand hygiene and wearing masks to serve as barriers to human-to-human transmission of virus).
- **Security risks:** such as human trafficking, piracy, armed attacks, explosions...etc. the security measures are outlined in the Security Management Plan (SMP)

The OHS risks can be controllable through providing infrastructure workers, fishers people and fish processors with training on labor safety, sanitation, other preventive actions and adequacy of PPE prior to civil works and fishing practices. Proper working site management of contractors combined with a daily close supervision of IPs on labor safety and strictly periodic E&S monitoring during project implementation can be effective measures to address labor accidents. Information about social diseases such as COVID-19 and prevention methods will be provided to workers through training programs and information disclosure; Regulations, penalties for the violated workers at the site must be developed; The contractor must be closely work with local authorities to manage the number of workers at the construction site. Costs for procuring PPE and other safety measures will be included in the project budget.

6. *TERMS AND CONDITIONS*

The Republic of Yemen has drafted policies and established institutions and responsibilities for Labor management, joined international conventions and developed sector legislation and procedures. The Labor Law (Act No. 5 of 1995) regulates the rights and wages of workers in the private sector, their protection, occupational health, and safety. In addition, Insurance and Wages Law 25/1991 and Social Security Law 26/1991 regulates retirement compensation. The following terms and conditions apply for workers as per the Government of Yemen Labour Laws (in addition to the provisions of ESS2). In case of variations between the national legislations, regulations, UN agencies guidelines and the World Bank Environment and Social Standards, the more stringent provision will be applied.

These provisions will apply for: **Direct workers, contracted workers, and community workers.**

Employment Agreement:

All employers are required to enter into an employment agreement in writing with their employees. Illiterate people will be given a detailed explanation of the agreement before signing. The agreement should include provision on salary, duration of worker's contract, days of leave and rest, weekly hours of work, conditions for severance. Upon signing a contract of employment, a worker may be subject to a probationary period not exceeding six months with the same employer, to be stipulated in the contract. It shall be forbidden to employ a worker on probation more than once for the same job.

Working Hours:

Official working hours shall not exceed eight hours per day or 48 hours per week. Weekly hours of work shall be distributed over six working days followed by one day of rest with full pay. No employee shall be required to work more than 6 (six) consecutive days a week (on a day that is normally a day off or has been agreed as a day off), without being provided with twenty-four consecutive hours of leave. Official working hours during the month of Ramadhan shall not exceed six hours per day or 36 hours per week.

Dismissal:

Employees have a right not to be dismissed unfairly, without cause. The Act provides a list of disciplinary measures that can be taken reasonably against an employee due to misconduct and which must ordinarily be exhausted before any dismissal. It shall be forbidden for an employer to terminate a contract of employment in the following cases:

- During any of the worker's leave.
- During the investigation of a dispute between the employer and the worker, provided that such investigation shall not exceed four months, unless the worker commits another violation which requires his dismissal.
- During the worker's detention by the competent authorities in connection with his work, pending a final decision in the matter.

Wages and deductions:

In the Yemen Labour Code, Article 5 it details that the minimum wage payable to a worker shall not be less than the minimum wage paid by the state administration. The average daily minimum wage of a worker remunerated on the basis of production piece rates shall not be less than the daily minimum wage specified for the occupation or industry concerned. The daily wages of workers not paid on a monthly, weekly or daily basis shall be calculated on the basis of the average wages earned by their counterparts for days effectively worked for the same employer over the past year or during their period of service if less than one year. Employees may be fined for absenteeism from work during official working hours, such fine to be deducted from his/her wages and to be commensurate to the time absent from work. No other fines shall be imposed by the employer on account of absenteeism.

The minimum wage payable to a worker shall be as follows:

- Direct Labour for the IP's staff and Consultant's remuneration is in accordance with the contracts of employment. The monthly remuneration will be set to be in line with level of responsibilities.
- Contracted workers based on daily wages paid by the contractor to be in line with the current market rates paid for skilled, semi-skilled or unskilled labour. The daily rates could differ from one

- governorate to another; hence, it should be equivalent to the wages paid in the specific location.
- Community workers will be paid similar to the contracted workers.

Overtime Work:

Article (50) of the labor law states that employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Wages for overtime work shall be calculated according to the following rates:

- One-and-a-half hours' basic wages per hour of overtime on normal working days.
- Two hours' basic wages per hour of overtime at night, on the day of weekly rest, and on official holidays and leave, in addition to entitlement to standard wages for such holidays.

Direct workers overtime rates are stipulated in the implementing partners internal policy which goes in line with national law regulations. Contracted workers and community workers will be paid based on delivery of specific assignments within a defined time, hence overtime is not relevant. Nevertheless, employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Working hours, whether normal or overtime shall not exceed 12 hours per day.

Women's employment:

The Labor Law (Law 5/1995) states that women are equal to man in all aspects without any discrimination, and that equality should be maintained between women and men workers in recruitment, promotion, wages, training, social insurance. It also regulates work time for pregnant women.

Women shall be equal with men in relation to all conditions of employment and employment rights, duties and relationships, without any discrimination. Women shall also be equal with men in employment, promotion, wages, training and rehabilitation and social insurance. The requirements of job or occupational specifications shall not be considered as discrimination.

It shall be forbidden to assign a woman to overtime work as from the sixth month of her pregnancy and during the first six months following her return to work after maternity leave.

Gender-based Violence (GBV)/Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH):

Yemen ratified the Convention on Elimination of all Forms of Discriminations Against Women (CEDAW) in 1984, and prepared a National Strategy for Women Development in 1997, which was updated in 2015. Implementation of CEDAW is delegated to relevant ministries and authorities (Decree 55/2009). Based on amendments proposed by the Women National Committee, 24 laws were amended to ensure building gender balance in accordance with the convention.

To the extent possible, the project will promote gender equality and the empowerment of women and seek to reduce gender inequalities in access to and control over resources and the benefits of development.

- Sub-projects will ensure that both women and men are able to participate meaningfully and equitably, have equitable access to project resources, and receive comparable social and economic benefits.
- Sub-projects will not discriminate against women or girls or reinforce gender-based discrimination and/or inequalities.
- Sub-projects will ensure precautionary measures are in place to prevent potential exposure of beneficiaries, workers, and affected people to sexual exploitation and abuse.
- Sub-projects will ensure precautionary and control measures are in place to prevent potential exposure of beneficiaries, workers, and affected people to health and safety hazards.
- Sub-projects will ensure that all participants receive information sessions on the CoC.

A key element of the Code of Conduct (CoC) is the sanctions that may be applied if an employee is confirmed as a SEA/SH perpetrator. The sanctions need to be proportional to the violation. These provisions will apply for: **Direct workers, contracted workers, and community workers.** Prior to imposition of sanctions, if a worker raises a credible challenge to alleged violation with the CoC, the worker's employer should place the worker on administrative leave pending a full and fair review to determine the veracity of said allegation(s). Examples of potential sanctions include the following:

- Informal warning;
- Formal warning;
- Additional training;
- Loss of up to one week's salary;
- Suspension of employment (either administrative leave as above or without payment of salary), for a minimum period of one month up to a maximum of six months;
- Termination of employment; and/or,
- Referral to the police or other authorities as warranted.

Moreover, E&S documents should identify the risk of SEA/SH and propose prevention and mitigation measures—particularly through the project ESMP.

Prohibition of Child and Forced Labour

Yemen has ratified ILO Convention Number 138 on Minimum Age for Admission to Employment (Law 7/2001). The Convention establishes a minimum age for admission to employment.

Yemen has also ratified the ILO Convention 182 on the Worst Forms of Child Labor. It refers to child labor as work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school, by obliging them to leave school prematurely; or by requiring them to attempt to combine school attendance with excessively long and heavy work. As the construction activities will involve hazardous work, persons under the age of 18 will not be employed by the project unless to perform light duties, and no child under the age of 14 will be employed in the fishing sector.

Hence documentary evidence (passport, identity card or birth certificate) of all workers prior to involving them on activities of the project, shall be verified.

Occupational Health and Safety

Yemen's Labor Code Chapter IX details the legal framework on Occupational Health and Safety (OHS). In accordance with Article 113 any employer who starts a new enterprise must ensure that it meets occupational safety and health requirements which will be checked by the relevant Ministry.

Article 114 of the Yemen Labor Code lists the various conditions which must be applied to ensure occupational health and safety. In the case of occupational injury, employers are not to deduct the costs related to such injuries from the employee's wages.

Article 114 also addressed the concerns of explosives as follows: The necessary precautions shall be taken against the hazards of excessive light, noise, harmful or dangerous radiation, vibration, variation in atmospheric pressure inside the workplace, including any risk of explosion.

Implementing partners will observe the following rules:

- Workplace health and safety conditions shall be maintained in conformity with occupational safety and health requirements.
- Workplaces shall be properly ventilated and adequately lighted during working hours.
- The necessary precautions shall be taken to protect workers from such damage to their health as may be caused by gas, dust, smoke or any other emissions or waste likely to be discharged.
- The necessary precautions shall be taken to protect workers against the hazards of equipment and machinery, including any risks of collapse.
- The necessary precautions shall be taken against natural hazards and damage, including health, humidity and cold.
- The necessary precautions shall be taken against the hazards of excessive light, noise, and any risk of explosion.
- Easily accessible lavatories and washrooms shall be provided, and separate lavatories and washrooms shall be provided for women workers.
- An adequate and easily accessible supply of drinking water shall be provided for the worker's use.
- The necessary precautions shall be taken to deal with fires and provide fire-fighting equipment, including emergency exits, which shall be maintained in working order at all times.
- Accidents and occupational diseases shall be recorded in a register and notified to UNDP within 24 hours.

The implementing partners shall not deduct any amount from their wages in consideration of:

- The provision of protective devices, equipment and clothing to protect workers from exposure to occupational injuries and diseases;
- Any allowances granted to workers for working in conditions harmful to their health, or any meals provided to them in compliance with occupational safety and health requirements.
- Expenses incurred on account of workers' medical examinations, regular or otherwise, as necessitated by occupational safety and health requirements.
- The provision of first aid equipment at the workplace.

In addition, implementing partners will be required under the Environmental and Social Management Plan (ESMP) to ensure workers will use basic safety gears, receive basic safety training and other preventive

actions as provided in the Project's Environmental and Social Management Framework (ESMF). Nevertheless, implementing partners will have to:

- Ensure that an appropriate level of management and resources are in place to comply with the occupational health and safety requirements,
- Provide visible commitment and leadership to occupational health and safety,
- Identify and evaluates risks and normalizes the activities (rules, instructions, and procedures),
- Analyze all incidents and accidents,
- Evaluate the indicators of OHS performance,
- Carry out the internal audits of OHS MS,
- Evaluate the OHS training requirements,
- Carry out the medical follow-up of the workers after incidents.

COVID-19 specific Occupational Health and Safety

These provisions will apply for: **Direct workers, contracted workers, and community workers.**

- The health conditions of the workers will be assessed prior to engaging them in the Project, and sick workers will be refused entry to the office premises.
- Entry/exit to site or the workplace will be minimized, and measures will be put in place to limit contact between workers and the community/public.
- Trainings for workers on hygiene and other preventative measures will be carried out, and a communication strategy for regular updates on COVID-19.
- Adjustments will be made to work practices to reduce the number of workers and increase social distancing.
- Procedure to follow if a worker becomes sick (following WHO guidelines), will be instituted and followed up.
- Adequate supplies of PPE (masks); hand washing facility, soap and/or alcohol-based sanitizer, will be made available at the office premises/worksites.

7. RESPONSIBLE STAFF

The project will be jointly implemented and managed by the United Nations Development Programme (UNDP) with the involvement of implementing partners (IPs) which include, the Public Works Project (PWP) and Small Micro Enterprise Promotion Service (SMEPS).

- **Engagement and management of project workers**

UNDP will supervise and support the implementing partners (PWP, SMEPS) to carry-out project specific tasks. The implementing partners management is responsible for employing project workers, and to ensure that all labor measures taken at sites where sub-project activities are implemented. UNDP and their implementing partners are responsible to:

1. Apply this labor management procedure to direct workers,
2. Update this Procedure when necessary in the course of preparation, development and implementation of the Project,
3. Maintain records of recruitment and employment process of direct workers,

4. Monitor that occupational health and safety standards are met at workplaces in line with national occupational health and safety legislation,
5. Monitor training of the project workers on OHS,
6. Develop, and implement workers' grievance mechanism and address the grievance received from the direct, contracted and sub-contracted workers, and community workers.
7. Sign a Code of Conduct with all workers.

- **Engagement and management of contractors/subcontractors**

Implementing partners staff in their capacity at head office and branch offices will be responsible for engagement and management of contractors. The field staff are assisted by Supervisory Consultants, and technical engineer, and safeguards focal point in branch for the management of contractors and workers, ensuring compliance and monitoring of activities and providing labor instructions on safety and security. Contractors are also expected to develop their Labor Management Plans based on this LMP. Contractors will be responsible for the following:

1. Ensure that this labor management procedure is applied to contracted workers,
2. Comply with OHS mitigation measures included in the ESMF and this labor management procedure. These measures will apply to contracted and sub-contracted workers,
3. Maintain records of recruitment and employment process of contracted and community workers,
4. Clearly communicate job tasks and employment conditions to contracted and community workers,
5. Have a system for regular review and reporting on labor, and occupational safety and health performance,
6. Deliver regular induction (including social induction) and HSE training to employees.
7. Contractors should also ensure implementation of the workers GRM.

- **Occupational health and safety (OHS)**

Implementing partners will promptly notify the UNDP of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, communities, or workers including exploitation or abuse of vulnerable groups, sexual exploitation and abuse and sexual harassment (SEA/SH), child labor, forced labor, injuries to workers that require off-site medical attention, misuse or spills of pesticides, fatality, among others. They will also provide sufficient detail regarding the incident or accident, indicating immediate measures taken or that are planned to be taken to address it. Subsequently, prepare a report on the incident or accident and propose any measures to prevent its recurrence.

The implementing partners environmental and OHS Focal Point at Head Office is responsible for ensuring compliance with all OHS measures and that an appropriate level of management and resources are in place to comply with the OHS requirements, including fire management, the free distribution of personal protective equipment (PPE) and first aid kits. The monitoring in the field is through the Branch Office managers, Branch Office safeguards focal point and individual site focal point for daily monitoring.

- **Training of workers:**

PWP and SMEPS under the supervision and management of UNDP will ensure to provide training to all their workers, fisher people and female fish processors prior to any site work, on basic ESHS risks associated with the proposed construction works and the workers' responsibility.

Landing site specific ESMPs shall include weekly toolbox meetings at the work sites with a focus on the following themes: child labor; forced labour; gender-based violence, including the mechanism for submitting GBV/SEA complaints; health and safety; compliance with codes of conduct; etc.

Site engineers will provide a weekly or ad-hoc (if and when required) toolbox talks and/or meetings with the construction workers on ESHS risks associated with the construction activities, which have been executed during the past week and for those which are foreseen to be carried out during the next week.

- **Addressing worker grievances**

Workers' complaints will be resolved mainly in the field by the supervisor consultants, technical engineer through the GM procedure, branch office managers and, when necessary, raised to senior management for ensuring fair solution is reached. The project beneficiaries, fisher people and female fish processor will submit their complaints through the GRM challenges to the SMEPS and PWP.

8. *GRIEVANCE MECHANISM (GM)*

A complaint in the GM ensures stakeholders including project's workers and community members can express dissatisfaction about the standard or quality of the Responsible Party's activities. Additionally, it allows identification of any negative and lack of actions taken by either of the Responsible Party or their partners that directly or indirectly cause distress to the affected beneficiary or any other party. The project partners have designated staff with expertise in safeguard, gender, GBV and confidentiality, in addition to the Third Monitor Party (TPM) conducts its quarterly report from the local coastal communities and beneficiaries.

While grievances will be received within the main GM reporting systems of the UNDP, grievances specifically concerning GBV/SEA/SH will be triaged and referred to GBV/SEA/SH specialists for adequate support and redress.

8.1 Project-Level Grievance Mechanism

During the design, construction and implementation of any sub-project, a person or group of people may perceive or experience potential harm, directly or indirectly due to the project activities. The grievances that may arise can be related to social issues such as eligibility criteria and entitlements, disruption of services, temporary or permanent loss of livelihoods and other social and cultural issues. Grievances may also be related to environmental issues such as excessive dust generation, damages to infrastructure due to construction related vibrations or transportation of raw material, noise, traffic congestions, decrease in quality or quantity of private/ public surface/ ground water resources during irrigation rehabilitation, damage to home gardens and agricultural lands, etc.

Should such a situation arise, there must be a mechanism through which affected parties can resolve such issues in a cordial manner with the project personnel in an efficient, unbiased, transparent, timely and

cost-effective manner. To achieve this objective, a Grievance Mechanism has been included in the ESMF and SEP for this project.

The GM will not impede access to judicial or administrative remedies as may be relevant or applicable and will be readily accessible to all stakeholders at no cost and without retribution.

The Grievance Mechanism:

- provides a legitimate process that allows for trust to be built between stakeholder groups and assures stakeholders that their concerns will be assessed in a fair and transparent manner;
- allows simple and streamlined access to the Grievance Mechanism for all stakeholders and provide adequate assistance for those that may have faced barriers in the past to be able to raise their concerns;
- provides clear and known procedures for each stage of the Grievance Mechanism process, and provides clarity on the types of outcomes available to individuals and groups;
- ensures equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is fair, informed and respectful to a concern, complaints and/or grievances;
- provides a transparent approach, by keeping any aggrieved individual/group informed of the progress of their complaint, the information that was used when assessing their complaint and information about the mechanisms that will be used to address it; and
- enables continuous learning and improvements to the Grievance Mechanism. Through continued assessment, the learnings may reduce potential complaints and grievances.

The GM will be gender- and age-inclusive and responsive and address potential access barriers to women, the elderly, the disabled, youth and other potentially marginalized groups as appropriate to the Project. The GM will not impede access to judicial or administrative remedies as may be relevant or applicable and will be readily accessible to all stakeholders at no cost and without retribution.

Information about the Grievance Mechanism and how to make a complaint and/or grievance will be communicated during the stakeholder engagement process and placed at prominent places for the information of the key stakeholders.

GM will be designed in such way that to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate in an independent and objective manner. Every concerned stakeholder will be informed of the grievance mechanism in due time and the measures put in place to protect them against reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all project stakeholders, such as toll-free hotline telephone number, SMS, email and WhatsApp messenger. If complaints can be solved immediately on the spot or at the project level, then staff must be encouraged (and managed) to do so.

A key part of the grievance mechanism is the requirement for the Project Management Team and construction contractor to maintain a register of complaints and/or grievances received at the respective project site offices, this includes grievances from workers. The following information will be recorded:

- time, date and nature of enquiry, concern, complaints and/or grievances;
- type of communication (e.g. telephone, letter, personal contact);
- names contact address and contact number.
- anonymous complaints are also registered, investigated and solved
- response and review undertaken as a result of the enquiry, concern, complaints and/or grievances; and

- actions taken and name of the person taking action.

8.2 Grievance and Informing the Persons

UNDP, in collaboration with the Small Micro Enterprise Promotion Service (SMEPS), and the Public Works Project (PWP) aim to redress the grievances in a short period of time. The grievances of each person shall be evaluated with a fair and objective and approach. In all circumstances, the grievances are followed until all appropriate remedies are tried. The person will be provided with information about the resolution and asked for feedback. Also, anonymous grievances will be addressed in the Project. The grievances related to exploitation of female workers, including sexual harassment and abuse, GBV at the workplace and unfair treatment will be prioritized to take actions.

UNDP will oversee publicizing the GM. Implementing partners should ensure that GRM is explained during stakeholder engagement meetings. IP's should also ensure that leaflets on GRM are distributed during public meetings and made available at subproject sites with contact numbers of the focal person for the GRM. Posters will also be posted.

The Project Manager, Field Coordinator, Safeguard Specialist and Communication Specialist, as appropriate, shall be responsible for taking appropriate action in cases in which there is reason to believe that any right has been violated. All grievances and feedbacks will be handled with a fair and objective approach. Transparency and accessibility are also two main concerns of this redress mechanism. In addition, the number, frequency, topics of grievances and feedbacks will be analyzed and reported periodically to the related units and administrative level. Based on these detailed reports, the most frequently addressed issues are identified, and improvement activities are initiated.

9 Contractor Management

Several services will be provided within the project to achieve project goals and to manage the project activities as appropriate. These services are software development, IT infrastructure development, server and database management, preparing training implementation plan and training documents, online training module development, investment planning, field works such as controlling workers on site, etc.

In the selection process of contractors, various criteria will be specified in tender documents such as previous works completed, previous experience, qualification of contractor's human resources, compliance in health and safety issues, precautions taken on child labor and forced labor employment. The measures to manage the contractor will be added in the contractor clauses in the bidding documents to ensure the legality. The clauses will include the mitigation measures for potential labor risks, the rights and wages of workers, terms and conditions of employment, insurance for workers and third party, gender rights, and grievance management procedures, safety requirements such as emergency plans including agreement with hospitals, contractor's safety supervision staff and PPEs provision. According to the selection criteria, the ones who comply the best will be selected as contractors. The above-mentioned eligibility and liability conditions are applied in the case of public/traditional contractors.

There are some instances in which these above-mentioned eligibility and liability conditions cannot be applied; specifically, for community contracting, which is a secondary implementation modality used by

PWP to maximize the role of communities in managing and implementing specific initiatives. Community contracting involves the target communities, through elected community committees, in planning, implementing and managing development initiatives through community contractors and local suppliers. Therefore, the eligibility conditions for community contractors are less demanding (e.g. there is no condition of having two subprojects' worth of experience and/or financial capability) and the liability is shared between them and the IP, particularly in conducting safeguard training and awareness, recruiting technical staff, enforcing safeguards measures and providing insurance of workers. The budget towards these types of activities and training, etc. needs to be included in all contracts under the project.

During the implementation phase of the services PWP and SEMPS under the supervision and management of UNDP will organize planned and unplanned visits to contractors' offices and/or place where work is being performed. In these visits the progress achieved, health and safety-related issues and child and forced labor employment status will be observed. The site reports will include the KPIs for contractor management and the outputs will be reflected in the monthly reports. In case of non-compliance by the contractors, corrective actions will be taken.

10 Budget estimation for implementing this LMP

UNDP will prepare an annual budget to implement this LMP and to ensure the provision of necessary resources. The budget will include:

- The provision of competent personnel to manage labor issues being aligned with the requirements and commitments.
- Monitoring and reviewing the Projects' LMP regularly.
- Budget for re-training workers.

11 Annex 1: Code of conduct for contractors

مدونة سلوك للمقاول

- انه في يوم الموافق تم جلوس المنطقة الفرعية ممثله
بالمهندس مع مقاول مشروع
..... رقم المشروع وتم توعية المقاول بضرورة
الالتزام بالاتي:
- سيكون المقاولون مسؤولين عن اتباع إجراءات إدارة العمل لضمان الامتثال لتعليمات العمل
بشأن السلامة والأمن. سيكونون مسؤولين عما يلي:
1. الامتثال لتدابير تخفيف المخاطر في خطة الصحة والسلامة المهنية المدرجة مع وثائق العقد.
 2. الاحتفاظ بسجلات العمالة و التأكد من أن عمر جميع العمال ١٨ سنة فما فوق.
 3. تشغيل مالا يقل عن ٥٠% من العمالة من المجتمع المستفيد.
 5. الاستجابة لنظام الشكاوي في المواقع.
 6. التوقيع على مدونة قواعد السلوك من قبل المقاول.
 7. ضمان التزام العمال بقواعد السلوك الخاصة واحترام عادات وتقاليد المجتمع المحلي وعدم التسبب في أي ضرر.
 8. حماية جميع العاملين في الموقع من مخاطر COVID-19.
 9. ضمان مشاركة كل من النساء والرجال في أنشطة المشروع الفرعي دون تمييز و / أو عدم مساواة.
 10. ضمان قيام المقاول بدفع أجور العمال على أساس الأجور اليومية التي تتماشى مع معدلات السوق الحالية المدفوعة للعمالة الماهرة أو شبه الماهرة أو غير الماهرة.
 11. الالتزام بالإبلاغ عن أي حادث في غضون ١٢ ساعة لفروع مشروع الأشغال العامة أو وحدة الحماية البيئية والاجتماعية.
- وعليه فإن المقاول يقر بعلمه التام بكل ما ذكر سابقا والتزامه التام به

توقيع المقاول

13 Annex 3: Environmental and Social Requirements for Contractors

This Annex defines the minimum requirements for environmental, social, health, and safety (ESHS) risk mitigation that each of the entities contracted (the Contractor) by the Project must take into consideration when preparing their company ESMP.

The ESHS requirements will be incorporated in the bidding documents and as technical clauses in contracts.

The ESHS requirements include 10 sections

- 1.** General Provisions
- 2.** ESHS Training
- 3.** Construction Site Management
- 4.** Occupational Health and Safety (OHS)
- 5.** Road safety and Traffic Safety
- 6.** Chance Find Procedures
- 7.** Emergency Preparedness and Response
- 8.** Stakeholder Engagement
- 9.** Labor force management, including the Code of Conduct
- 10.** Contractor Environmental and Social Reporting

General Provisions

Contractor Environmental and Social Management Plan (C-ESMP)

The Contractor shall:

- Prepare and submit to UNDP for approval a Contractor Environmental and Social plan and Social Management Plan (C-ESMP)
- Include in the C-ESMP a detailed explanation of how the Contractor's performance will meet the ESHS requirements
- Ensure that sufficient funds are budgeted to meet the ESHS requirements, and that sufficient capacity is in place to oversee, monitor and report on C-ESMP performance
- Put in place controls and procedures to manage their ESHS performance
- Get prior written approval from UNDP before it can start its activities

The C-ESMP will be a contractual document that will serve as a reference during the monitoring and evaluation of the environmental and social performance of the Contractor.

Compliance with Laws, Regulations, and National Standards

The Company and its subcontractors must:

- Know, respect and apply the laws, regulations and standards in force in Yemen relating to the environment, as well as social, health and safety aspects
- Assume full responsibility for any claim related to an activity under their control that does not comply with these laws, regulations, or standards

Environmental, Social, Health and Safety Manager

The Contractor shall:

- Include in the C-ESMP an organization chart of the personnel assigned to environmental and social management
- Designate an ESHS Manager who will ensure that ESHS requirements are rigorously followed by all and at all levels of execution by its contracted workers

Contractual Obligations

The Contractor shall:

- Remedy any defect, failure, or non-performance of ESHS requirements that is duly notified to it in writing by the delegated project owner
- Assume the costs associated with any delay or interruption of the work, as well as any additional work resulting from non-compliance with ESHS requirements. In the event of failure to perform the remedial work, UNDP may have it performed by a company of its choice, at the expense of the defaulter.
- Failure to comply with ESHS requirements, duly noted by UNDP, may be grounds for termination of the contract.
- A Contractor that has been terminated for failure to comply with ESHS requirements may be subject to sanctions up to and including suspension of the right to bid for a period determined by UNDP, with a reduction in the price and a freeze on the holdback.
- Failure by the Contractor to comply with one or more ESHS requirements may expose it to refusal of provisional or final acceptance of the work by UNDP. The execution of each environmental and social measure may be the subject of a partial acceptance.

The Contractor's obligations with respect to ESHS requirements run until final acceptance of the contracted activity, which will only be given by UNDP after all the measures required by the ESHS requirements have been met.

ESHS Training

The Contractor shall

- Determine ESHS training needs in collaboration with UNDP
- Maintain records of all ESHS training, orientation, and induction.

- Ensure, through appropriate contract specifications and monitoring that service providers, as well as contracted and subcontracted labor, are trained adequately before assignments begin.
- Demonstrate that its employees are competent to carry out their activities and duties safely. For this purpose, the Contractor shall issue a Competence Certificate for every person working on site (relative to trade and aspect of work assignment) that specifies which tasks can be undertaken by which key personnel.

Orientation Training

The Contractor shall:

- Provide ESHS orientation training to all employees, including management, supervisors, and workers, as well as to subcontractors, so that they are apprised of the basic site rules of work at/on the site and of personal protection and preventing injury to fellow employees.
- Training should consist of basic hazard awareness, site-specific hazards, safe work practices, and emergency procedures for fire, evacuation, and natural disaster, as appropriate. Any site-specific hazard or color coding in use should be thoroughly reviewed as part of orientation training.

Visitor Orientation

The Contractor shall:

- Establish an orientation program for visitors, including vendors, that could access areas where hazardous conditions or substances may be present.
- Visitors shall not enter hazard areas unescorted.
- Ensure that visitors shall always be accompanied by an authorized member of the contractor, or a representative of UNDP or of its Implementing Partners, who has successfully fulfilled the ESHS orientation training, and who is familiar with the project site construction hazards, layout, and restricted working areas.

New Task Employee and Contractor Training

The Contractor shall:

- Ensure that all workers and subcontractors, prior to commencement of new assignments, have received adequate training and information enabling them to understand work hazards and to protect their health from hazardous ambient factors that may be present. The training should adequately cover the step-by-step process that is needed for Project activities to be undertaken safely, with minimum harm to the environment, including:
 - Knowledge of materials, equipment, and tools
 - Known hazards in the operations and how they are controlled
 - Potential risks to health
 - Precautions to prevent exposure
 - Hygiene requirements
 - Wearing and use of protective equipment and clothing
 - Appropriate response to operation extremes, incidents and accidents

Construction Site Management

Vegetation

The Contractor shall:

- Prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the vicinity of the construction site
- Protect all trees and vegetation from damage by construction operations and equipment, except where clearing is required for permanent works, approved construction roads, or excavation operations
- Revegetate damaged areas on completion of the Works, and for areas that cannot be revegetated, scarifying the work area to a condition that will facilitate natural revegetation, provide for proper drainage, and prevent erosion
- Avoid planting trees within 4 meters of rights of way (ROW)
- Use, as much as possible, endemic species for replanting, species that are not listed as a noxious weed, and species with minimal water demands
- Repair, replant, reseed or otherwise correct, as directed by UNDP or its IP's, and at the Contractor's own expense, all unnecessary destruction, scarring, damage, or defacing of the landscape resulting from the Contractors operations
- Transport labor and equipment in a manner to avoid as much as possible damage to grazing land, crops, and property

Protection of the Existing Installations

The Contractor shall:

- Safeguard all existing buildings, structures, works, pipes, cables, sewers, or other services or installations from harm, disturbance or deterioration during construction activities
- Coordinate with local authorities to identify existing infrastructure that might not be visible
- Repair any damage caused by the Contractor's activities, in coordination with concerned authorities.
- Take all reasonable precautions to prevent or reduce any disturbance or inconvenience to the owners, tenants or occupiers of properties to the construction activities, and more generally to the public
- Maintain safe access to public and private properties that might be affected by construction activities. If necessary, provide acceptable alternative means of passage or access to the satisfaction of the persons affected.
- Provide alternative water supply systems in the event that existing systems are displaced or temporary shutdown because of the works, to ensure that inhabitants' water needs are met
- Avoid working during night hours

Waste from Construction Activities

The Contractor shall:

- Collect and properly manage all solid wastes resulting from the construction activities, including construction debris and spoils, to prevent the contamination of soil and groundwater
- Remove unneeded excavation material from construction sites as soon as possible
- Agree with relevant municipalities about construction waste disposal
- Carefully select waste disposal sites, to be approved by UNDP or its Implementing Partner
- Minimize littering of roads by ensuring that vehicles are licensed and loaded in such a manner as to prevent falling off or spilling of construction materials, and by sheeting the sides and tops of all vehicles carrying mud, sand, other materials or debris
- Transfer construction waste to assigned places in the selected waste disposal sites with documented confirmation.
- Properly dispose of solid waste and debris at designated permitted sites waste disposal sites allocated by the local authorities, and obtain a receipt of waste from the authorized landfill authority.

Air Quality

The most common pollutant involved in fugitive emissions is dust or particulate matter (PM) that is released during the transport and open storage of solid materials, and from exposed soil surfaces, including unpaved roads. Accordingly, the Contractor shall:

- Use dust control methods, such as covers, water suppression, or increased moisture content for open materials storage piles, or controls, including air extraction and treatment through a baghouse or cyclone for material handling sources, such as conveyors and bins;
- Use water suppression for control of loose materials on paved or unpaved road surfaces. Oil and oil by-products are not a recommended method to control road dust.
- Use wheel washes at quarries, ready-mix plants, construction sites, and other facilities to prevent track-out of mud, dust and dirt on to public road.
- Regularly clean road surfaces within the construction sites to remove accumulated fine material, and regularly clean transportation vehicles.
- Cover open bodied trucks handling sand, gravel or earth.
- Minimize smoke from diesel engines by regular and proper maintenance, in particular by ensuring that the engine, injection system and air cleaners are in good condition.

Hazardous and Toxic Materials

Toxic and deleterious wastes resulting from the Contractor's activities require special attention in order to forestall their introduction into the natural environment which could result in harm to people, aquatic life or natural growth of the area. Accordingly, the Contractor shall:

- Train workers regarding the handling of hazardous materials

- Label using easily understandable symbols, and provide material safety data sheets, for chemical substances and mixtures according to the Globally Harmonized System (GHS) of classification and labelling of chemicals.
- Store hazardous materials as per the statutory provisions of the Manufactures, Storage and Import of Hazardous Chemicals Rules (1989), under the Environment (Protection) Act, 1986.
- Provide adequate secondary containment for fuel storage tanks and for the temporary storage of other fluids such as lubricating oils and hydraulic fluids,
- Use impervious surfaces for refueling areas and other fluid transfer areas
- Train workers on the correct transfer and handling of fuels and chemicals and the response to spills
- Provide portable spill containment and cleanup equipment on site and training in the equipment deployment
- Deposit or discharge toxic liquids, chemicals, fuels, lubricants and bitumen into containers for salvage or subsequent removal to off-site locations.
- Treat hazardous waste separately from other waste
- Avoid the storage or handling of toxic liquid adjacent to or draining into drainage facilities.
- Keep absorbent materials or compounds on Site in sufficient quantities corresponding to the extent of possible spills.
- Locate landfill pits for the disposal of solid waste at least 100 m from water courses, and fencing them off from local populations.
- Ensure adequate primary treatment of sanitation effluents and installing septic tanks away from village watering points.

Area Signage

The Contractor shall:

- Appropriately mark hazardous areas.
- Install warning signs
- Ensure that signage is in accordance with international standards and is well known to, and easily understood by workers, visitors and the general public as appropriate.
- Demarcate work sites with safety tape, fencing or barricades, as appropriate, to prevent unauthorized access to the construction sites
- Safeguard public safety by covering holes and by installing guardrails along temporary pathways.

Borrow Pits and Quarries

Materials required for site fill, backfill or the construction of permanent works that are not available from the surface will be obtained from borrow areas and quarries that the Contractor will identify, subject to approval by the UNDP or its Implementing Partners.

The Contractor shall adhere to the following standards when siting, developing, operating, and reinstating borrow pits and quarries:

- Obtain all necessary permits for borrow pits and quarry operations.
- Locate quarry sites as far away from settlements as possible. Quarry operations will produce noise and dust that will impact on nearby inhabitants even if controls are imposed.
- Fence and secure quarry sites. Steep quarry faces are a hazard to people and livestock.
- Locate borrow pits and quarries at least 100 m from watercourses or human habitations.
- Avoid all use of explosives for stones quarrying
- Locate, to the extent possible, borrow pits on land that is not used for cultivation and is not wooded.
- Avoid areas of local historical or cultural interest and locate pits more than 25 m of grave sites.
- Hide, to the extent possible, pits from the road. Quarries and borrow pits should be designed to minimize visible scarring of the landscape.
- Develop a borrow pits and quarry management plan, including a plan to reinstate borrow pits and quarry sites as closely as possible to their original state

In addition, the Contractor shall:

- Ensure that the material for roadbeds will reduce the risk of landslides, particularly in very steep terrain.
- Aggregates for road construction are widely found and sands and gavel are generally found in abundance. Shortages of either rock or gravel materials are therefore likely to be very localized.

Location of Worker Camps

The Contractor shall:

- Consult and negotiate with local stakeholders before proposing a location for its camps.
- Submit the proposed locations to UNDP or IP's for approval, including a justification for their location, as well proposed measures to mitigate the environmental and social risks and impacts around the camp and to enhance social benefits.

Decommissioning of Camps, Worksites and Plant

The Contractor shall:

- Clear construction sites of any equipment or waste, and ensuring that the sites are free from contamination.
- Dispose of or recycle any equipment or waste in an appropriate and environmentally sound manner.
- Hand construction sites over to the original owners, taking into account his/her wishes and national legislation.

Occupational Health and Safety

Contractors will collaborate with other contractors in applying health and safety requirements, when workers from more than one contractor are working together in one location, without prejudice to the responsibility of each party for the health and safety of its own workers.

Severe Weather and Facility Shutdown

The Contractor shall:

- Design and build work place structures to withstand the expected elements for the region and designate an area designated for safe refuge, if appropriate.
- Develop Standard Operating Procedures (SOPs) for project or process shut-down, including an evacuation plan.

Lavatories and Showers

The Contractor shall:

- Provide adequate lavatory facilities (toilets and washing areas) for the number of people expected to work at the construction sites, and make allowances for segregated facilities, or for indicating whether the toilet facility is “In Use” or “Vacant”.
- Provide toilet facilities with adequate supplies of hot and cold running water, soap, and hand drying devices.
- Where workers may be exposed to substances poisonous by ingestion and skin contamination may occur, provide facilities for showering and changing into and out of street and work clothes.

Potable Water Supply

The Contractor shall:

- Provide adequate supplies of potable drinking water from a fountain with an upward jet or with a sanitary means of collecting the water for the purposes of drinking
- Ensure that water supplied to areas of food preparation or for the purpose of personal hygiene (washing or bathing) meets drinking water quality standards

Clean Eating Area

The Contractor shall:

- Where there is potential for exposure to substances poisonous by ingestion, make suitable arrangements to provide clean eating areas where workers are not exposed to the hazardous or noxious substances

Personal Protective Equipment (PPE)

The Contractor shall:

- Identify and provide at no cost appropriate PPE to workers, the workers of subcontractors, as well as to visitors, which gives adequate protection without incurring unnecessary inconvenience to the individual

- Ensure that the use of PPE is compulsory.
- Provide sufficient training in the use, storage and maintenance of PPE to its workers and workers of its subcontractors.
- Properly maintain PPE, including cleaning when dirty and replacement when damaged or worn out;
- Determine requirements for standard and/or task-specific PPE based on of Job specific Safety Analysis (JSA);
- Consider the use of PPE as a last resort when it comes to hazard control and prevention, and always refer to the hierarchy of hazard controls when planning a safety process.

Noise

The Contractor shall institute appropriate measures to reduce the exposure of workers to construction noise, including but not limited to:

- Avoid exposure to a noise level greater than 85 dB(A) for a duration of more than 8 hours per day without hearing protection. In addition, no unprotected ear should be exposed to a peak sound pressure level (instantaneous) of more than 140 dB(C).
- Enforce the use of hearing protection should be enforced actively when the equivalent sound level over 8 hours reaches 85 dB(A), the peak sound levels reach 140 dB(C), or the average maximum sound level reaches 110 dB(A).
- Provide hearing protective devices capable of reducing sound levels at the ear to at most 85 dB(A).
- Reduce the “allowed” exposure period or duration by 50 percent for every 3 dB(A) increase in excess of 85 dB(A).
- Perform periodic medical hearing checks on workers exposed to high noise levels.
- Rotate staff to limit individual exposure to high levels.
- Install practical acoustical attenuation on construction equipment, such as mufflers.
 - Use silenced air compressors and power generators
 - Keep all machinery in good condition
 - Install exhaust silencing equipment on bulldozers, compactors, crane, dump trucks, excavators, graders, loaders, scrapers and shovels.
- Post signs in all area where the sound pressure level exceeds 85 dB(A).
- Shut down equipment when not directly in use
- Provide advance notice to occupants if an activity involving high level impact noise is in close proximity to buildings.

Slips and Falls

Slips and falls on the same elevation associated with poor housekeeping, such as excessive waste debris, loose construction materials, liquid spills, and uncontrolled use of electrical cords and ropes on the ground, are also among the most frequent cause of lost time accidents at construction and decommissioning sites.

To prevent slips and falls from, or on, the same elevation, the Contractor shall

- Implementing good house-keeping practices, such as the sorting and placing loose construction materials or demolition debris in established areas away from foot paths
- Clean up excessive waste debris and liquid spills regularly
- Locate electrical cords and ropes in common areas and marked corridors
- Ensure that workers use slip retardant footwear

Working at Heights

The contractor shall implement fall prevention and protection measures whenever a worker is exposed to the hazard of falling more than two meters, or through an opening in a work surface. Fall prevention / protection measures may include:

- Installation of guardrails with mid-rails and toe boards at the edge of any fall hazard area
- Proper use of ladders and scaffolds by trained employees
- Use of fall prevention devices, including safety belt and lanyard travel limiting devices to prevent access to fall hazard area, or fall protection devices such as full body harnesses used in conjunction with shock absorbing lanyards or selfretracting inertial fall arrest devices attached to fixed anchor point or horizontal life-lines
- Appropriate training in use, serviceability, and integrity of the necessary PPE
- Inclusion of rescue and/or recovery plans, and equipment to respond to workers after an arrested fall

Struck By Objects

The Contractor shall:

- Use a designated and restricted waste drop or discharge zones, and/or a chute for safe movement of wastes from upper to lower levels
- Conduct sawing, cutting, grinding, sanding, chipping or chiseling with proper guards and anchoring as applicable
- Maintain clear traffic ways to avoid driving of heavy equipment over loose scrap
- Use temporary fall protection measures in scaffolds and out edges of elevated work surfaces, such as hand rails and toe boards to prevent materials from being dislodged
- As necessary, require workers to wear appropriate PPE, such as safety glasses with side shields, face shields, hard hats, and safety shoes

Welding/Hot Work

The contractor shall:

- Provide proper eye protection such as welder goggles and/or a full-face eye shield for all personnel involved in, or assisting, welding operations. Additional methods may include the use of welding barrier screens around the specific work station (a solid piece of light metal, canvas, or plywood)

First Aid and Accidents

The Contractor shall:

- Ensure that qualified first-aid by qualified personnel is always available. Appropriately equipped first-aid stations should be easily accessible throughout the place of work.
- Provide workers with rescue and first-aid duties with dedicated training so as not to inadvertently aggravate exposures and health hazards to themselves or their co-workers. Training would include the risks of becoming infected with blood-borne pathogens through contact with bodily fluids and tissue.
- Provide eye-wash stations and/or emergency showers close to all workstations where immediate flushing with water is the recommended first-aid response.
- Provide dedicated and appropriately equipped first-aid room(s) where the scale of work or the type of activity being carried out so requires.
- Equip first aid stations and rooms with gloves, gowns, and masks for protection against direct contact with blood and other body fluids.
- Make widely available written emergency procedures for dealing with cases of trauma or serious illness, including procedures for transferring patient care to an appropriate medical facility.
- Immediately report all accidental occurrences with serious accident potential such as major equipment failures, contact with high-voltage lines, exposure to hazardous materials, slides, or cave-ins to UNDP or IP's.
- Immediately investigate any serious or fatal injury or disease caused by the progress of work by the Contractor, and submit a comprehensive report to UNDP and IP's.

Communicable Diseases

Sexually-transmitted diseases (STDs), such as HIV/AIDS, are the communicable diseases of most concern because of labor mobility. Recognizing that no single measure is likely to be effective in the long term, the Contractor shall implement a combination of behavioral and environmental modifications to mitigate communicable diseases:

- Provide treatment through standard case management in on-site or community health care facilities.
- Ensure ready access to medical treatment, confidentiality and appropriate care, particularly with respect to migrant workers.
- Promote collaboration with local authorities to enhance access of workers families and the community to public health services and ensure the immunization of workers against common and locally prevalent diseases.
- Provide basic education on the conditions that allow the spread of other diseases such as COVID-19, Lassa Fever, Cholera and Ebola. The training should cover sanitary hygiene education.
- Prevent illness in immediate local communities by:
 - Training health workers in disease treatment

- Conducting immunization programs for workers in local communities to improve health and guard against infection
- Providing health services

COVID-19²

In the context of the COVID-19 pandemic, Contractors shall develop and implement measures to prevent or minimize an outbreak of COVID-19, and develop procedures indicating what should be done if a worker gets sick. The Contractor shall:

- Assess the characteristics of the workforce, including those with underlying health issues or who may be otherwise at risk
- Confirm that workers are fit for work, including temperature testing and refusing entry to sick workers
- Consider ways to minimize entry/exit to site or the workplace, and limit contact between workers and the community/general public
- Train workers on hygiene and other preventative measures, and implement a communication strategy for regular updates on COVID-19 related issues and the status of affected workers
- Treat workers who are or should be self-isolating and/or are displaying symptoms
- Assess risks to continuity of supplies of medicine, water, fuel, food and PPE, taking into account international, national and local supply chains
- Reduce, store and dispose of medical waste
- Adjust work practices to reduce the number of workers and increase social distancing
- Expand health facilities on-site compared to usual levels, develop relationships with local health care facilities and organize for the treatment of sick workers
- Build worker accommodations further apart, or have one worker accommodation in a more isolated area, which may be easily converted to quarantine and treatment facilities, if needed
- Establish a procedure to follow if a worker becomes sick (following WHO guidelines)
- Implement a communication strategy with the community, community leaders and local government in relation to COVID-19 issues on the site.

Vector-Borne Diseases

Reducing the impact of vector-borne disease on the long-term health of workers is best accomplished by implementing diverse interventions aimed at eliminating the factors that lead to disease. The Contractor, in close collaboration with community health authorities, shall implement an integrated control strategy for mosquito and other arthropod-borne diseases that includes the following measures:

- Prevent of larval and adult propagation through sanitary improvements and elimination of breeding habitats close to human settlements
- Eliminate unusable impounded water
- Increase water velocity in natural and artificial channels

² Based on the World Bank COVID-19 LMP Template, April 16, 2020

- Consider the application of residual insecticide to dormitory walls
- Implement integrated vector control programs
- Promote the use of repellents, clothing, netting, and other barriers to prevent insect bites
- Use chemoprophylaxis drugs by non-immune workers and collaborating with public health officials to help eradicate disease reservoirs
- Monitor and treat circulating and migrating populations to prevent disease reservoir spread
- Collaborate and exchange in-kind services with other control programs in the project area to maximize beneficial effects
- Educate project personnel and area residents on risks, prevention, and available treatment
- Monitor communities during high-risk seasons to detect and treat cases
- Distribute appropriate education materials
- Follow safety guidelines for the storage, transport, and distribution of pesticides to minimize the potential for misuse, spills, and accidental human exposure

Road safety and Traffic Safety

The Contractor shall ensure traffic safety by all project personnel during displacement to and from the workplace, and during the operation of project equipment on private or public roads. The Contractor shall adopt best transport safety practices across all aspects of project operations with the goal of preventing traffic accidents and minimizing injuries suffered by project personnel and the public, including:

- Emphasize safety aspects among drivers
- Improve driving skills and requiring licensing of drivers
- Institute defensive driving training for all drivers prior to starting their job
- Adopt limits for trip duration and arranging driver rosters to avoid overtiredness
- Avoid dangerous routes and times of day to reduce the risk of accidents
- Use speed control devices (governors) on trucks, and remote monitoring of driver actions
- Require that drivers and co-passengers wear seatbelts, and duly sanction defaulters.
- Regularly maintain vehicles and use manufacturer approved parts to minimize potentially serious accidents caused by equipment malfunction or premature failure.

Where the project may contribute to significant changes in traffic along existing roads the Contractor shall:

- Commence activities that affect public motorways and highways, only after all traffic safety measures necessitated by the activities are fully operational.
- Arrange diversions for providing alternative routes for transport and/or pedestrians
- Minimize pedestrian interaction with construction vehicles, particularly at crossing points to schools, markets, and any animal crossing points of significance, through appropriate signage, engineered footpaths or traffic slowing devices.
- Organize meaningful road accident awareness events at all roadside schools and communities within 150 meters of the road centerline, covering safe road crossing, road accident hazards

from weather conditions and vehicle roadworthiness, overloading and driver alertness, dangers posed by parked and broken-down vehicles, etc.

- Collaborate with local communities and responsible authorities to improve signage, visibility and overall safety of roads, particularly along stretches located near schools or other locations where children may be present.
- Collaborate with local communities on education about traffic and pedestrian safety (e.g., school education campaigns).
- Coordinate with emergency responders to ensure that appropriate first aid is provided to all affected persons in the event of accidents.
- Use locally sourced materials, whenever possible, to minimize transport distances, and locate associated facilities such as worker camps close to project sites.
- Employ safe traffic control measures, including road signs, traffic cones, removable barriers, and flag persons to warn of dangerous conditions.

Chance Find Procedure³

The Contractor shall:

- Develop and adopt a Chance Find Procedure that outlines the actions to be taken if previously unknown cultural heritage is encountered, including:
 - determine whether cultural heritage is expected to be found, either during construction or operations
 - train construction crews and supervisors to spot potential archaeological finds
 - keep records and ensure expert verification
 - provide chain of custody instructions for movable finds
 - notify the Department of Archaeology at the Ministry of Culture or a local university, for quick assessment and action
 - define clear criteria for potential temporary work stoppages required for rapid disposition of issues related to the finds.
- Avoid indirect damage to existing cultural heritage, such as affecting masonry through vibration

Emergency Preparedness and Response

The Contractor shall:

- Establish and maintain an emergency preparedness and response system, in collaboration with appropriate and relevant third parties including to cover: (i) the contingencies that could affect personnel and facilities of the project to be financed; (ii) the need to protect the health and safety of project workers; (iii) the need to protect the health and safety of the Affected Communities. The emergency preparedness and response system shall include:
 - Identification of the emergency scenarios
 - Specific emergency response procedures
 - Training of emergency response teams
 - Emergency contacts and communication systems/protocols (including communication with Affected Communities when necessary)
 - Procedures for interaction with government authorities (emergency, health, environmental

³ Particular care must be taken when opening or operating quarries

- authorities)
- Permanently stationed emergency equipment and facilities (e.g., first aid stations, firefighting equipment, spill response equipment, personal protection equipment for the emergency response teams)
- Protocols for the use of the emergency equipment and facilities
- Clear identification of evacuation routes and muster points
- Emergency drills and their periodicity based on assigned emergency levels or tiers
- Decontamination procedures and means to proceed with urgent remedial measures to contain, limit and reduce pollution within the physical boundaries of the project property and assets to the extent possible.

Stakeholder Engagement

As part of the overall Project Stakeholder Engagement⁴, the Contractor will undertake a process of stakeholder engagement with representative persons and communities directly affected by the activities it undertakes, including, if necessary, the public disclosure of its C-ESMP. The Contractor shall also maintain throughout the Project good relations with local communities and will give these communities prior notice of plans and schedules as they might affect local people.

The stakeholder engagement process will also be applicable in the event of land acquisition associated with changes in the footprint of activities.

Labour Force Management

Labour Influx

The Contractor shall:

- Establish worker camps when accommodation supply is insufficient for workers, including subcontractors and associated support staff
- Locate worker camps away from environmentally sensitive areas
- Build additional/separate roads to project and workers' camp sites
- Organize the commute from camp to project to reduce traffic
- Ensure workers' camp and associated facilities are connected to a septic tank or other wastewater systems that are appropriate and of sufficient capacity for the number of workers and local conditions
- Avoid contamination of fresh water sources
- Provide opportunities for workers to regularly return to their families
- Provide opportunities for workers to take advantage of entertainment opportunities away from rural host communities
- Ensure that children and minors are not employed directly or indirectly on the project, and keep registration and proof of age for all employees on-site.
- Pay adequate salaries for workers to reduce incentive for theft
- Pay salaries into workers' bank accounts rather than in cash

⁴ The overall process of stakeholder engagement is described in the Project Stakeholder Engagement Plan (SEP)

- Get an appropriate mix of locally and non- locally procured goods to allow local project benefits while reducing risk of crowding out of and price hikes for local consumers
- Create supervised leisure areas in workers' camp;
- Establish substance abuse prevention and management programs
- Hire workers through recruitment offices, and avoid hiring "at the gate" to discourage spontaneous influx of job seekers
- Identify authorized water supply source and prohibiting use from other community sources;
- Separate service providers for community and workers' camp/construction site;
- Put in place measures to reduce water and electricity consumption;
- Employ locals to the extent possible;
- Develop and adopt a Gender Action Plan to promote the transfer of construction skills to local women, to facilitate their employment at the Project site, including training and recruitment targets.

Labor Conditions

The Contractor shall:

- Implement the measures and commitments defined in the Project Labor Management Procedures.
- Provide all workers with terms and conditions that comply with Yemeni Labor Legislation, most particularly Decree 5/1995) and applicable International Labour Organization conventions on workplace conditions.
- Put in place workplace processes for project workers to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health. Project workers who remove themselves from such situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removal.
- Avoid all forms of forced or compulsory labor, i.e., all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.

Insurance

The Contractor shall:

- Protect the health of workers involved in onsite activities, as indicated in Chapter X of Yemen's Labor Code
- Compensate any employee for death or injury

Grievance Mechanism for Workers

The Contractor shall put in place a Grievance Mechanism for its workers and the workers of its subcontractors that is proportionate to its workforce. The GM for workers shall be distinct from the Project level Grievance Mechanism described in the Project Stakeholder Engagement Plan (SEP) for affected individuals and communities, and shall adhere to the following principles:

- *Provision of information.* All workers should be informed about the grievance mechanism at the time they are hired, and details about how it operates should be easily available, for example, included in worker documentation or on notice boards.
- *Transparency of the process.* Workers must know to whom they can turn in the event of a grievance and the support and sources of advice that are available to them. All line and senior managers must be familiar with their organization's grievance procedure.
- *Keeping it up to date.* The process should be regularly reviewed and kept up to date, for example, by referencing any new statutory guidelines, changes in contracts or representation.
- *Confidentiality.* The process should ensure that a complaint is dealt with confidentially. While procedures may specify that complaints should first be made to the workers' line manager, there should also be the option of raising a grievance first with an alternative manager, for example, a human resource (personnel) manager.
- *Non-retribution.* Procedures should guarantee that any worker raising a complaint will not be subject to any reprisal.
- *Reasonable timescales.* Procedures should allow for time to investigate grievances fully, but should aim for swift resolutions. The longer a grievance is allowed to continue, the harder it can be for both sides to get back to normal afterwards. Time limits should be set for each stage of the process, for example, a maximum time between a grievance being raised and the setting up of a meeting to investigate it.
- *Right of appeal.* A worker should have the right to appeal to the World Bank or national courts if he or she is not happy with the initial finding.
- *Right to be accompanied.* In any meetings or hearings, the worker should have the right to be accompanied by a colleague, friend or union representative.
- *Keeping records.* Written records should be kept at all stages. The initial complaint should be in writing, if possible, along with the response, notes of any meetings and the findings and the reasons for the findings. Any records on SEA shall be registered separately and under the strictest confidentiality.
- *Relationship with collective agreements.* Grievance procedures should be consistent with any collective agreements.
- *Relationship with regulation.* Grievance processes should be compliant with the national employment code.

Protection from Sexual Exploitation and Abuse

The Contractor shall:

- Provide repeated training and awareness raising to the workforce about refraining from unacceptable conduct toward local community members, specifically women

- Inform workers about national laws that make sexual harassment and gender-based violence a punishable offence which is prosecuted
- Prohibit its employees from exchanging any money, goods, services, or other things of value, for sexual favors or activities, or from engaging any sexual activities that are exploitive or degrading to any person.
- Develop a system to capture gender-based violence, sexual exploitation and workplace sexual harassment related complaints/issues.
- Adopt a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence.

Protection from Child Labor

The Contractor shall:

- Verify that workers are older than 18 when hiring
- Exclude all persons under the age of 18.
- Review and retain copies of verifiable documentation concerning the age of workers

Contractor Environmental and Social Reporting

*The Contractor shall report major work-related incidents, accidents or loss of life to UNDP or the relevant Implementing Partner **within 24 hours** of their occurrence.*

The Contractor shall monitor, keep records and report on the following environmental and social issues:

- *Safety:* hours worked, lost time injury (LTI), lost workdays, recordable incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, and so forth).
- *Environmental incidents and near misses:* environmental incidents and high potential near misses and how they have been addressed, what is outstanding, and lessons learned.
- *Major works:* those undertaken and completed, progress against project schedule, and key work fronts (work areas).
- *ESHS requirements:* noncompliance incidents with permits and national law (legal noncompliance), project commitments, or other ESHS requirements.
- *ESHS inspections and audits:* by the Contractor, UNDP and its Implementing Partners, or others—to include date, inspector or auditor name, sites visited and records reviewed, major findings, and actions taken.
- *Workers:* list of workers at each site, confirmation of ESHS training, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child labor is involved, and skill level (unskilled, skilled, supervisory, professional, management).
- *Training on ESHS issues:* including dates, number of trainees, and topics.
- *Footprint management:* details of any work outside boundaries or major off-site impacts caused by ongoing construction—to include date, location, impacts, and actions taken.

- *External stakeholder engagement*: highlights, including formal and informal meetings, and information disclosure and dissemination—to include a breakdown of women and men consulted and themes coming from various stakeholder groups, including vulnerable groups (e.g., disabled, elderly, children, etc.).
- *Details of any security risks*: details of risks the Contractor may be exposed to while performing its work—the threats may come from third parties external to the project.
- *Worker grievances*: details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken—grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.
- *External stakeholder grievances*: grievance and date submitted, action(s) taken and date(s), resolution (if any) and date, and follow-up yet to be taken—grievances listed should include those received since the preceding report and those that were unresolved at the time of that report. Grievance data should be gender-disaggregated.
- Major changes to Contractors environmental and social practices.
- *Deficiency and performance management*: actions taken in response to previous notices of deficiency or observations regarding ESHS performance and/or plans for actions to be taken should continue to be reported to UNDP until it determines the issue is resolved satisfactorily.