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THE UNITED REPUBLIC OF TANZANIA

PRESIDENT'S OFFICE - REGIONAL ADMINISTRATION AND LOCAL GOVERNMENT (PO-RALG)

TANZANIARURAL AND URBAN ROADS AGENCY (TARURA)

AND

TANZANIA NATIONAL ROAD AGENCY (TANROADS)

LABOR MANAGEMENT PROCEDURES

FOR

ROADS FOR INCLUSION AND SOCIAL ECONOMIC OPPORTUNITIES PROGRAM (RISE) - P164920

JANUARY, 2021

EXECUTIVE SUMMARY

Labour Management Procedures involve the policies, rules, regulations, procedures and competencies which govern and regulate workforce (skilled, semi-skilled and unskilled) in an organization/agency. The community expects government to have in place systems designed to best ensure workers are able to participate in employment safely. Laws are enacted to regulate the management of work-place risks; to investigate incidents of workplace death or injury; and to prosecute or otherwise address non-compliance.

The Roads for Inclusion and Social Economic Opportunities Program (RISE) is expected to utilize the Government and Contracted Human Resources. To enrich the RISE Program benefits, the Government of Tanzania through the RISE Program implementing Agencies (TARURA and TANROADS) recognizes the necessity of provision of safe and healthy working conditions, sound worker-management relationships, fair treatment of workers, and promotion of gender equality and protection of women from Gender-Based Violence (GBV).

The RISE Program intends to improve rural road access for population in selected rural areas and build capacity in the sustainable management of rural roads incorporating community engagement approaches.

The RISE Program has four (4) components:

- Component 1: Rural Road Development and Maintenance
- Component 2: Institutional Strengthening and Human Capital Development
- Component 3: Community Engagement; Inclusion and Protection
- Component 4: Contingency Emergency Response (CERC)

In accordance with the National Law and Environmental and Social Standard - 2 (ESS2) of the World Banks Environmental and Social Framework (ESF), TARURA and TANROADS, developed the Labour Management Procedures (LMP) that will be used to identify main labour requirements and risks associated with the program as well as determine the resources necessary to address RISE Program's labour issues. This LMP is a living document, initiated during program preparation, and is reviewed and updated throughout development and implementation of the RISE Program.

This LMP has been purposely prepared to:- promote Safety and Health at Work sites; promote fair treatment, non-discrimination and equal opportunity of project workers; protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with ESS2) and migrant workers, contracted workers and primary supply workers, as appropriate; prevent the use of all forms of forced Labour and Child Labour; support the principles of freedom of association and collective bargaining of project workers in a manner consistent with National Labour Laws, regulations and ESS2; and provide a Grievance Redress Mechanism for project workers to raise their concerns.

For the implementation of the RISE Program, work-force to be involved include: direct workers, contracted workers as well as migrant workers. Assurance to good labour and working conditions for all persons whom will be engaged in the implementation of the RISE Program is of high priority for TARURA and TANROADS. The LMP will have to be implemented by all parties

engaged in the RISE Program implementation. The identified potential labour risks include safety and health hazards (eg. accidents and injuries), likely incidences of child labour, labour influx, risks of Gender Based Violence and likely incidences of new HIV/AIDS infections.

To promote best practices, to raise the efficiency and to answer to social and environmental requirements, the RISE Program considered the Tanzanian legal and regulatory requirements, World Bank (WB) as well as the ILO policies and standards on Labour management. From the local legal framework this LMP rely on the Tanzania Employment and Labour Relations Act (2004) and Labour Institutions Act (subsidiary legislations) and accompanying regulations for the safeguard of worker's management and rights. Furthermore, the Act regulates employment matters in terms of employment standards. Meanwhile, the Occupational Health and Safety Act No.5 of 2003 (Part IV Section 43 Safety Provision; Part V Section 54, 55 and 58 Health and Welfare Provisions; Part VI Section 61 (1a), 63(a,b), and 65 Special Provision of the Act), describing procedures for the protection of safety, health and welfare of persons other than workers in places of work. On the other hand the WB Environmental and Social Framework (ESF), Environmental and Social Standard 2 (ESS 2) provide a clear guidance on labour and working conditions. The ILO labour Standards to which Tanzania is a party include: Article no.29 (forced labour convention); Article no. 87 (Freedom of association and protection and the right to organize Convention); Article no. 98 (right to organise and collective bargaining convention); Article no. 100 (equal remuneration convention); Article no. 105 (abolition of forced labour convention; Article no. 111 Discrimination (Employment and Occupation) Convention; Article no. 138 (Minimum age Convention); and Article no. 182 (Worst forms of Child Labour Convention).

The RISE implementing Agencies will require contractors to have a grievance redress mechanism for their work force including sub-contractors as well as the general communities to address workplace and community concerns. For the case of road maintenance activities where no contractor will be involved, there will be labour dispute resolution focal person within the PIU who will be taking care of all grievances.

The grievances can be raised anonymously and reviewed in one week intervals followed by initiation of corrective action within two days for grievances with high importance. In case the worker's dispute could not be resolved by the contractor's GRM, there will be an avenue for worker's to present their disputes to the Grievance Committees of the RISE program at TARURA's and TANROADS Regional Coordinator's office then to the PIU. Specific provisions will be included for complaints related to Sexual Exploitation and Abuse (SEA) that could be derived from the project to ensure the survivor's confidentiality and rights. The RISE Program's grievance mechanism will not prevent workers from using the dispute procedures provided in part VIII of the Employment and Labour Relations Act of 2004.

LMP is necessary indispensable as it helps to explain the labour and working condition issues and how they impact workers as well as the community. The RISE Program implementing agencies will assist safe working conditions; prevent or minimize corruption, misconduct and maladministration during the program implementation.

In response to ESS 10, consultations with relevant stakeholders have been conducted during the preparation of the ESMF and other framework documents (e.g. SEP, VGPF, LMP, RPF, ESCP). The borrower organized several public consulting workshops at regional and national levels to

guide the preparation and disclose the six (6) framework documents. Table ES-1 below shows a list of consultations conducted during preparation of RISE and ESF framework documents:

Table ES-1: List of Consultations during RISE preparation

No	Consultation title	Location	Number of attendees	Date
1	The National Stakeholders Workshop.	Dodoma Region	73	January 09th 2020
2	National VGPF - specific Stakeholders Consultation.	Dodoma Region	5	January 21st, 2020
3	Regional VGPF - specific Stakeholders Consultation.	Morogoro, Dar es salaam & Dodoma	16	February 07th to 11th 2020
4	Regional Stakeholders Consultation – Iringa.	Iringa Region	05	March 10th 2020
5	The National Webinar Stakeholders Forum.	Virtual	11	April 02nd 2020
6	Regional Stakeholders Consultation – Lindi.	Lindi Region	20	January 05th 2021
7	Regional Stakeholders Consultation – Tanga.	Tanga Region	34	January 05th 2021
8	Regional Stakeholders Consultation – Geita.	Geita Region	33	January 08th 2021
9	The National Webinar Stakeholders Forum.	Virtually	23	January 13th 2021

Details of the respective consultations for ESF documents can be found in Annex I of the RISE's SEP. Feedbacks from the consulting workshop have been incorporated into the various framework documents, respectively.

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LIST OF ACRONYMS

CBRM	Community Based Routine Maintenance
CERC	Contingency Emergency Response
CoC	Code of Conduct
ELRA	Employment and Labour
E&S team	Environmental and Social Team
ERP	Emergency Response Plan
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
ESS2	Environmental and Social Standard – 2
FIR	Functional and Institutional Review
GBV	Gender-Based Violence
GRM	Grievance Redress Mechanism
HSMP	Health and Safety Management Plan
IEC	Information Communication and Education
LMP	Labour Management Plan
M&E	Monitoring and Evaluation
MOWTC	Ministry of Works, Transport and Communication
OHS	Occupational Health and Safety
PIU	Project Implementing Unit
PMU	Procurement Management Unit
PO-RALG	President's Office – Regional Administration and Local Governments
PPEs	Personal Protection Equipment
PPRA	Public Procurement Regulatory Authority
RISE	Roads for Inclusion and Social Economic Opportunities Program
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
TANROADS	Tanzania National Roads
TARURA	Tanzania Rural and Urban Roads Agency
TMP	Traffic Management Plan
WB	World Bank

1. THE LABOUR MANAGEMENT PROCEDURES FOR THE ROADS TO INCLUSION AND SOCIAL ECONOMIC OPPORTUNITIES PROGRAM

The delivery of the Roads for Inclusion and Social Economic Opportunities Program (RISE) is expected to utilize the Government, Private and Community Human Resources which are available at National, Regional, District and Community Levels. The Government of Tanzania through the RISE Program implementing Agencies (TANROADS and TARURA) recognizes that provision of safe and healthy working conditions, sound worker-management relationships, fair treatment of workers, and promotion of gender equality and protection of women from Gender-Based Violence (GBV) enriches the RISE Program benefits. In accordance with the National Law and Environmental and Social Standard - 2 (ESS2), Project Implementing Agencies (TARURA and TANROADS) develop Labour Management Procedures (LMP). LMP will be used to identify main labour requirements and risks associated with the program as well as determine the resources necessary to address RISE Program's labour issues. This is a living document initiated during program preparation, and is reviewed and updated throughout development and implementation of the RISE Program. The objectives of the LMP include:

- To promote Safety and Health at Work sites;
- To promote fair treatment, non-discrimination and equal opportunity of project workers;
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- To prevent the use of all forms of forced Labour and Child Labour;
- To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with National Labour Laws, regulations and ESS2;
- To provide a Grievance Redress Mechanism for project workers to raise their concerns.

1.1 OVERVIEW OF THE ROADS FOR INCLUSION AND SOCIAL ECONOMIC OPPORTUNITIES PROGRAM

The RISE Program to be financed by the World Bank involves road infrastructure interventions to improve rural accessibility and connectivity, institutional strengthening, capacity building (mainly for TARURA), and project management and monitoring. The development objective(s) of the RISE is **"improve rural road access and provide employment opportunities for population in selected rural areas and build capacity in the sustainable management of rural roads incorporating community engagement approaches**".

.Improved road access is one of the necessary conditions for inclusion and socioeconomic opportunities. However, the current state of the road network in Tanzania hampers socioeconomic development and access to services for the rural population. Roads connect people to social, education, health and financial services, labor markets and economic opportunities. Furthermore, incorporating community engagement and gender-balanced approaches in road building projects, may leverage social inclusion while reducing GBV.

The RISE Program therefore is aimed at addressing some of the urgent challenges in the rural roads sector in Tanzania. It also aims at strengthening the capacity of rural roads sector management institutions for the sustainable management of the rural road network with a specific emphasis on strengthening the recently created TARURA and supporting the preparation of a national rural roads program.

The project has FOUR components as discussed below:

(a) Component 1: Rural Road Development and Maintenance (USD332 million; IDA-USD282 million; GOT – USD 50 million): This component would comprise four mutually reinforcing infrastructure subcomponents to physically improve rural road access and generate rural employment, as well as a fifth subcomponent covering project management, monitoring and evaluation related activities. The component scope includes the development of rural roads (regional and rural district), bottleneck improvements of rural district roads, the development of community-based sustainable maintenance practices for rural district roads and project management, monitoring and evaluation. It is divided into *five subcomponents:*

Subcomponent 1a: Regional Roads Upgrades (USD110 million) - This subcomponent will support upgrading or rehabilitation of regional roads (approximately 170 km) in the six rural districts of Kilolo DC, Iringa DC and Mufindi DC in Iringa region, Ruangwa DC in Lindi, Handeni DC in Tanga and Mbogwe DC in Geita , to ensure all-season access. These roads will be improved to a bitumen paved standard, as justified from economic, social, and environmental viewpoints. This subcomponent will be implemented by TANROADS.

Subcomponent 1b*:* District Roads Upgrades (USD131 million) - This subcomponent will support upgrading or rehabilitation of rural district roads (approximately 400 km) to ensure all season access. These roads will be improved to a paved standard using cost-effective surfacing technologies (e.g. Otta-Seal), as justified from economic, social, and environmental viewpoints. Roads for upgrading will be selected from the rural road network of six districts across four regions: Handeni DC in Tanga, Mbogwe DC in Geita, Ruangwa DC in Lindi, and Iringa DC, Mufindi DC and Kilolo DC in Iringa. The subcomponent will include pre-investment studies for future rural district road investments across the country. This subcomponent will be implemented by TARURA.

Subcomponent 1c: District Roads Bottleneck Improvements (US$ 27.5 million) - The subcomponent will support the removal of bottlenecks (e.g. resiliency improvements, minor rehabilitation/upgrades, etc.) of rural district roads (up to 4,500 km) The geographical coverage for the bottleneck improvement interventions will be across the rural districts in all Tanzanian regions except for Dar es Salaam. This subcomponent will be implemented by TARURA.

Subcomponent 1d: Community-based Routine Maintenance (USD56 million) - The subcomponent will support routine maintenance activities (23,000 km by Program completion) of rural district roads in 25 regions of Tanzania mainland (Dar Es Salaam excluded). Local communities will be involved in the routine road

maintenance activities through different models for CBRM. Any road that will be upgraded through Subcomponent 1b will be maintained with CBRM to support sustainability of the assets. This subcomponent will be implemented by TARURA.

Subcomponent 1e: Project Management, Monitoring and Evaluation (USD7.5 million) - This subcomponent will support strengthening of TARURA's institutional capacity for successful coordination and implementation of the program. This will include incremental administrative costs for the program delivery (including staff, audits, trainings and knowledge exchanges, and other goods and materials necessary for project management); operational support (including consulting and advisory services) for project management; ICT and office equipment; project audits; and all activities associated with program monitoring and evaluation and impact evaluation.

(b) Component 2: Institutional Strengthening and Human Capital Development (USD15 million): The component will support building capacity in the sustainable management of rural roads in Tanzania. The component will primarily focus on TARURA but will also include selected support to other institutions including TANROADS, the MoWTC, and PO-RALG. This component will endeavor to strengthen, equip and capacitate TARURA to achieve its objectives and deliver its functions in a modernized and sustainable way; and to lay out a groundwork for a robust planning and policy framework for delivery of its mandate in the medium and long term with a special focus on engagement, inclusion and protection of the communities it serves.

The component will have four subcomponents:

***Subcomponent 2a*: Rural Road Sector Policy Framework (USD1.5 million) -** This subcomponent will assist the GoT with the review, development and updating of policies and strategies relevant to the sustainable management of the rural road subsector. This includes activities and studies associated with the development and implementation of a National Rural Roads Plan and Program and associated policies and strategies and a climate change resilience strategy and action plan for the Tanzania road sector. It will also provide support to selected institutional strengthening activities in PO-RALG and the MoWTC, and it will support the design of a shared facilities and services strategy for TARURA and TANROADS and the identification of training needs for the road construction sector.

Subcomponent 2b: **Institutional and Administrative Strengthening (USD5.2 million) -** This subcomponent will support TARURA's institutional and administrative strengthening activities to accelerate TARURA becoming an efficient service delivery institution and assist in maximizing its value to the communities. This includes activities that will lead to the development of organization and human resource (HR) and business plans addressing all functional areas and the implementation of these plans, including a functional and institutional review (FIR), internal policies and procedures, systems, digitalization, associated training, and equipment.

Subcomponent 2c: **Technical Strengthening (USD5.0 million) -** The subcomponent will support the development and implementation of technical

strengthening and capacity-building activities for modernized technical rural road asset management systems and processes (planning, design, development, operations, and maintenance) with strong attention to climate resilience.

Subcomponent 2d: **Road Safety Development (USD3.3 million) -** The subcomponent will support a multidimensional approach to strengthen Tanzania's transport sector capacity for rural road safety management. This will be accomplished through road safety institutional strengthening, inputs to road safety policy framework enhancement, road safety data management system strengthening, and capacity-building activities for road safety.

(c) Component 3: Community Engagement, Inclusion and Protection (USD3 million; IDA-USD3 million; GOT – USD 0 million): This cross-cutting component will leverage the impacts of other components by providing institutional strengthening to TARURA (and TANROADS when applicable) to proactively engage communities by increasing their participation and decision making, especially for women and implementing approaches that will ensure social inclusion and protection while contributing to mitigate and respond to potential social risks derived by the program such as gender-based violence (GBV), health related outbreaks such as COVID-19, HIV/AIDS, and occupational health and safety (OHS). The component will be managed by TARURA but with involvement of TANROADS, the MoWTC, or PO-RALG, as applicable.

The component has three subcomponents:

Subcomponent 3a: **Community Engagement**. This subcomponent supports activities linked to the design and implementation of proactive policies and activities to involve communities in the program design and monitoring, including targeting low-income women and other groups in a situation of vulnerability and technical activities to institutionalize the people-centered design approach for rural road development;

Subcomponent 3b: **Community Inclusion**. This subcomponent will support the design and implementation of a national model for CBRM for TARURA, with particular emphasis on the participation of low-income women and other groups in a situation of vulnerability; and

Subcomponent 3c: **Community Protection**. This subcomponent finances activities to tackle potentially sensitive community and social risks, specifically GBV risks, including SEA, sexual harassment in the workplace, and infectious diseases such as COVID-19 and HIV/AIDS that can arise from the presence of the program in the intervened areas.

(d) Component 4: Contingency Emergency Response (CERC) (USD0 million): This component will allow for reallocation of credit proceeds from Component 1to provide immediate emergency recovery support following an eligible crisis or emergency. An Emergency Response Manual (ERM) was developed during preparation in coordination with TARURA, TANROADS, and the Prime Minister's Office - Disaster Management Department, considering the fiduciary, safeguards, and monitoring and reporting, and other necessary coordination and implementation arrangements.

2. ANTICIPATED LABOR USE IN THE PROJECT

This LMP applies to all RISE Program workers whether full-time, part-time, temporary, seasonal or migrant workers. As per ESS2 this LMP is relevant, to the RISE Program in the following manner:

1) People employed or engaged directly by RISE Implementing Agencies (TARURA and TANROADS) to work specifically in relation to the Program;

2) People employed or engaged by Contractors to perform work related to core functions of the Program, regardless of location;

3) People employed or engaged by RISE Implementing Agencies' Primary Suppliers.

2.1 Number of Program Workers

The precise number of project workers who will be employed by the various sub-projects is not yet known. Most workers will be employed by contractors. Tender documents to select the design and construction contractors for the first-generation projects are still in the process of preparation. The RISE Program is estimated to employ about 10,110 different types of workers i.e. skilled, semi-skilled and unskilled. Table 1 below shows an estimated overview of the whole program workers. To prepare this estimate, the program referred to a tender document for a 10km road upgrade from gravel to bitumen standard to establish the number of contractor's and consultant's workers (all referred to as contractors in the subsequent sections of the LMP) that would be required to deliver the RISE program.

For the routine maintenance works, community groups will be contracted under different procurement and administrative modalities based on the extension of the road network and the availability of community groups and labor-based contractors already registered in Contractors Registration Board (CRB).

The PIU is formed by the TARURA and TANROADS staffs to be the key actors of the program's implementation with assistance from experts from outside TARURA and TANROADS when necessary. It is formed with a combination of different professionals like the Project Coordinator; Project engineers; Monitoring and Evaluation (M&E); Environmental, Social and Safety staffs; Procurement Management Unit (PMU), Accountants, Drivers and Secretaries.

With reference to the RISE program methodology, it is estimated that, about 570km of rural roads will be upgraded to paved standard (400km district rural roads for TARURA and about 170km regional rural roads for TANROADS). Furthermore, 4,500km bottleneck improvements; 23,000km of rural districts roads will receive routine maintanance with community - based approaches; and creation of about 35,000 construction jobs per year.

The skilled labour for the contractor should at least be 10% of all workers, making all RISE contractors to have about 2,880 employees. However, the RISE program will have 576 skilled consultants, 6,000 CBRM workers and 600 service providers (indirect workers). Table 1 below summarizes the number of workers that will be involved in the program:

Table 1: Estimated Number of RISE Program's Workers

Workers Type	Total number of Workers	Skilled Workers	Semi-skilled Workers	Unskilled Workers	Type of Job or Skills
Direct workers: TARURA&TANROADS Project Implementing Unit (PIU)	54	54	NA	NA	Technical (Skilled)
Contracted Workers: (i) Consultant's Staff	576	576	NA	NA	Technical Staff: Project Manager (Resident Engineer), Engineers, Environmental and Social Experts
(ii) Contractor's Staff	2,880	288	864	1,726	• Skilled (Project Mangers, Engineers, Environmental and Social Experts) (10%) • Semi-skilled (30%) • Unskilled (60%)
Contracted Community groups: (TARURA'S Rural Roads Maintenance)	6,000	NA	600	5,400	• Semi-skilled (600 = 10%) • Unskilled (5400 =90%)

2.2 Characteristics of Project Workers

Description of the Program workers is explained in Table 1 above. However, the Program will recruit and manage project personnel in full accordance with the Tanzania Employment and Labour Relations Act of 2004, the Occupational Health and Safety Act, 2003, Law of the Child Act of 2009, the Public Procurement Act Cap 410 (as amended in 2016) and Regulation 30c of Public Procurement Regulation of 2013 (as amended in 2016), and Guidelines for Participation of Special Groups in Public Procurement of 2017; as well as the World Bank's Environmental and Social Framework on employment, labour and local content within construction sector mentioned in the ESS2. At this stage, the anticipated labour can be categorized into the following three levels of expertise and the project will not use community labour in any of the interventions:

- Skilled labour – technical personnel with advanced specialist training (e.g. consulting professionals, administrators). Majority of skilled labour should be nationals with few internationals;
- Semi-skilled labour – ancillary staff with relevant vocational training (e.g. drivers, security). This should preferably be nationals and local to the project site; and
- Basic labour (unskilled) – casual labourers for incidental manual work requiring little to no specialist training (e.g., field guides, vehicle breakdown servicemen). This should be locals.

However, RISE Program will ensure national workers are given priority in terms of employment. International workers will be employed only where skills are not available among nationals. Members of vulnerable groups (Female, youth and people with disabilities) will be given priority where possible as prescribed by the Guidelines for Participation of Special Groups in Public Procurement of 2017. Employment of child labour will be strictly forbidden.

2.2.1 Direct Workers

Implementation of the RISE Program will mainly use Civil Servants working with the RISE program Implementing Agencies (TARURA and TANROADS) found at Headquarters, Regional Offices and TARURA District Council Offices. Further, the RISE Program may necessitate the utilization of "experts" who will be recruited on contractual basis and deployed to in order to strengthen efficient service delivery of program Implementing Agencies (TARURA and TANROADS). During the implementation of the program, the RISE Program will conduct an analysis of recruitment, retention and promotion barriers for women to become Civil Servants working for RISE and will define a Gender Policy and Gender Action Plan to define concrete actions to address those gaps. Direct workers will be managed by TARURA and TANROADs as required under the law and in compliance with the ESS 2.

Timing of Labour Requirements

Civil servants who have been assigned to coordinate the program will be expected to work on full-time basis throughout the program while the rest of the team will be expected to render their duties whenever need arises. "Experts" working on contractual basis are expected to work full-time for the project during their tenure of office.

2.2.2 Contracted Workers:

RISE Program will employ consultants, contractors, subcontractors and support staff. Contracted workers will be guided by specific contractual agreements between them and the Tanzanian Government through the RISE Program Implementing Agencies (TARURA and TANROADS) as well as World Bank's ESS2. Contracted workers will be hired to conduct design, environmental and social studies and civil works. The RISE Program will link with universities to identify a potential supply of women students that can apply to these positions. An analysis on the barriers and facilitators for women to participate in construction and CBRM will be developed to inform a Gender Action Plan to promote women's participation in maintenance work, as potentially construction activities.

Timing of labour requirements

Contracted workers will be engaged either under long term period of not less than 12 months (12 months/1 year and above), and short-term period of not more than six months (0 to 6 months). Contract renewal will base on performance and the labour requirement. Moreover, the time schedule and deliverables will be stipulated in their respective contracts. Short-term Contracted workers, on the other hand, will be engaged on fixed number of days depending on the type and amount of work.

2.2.3 Migrant Workers:

It is likely that migrant workers (nationals but from neighbouring villages or other parts of Tanzania) and/or international workers will be engaged under the RISE Program. In the event that locals seek employment, local leaders will be involved to prioritize local villagers residing within project areas.

Timing of Labour Requirements

The migrant workers (both national and international) will be attracted during the construction phase. Out of each 100 workers, the RISE sub-projects will employ up to 10 international, up to 25 national but from neighbouring villages or other parts of the country , and up to 65 local-local workers.

3. ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

3.1 Project Activities

Substantial use of labour is mostly anticipated to arise from implementation of projects under the RISE Program. The type of activities to be supported includes:

- Construction /rehabilitation of Regional roads
- Construction /rehabilitation of District roads
- Maintenance of Regional roads
- Maintenance of District roads
- Construction /rehabilitation of drainage structures such as bridges, culverts, drifts, check dams and mitre drains
- Excavation of side drain ditches
- Concrete works
- Bush clearing/ grass cutting
- Afforestation - both tree planting and regeneration
- Land Resources Conservation including erosion control activities

3.2 Potential project labour related risks

Potential labor risks associated with the RISE Program activities include safety and health hazards, accidents and injuries, HIV/AIDS, incidents of child labour, labor influx and gender-based violence, specifically sexual exploitation and abuse (SEA) and sexual harassment in the work place.

a) Labour influx:

Labour influx is known to happen in road upgrade and maintenance projects in Tanzania especially for large scale infrastructure development. Even though there may be movement of people in search for employment, this is expected to be minimal due to the nature and scale of the envisioned sub-projects. It is also planned that most of the workforce, about 65%, will be sourced from projects neighbouring villages. Where the required skill is not available, advertisements and recruitment of workers will be held at district and regional headquarters of participating regions to reduce the risks of labour influx. Employment will also be discouraged at worksites and gates of construction camps. Contracted firms under RISE will be expected to have in place Hiring Procedures clearly indicating: (i) how advertisement of vacancies will be done; (ii) locations of recruitment of workers within the district where the projects are to be

implemented; (iii) guidelines to ensure that most of the workers are recruited within the project host communities; (iv) codes of conduct for the human resources personnel; (v) mitigation measures to manage labour attracted by the project. This will be monitored by the supervising engineers.

b) Accident and injuries (Safety and Health Hazards):

The RISE sub-project implementation will entail working with cutting equipment; quarry sites and borrow areas where there may be blasting; areas with high level of noise such as compaction; manual handling; excavation works; working in heights (even though minimal); and heavy machinery. These works pose occupational hazards that may result in accidents and injuries. The RISE program has therefore prepared an Environmental Management Framework (ESMF) that will guide the assessment of risks and preparation of Environmental Social Management Plans (ESMPs) for the sub-projects. These ESMPs will form part of bidding documents for contractors and will therefore guide the preparation of Site-Specific Environmental Health and Safety Management plans which will detail how these risks will be managed for each of the sub-projects and each worksite for review and clearance by the implementing agencies.

c) Gender Based Violence/Sexual exploitation and abuse (GBV/SEA) and sexual harassment:

Prevalence of Gender Based Violence in Tanzania is estimated to be at 40%. There have been cases of sexual exploitation within construction worksites and thus this risk may present itself in the RISE subprojects. Women who seek employment in all employment categories (direct workers, contracted workers) may also face sexual harassment including demands for sexual favours before being employed. To address these, Tanzania has put in place laws and regulations and gender desks in various police stations. For the RISE program, an assessment has been conducted in the pilot areas of Iringa to map available services to survivors of GBV/SEA who may partner with sub-projects to offer any required help as required, this will be carried out for other regions. The projects contractors will also prepare GBV Action plan to be reviewed and cleared by TARURA/TANROADS will detail the provisions in Table 2. In addition, sub-component 3c of the RISE program on community protection is also focusing on GBV/SEA in the entire program and areas of its implementation and will aid in mitigation of these risks.

d) Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome (HIV/AIDS):

HIV/AIDs prevalence varies across regions in Mainland Tanzania, ranging from 11.4% in Njombe and 11.3% in Iringa to less than 1% in Lindi. In Minland Tanzania HIV/AIDS prevalence rates are: (i) Morogoro 4.2%; (ii) Njombe 11.4%; (iii) Mbeya 9.3%; (iv) Songwe 5.8%; (v) Katavi 5.9%; (vi) Rukwa 4.4%; (vii)Iringa 11.3%; (viii) Lindi 0.3%; (ix) Pwani 5.5%; (x) Tanga 5.0% (xi) Mtwara 2.0%; (xii) Ruvuma 5.6%; (xiii) Geita 5.0%; (xiv) Simiyu 3.9%; (xv) Mwanza 7.2%; (xvi) Shinyanga 5.9%; (xvii) Kagera 6.5%; (xviii) Manyara 2.3%; (xix) Arusha 1.9%; (xx) Dodoma 5.0%; (xxi) Kilimanjaro 2.6%; (xxii) Tabora 5.1%; (xxiii) Mara 3.6%; (xxiv) Singida 3.6%; and (xxv) Kigoma 2.9%.

Construction activities attract workers, both national or international, and services to support the project workforce. Most of the construction workers are mostly unaccompanied male who may therefore attract transactional sex workers in the project areas and also increase cases of sexual contact with local population creating a risk of spread of HIV/AIDS and other sexually transmitted infections. The project will include in the bidding documents and bills of quantities requirements contractors to engage a local non-governmental organization working in the field of HIV/AIDS to: sensitize the local communities and workers on HIV/AIDS; distribute condoms; provide Information and Education Materials (IEC) on HIV/AIDS; offer pre and post counselling and voluntary free testing services to the workforce.

e) Child labour:

In most areas of construction child labour has soared due to their vulnerability caused by poor livelihood conditions of their parents. Child labour is not expected in direct workers (Project implementation teams) or in those contracted to undertake consulting or facilitation services as these sectors are not associated with the presence of child labour. It might take place under contractor or its sub-contractors supporting the CBRM. Tanzania has elaborate laws, Employment and Labour Relations Act (2004), prescribing minimum employment age at 18years, and this will guide the project implementation. The contractors will be required to ensure certification of laborers' age and removal of under-age (using National Identification Card, Voters Registration Card, Birth Certificate or affidavit of birth in employment of workers and preparation and implementation of a child protection policy. This will be monitored by the TARURA and TANROADS Environment and Social Specialists through the Supervision Engineers for the sub-projects. In addition, the project will require the contractors to present/develop child labor policies for approval of the supervision engineer's social specialist and implement them.
These potential risks will be assessed by undertaking site specific risk and hazard assessments as part of the Environmental and Social Impact Assessments. Mitigation measures for the identified risks will be prepared as per ESS2 and incorporated into the project's ESMP. Table 2 below presents possible mitigation measures for the RISE Program/Project's potential risks:

Table 2: Potential Labour Risks and Mitigation Measures

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
Accident and injuries (safety and health hazards)	All site workers (Skilled, Semi-Skilled and Manual workers)	High	The supervision engineer to ensure: • Each active work site to have an OSHA trained and certified first-aider; • Developing and implementing Emergency Response Plan (ERP) for each of the sub-project; • Installation of warning signs and barricades appropriately at all active worksites; • Labourers to be provided with appropriate PPEs to site workers and visitors; • Code of Conducts to prescribe that wearing protective gears is mandatory; • Provision of well stocked first aid kits and first aid training to all site workers; • Contractor shall develop, adopt and sensitize all site workers on Standard Operating Procedures guiding working in heights, lifting operations, driving under the projects, excavations, hazardous materials, machines and maintenance, health and hygiene (as applicable to the sub- project); • Pre and post placement medical examination to be conducted for all workers, only workers fit for the roles to be hired.

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
Likely incidents of child labour)	CBRM contractors and sub-contractors	High	• Provision of employment to member of household from where a child come from to maintain the income brought in by the child; • All vacancy advertisements should clearly prescribe that child labour is not permitted and persons to be employed must meet the minimum age as prescribed in Employment and Labour Relations Act (ELRA) of 2004 • Sensitize beneficiaries on negative impacts of child labour; • Certification of laborers' age and removal of under-age (using National Identification Card, Voters Registration Card, Birth Certificate or affidavit of birth in employment of workers); • Ensure on compliance with the ELRA 2004 • Ensure that contractors have and implement a Child Labour Policy to deter employment and abuse of children in the project.
Labor influx	Semi-Skilled Manual workers	High	• Provision of employment for local community members will be a priority; • Contractor to develop and implement Hiring Procedures aiming at reducing labour influx reviewed and found acceptable to the implementing agencies; • Contractors and sub-contractors to use of local leaders on • recruitment of manual/unskilled; workers; • Ensure that recruitment for semi-skilledheadquarters of participating regions and not in the villages; • Advertisement on labour recruitment including messages that preference for local employment to be placed on notice board; • Supervision consultant to ensure that the contractor avoids hiring at the gate; • Provide equal employment opportunities for both youth, women, men and disabled; • Preparation, implementation and enforcement of Code of conducts by the contractor; • Trainings for workers on their obligations under the Code of Conduct;

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
			• Contractor to have a GBV Action Plan, including a Response and Accountability Mechanism; • Provision of workers accommodation where necessary to reduce impacts of to be considered.
Risks of gender-based violence risks including Sexual Exploitation and Abuse (SEA), sexual harassment in workplace	Program workers (Skilled, Semi-Skilled and Manual workers)	Substantial	• Awareness raising within the local community and labour force on • sexual exploitation and abuse and avenues to report such cases if they arise; • Economic empowerment through provision of equal employment opportunities for both youth, women, men and disabled • Training all construction workers and stakeholders on SEA and sexual harassment responsibilities related to the CoC and consequence for none compliance, ahead of any project related works. • Development of policies/contractual requirements related to SEA, including investigation and disciplinary procedures. • Refer all GBV/SEA cases to the programs referral system or partner agency for action.
HIV/AIDS	Program workers (Skilled, Semi-Skilled and Manual workers)	High	• Sensitization on HIV/AIDS infection, causes and prevention; • Pre and Post Counseling on HIV/AIDS; • Sensitization on the proper use of ARVs; • Provision of condoms to project workforce; • Economic empowerment through provision of equal employment opportunities for both youth, women, men and disabled; • Provision of Information Education and Communication Materials (IEC) such as posters and fliers with information on HIV/AIDS.

The health and safety risks to which the project workers may be exposed from each type of projects will be assessed, as well as the ability to prevent or eliminate such risks or, if the risk cannot be prevented or eliminated, measures to protect project workers from exposure will be explored.

4. BRIEF OVERVIEW OF LABOUR LEGISLATION: TERMS AND CONDITIONS

In Tanzania the Employment and Labour Relations Act (2004) and Labour Institutions Act (subsidiary legislations) and accompanying regulations provide a legal framework for the safeguard of worker's management and rights. The most relevant subsidiary legislations include:

- The Employment and Labour Relations (Code of Good Practice) Rules, 2007, Government Gazette, Notice No. 42 of 2007
- The Employment and Labour Relations (Forms) Rules, 2007, Government Gazette, Notice No 65 of 2007
- The Employment and Labour Relations (General) Regulations, 2017, Government Notice 47 of 2017

This Act regulate employment matters in terms of employment standards i.e. maximum hours of work, minimum acceptable pay within the construction industry, night work standards, right to break during working day, leave and fair terminations, prohibition of child labor, prohibition of forced labor, freedom of association, leave provisions – annual, sick and holidays, dispute resolution/ grievance management, contractual arrangements, terms and working conditions and prohibition of discriminations.

ELRA covers the entire scope of the minimum terms as follows:

- Working hours: employee may work for nine (9) hours inclusive of a one (1) hour meal break per work day; forty-five (45) hours a week; and a maximum of six (6) days a week.
- Overtime hours: are to be paid at a rate of one and one half (1 ½) times the employee's wage for any hours worked over a standard work day (9 hours inclusive of a 1 hour meal break)/week (45 hours). Employees are prohibited from working more than fifty (50) hours of overtime over a four-week cycle. Overtime is not to exceed ten (10) hours a week.
- Total hours: Workers may work twelve hours in a day, however, this must not exceed the forty-five (45) hour limit of working hours a week. Tanzanian law limits work to twelve (12) working hours per day, inclusive of ordinary and overtime working hours. Employees are entitled receive pay for all public holidays. When employees are obligated

to work on a public holiday, the worker is entitled to double their basic wage for each hour worked.

- Night work: are to be compensated at least five percent (5%) of their basic wage or overtime wage for each hour worked at night. However, some categories of workers are prohibited from night work including pregnant workers two months before delivery, mothers two months after delivery, children under the age of eighteen (18) and anyone medically certified as unfit for night work.

- Rest Periods: employees are entitled to a sixty (60) minute break over a five (5) hour period of consecutive work. Employers must allow workers to have a daily rest of up to twelve (12) hours between ending and commencing work; and a weekly rest of up to twenty-four (24) hours.

- Deductions: An employer is not authorized to make deductions from an employee's salary unless permissible by law, contractually agreed to, or court ordered.

- Leave: Annual leave (28 days inclusive of public holidays), sick leave (126 days in a 36 month cycle), maternity (84 days in a 36 month cycle), and paternity leave (3 days) and compassionate Leave (Family Responsibility Leave usually 4 days). However, other types of leave may be negotiated through collective bargaining and documented.

- Termination: Both parties to a contract have the right to terminate employment. The Employment Act requires that all forms of termination be documented in writing and adequate period of notice be given prior to terminating employment.

Terms such as prohibition of forced labor, prohibition of child labor, prohibition of discriminations and maximum hours of work also applies to community workers. The legislation requirements presented in the Tanzania Employment and Labour Relations Act (2004) conform to guidance provided in WB Environmental and Social Framework (ESF) and Environmental and Social Standard 2 (ESS 2).

5. BRIEF OVERVIEW OF LABOUR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

The Occupational Health and Safety Act No.5 of 2003, have relevant clauses that support ESS2. Part IV Section 43 Safety Provision; Part V Section 54, 55 and 58 Health and Welfare Provisions; Part VI Section 61 (1a), 63(a,b), and 65 Special Provision of the Act, provide procedures for the safety and health of workers at work and work places. Furthermore, the Act describes procedures for the protection of safety, health and welfare of persons other than workers in places of work.

Specific, relevant and direct legislation on occupational safety and health is found under the Occupational Health and Safety Act of 2003. The Act is aimed at protecting against hazards to health and safety arising out of, or in connection to, work related-activities.

The OSH Act sets standards that must be observed by employers to ensure that a workplace is safe and secure. Where no standards exist to deal with a particular issue, employers are bound by OSH Act's General Duty Clause which requires employers to provide a place of employment that is free from recognized hazards known to or are likely to cause harm, death or serious physical injury to its employees.

Potentially dangerous devices or machinery must be securely fenced. All power operated devices must be powered off from transmission machinery. Employers must provide an employee with Personal Protective Equipment (PPE) to minimize risks. First aid kits, fire extinguishers and an evacuation plan must also be provided in case of emergency.

Workers are obliged to act reasonably to reduce the risk of work-related injuries. Where loss or injury occurs by fault or negligence of the employee, the law makes them partly liable. Employees have the following duties under the OHS Act:

- Take reasonable care for the health and safety of themselves and others who may be affected by his/her actions or omissions at work;
- Comply with employer health and safety regulations;
- Report to the employer or health and safety representative knowledge of any unsafe or unhealthy situation;
- Report immediately to the employer or health and safety representative any incident or accident which results in injury.

To ensure that the working environment is free of health and safety risks and hazards, the RISE Program shall ensure that appropriate mechanisms are put in place such as consideration of health and safety during sub-project designs; regular health and safety training to workers throughout the implementation phase; use of appropriate and adequate safety warning signage; regular monitoring and proper documentation and reporting of near misses, accidents and also provision of preventive and protection measures. Additionally, community workers who will be working under the RISE Program will be provided with facilities (protective gears) appropriate to the circumstances of their work. All RISE Program workers (whether direct/contract/migrant or community workers) will be provided with information that is clear and understandable concerning their works in order to avoid risks of exposure to danger or injury, as well as be informed of any known hazards or diseases associated with the work they do as patterns and conditions of employment.

6. RESPONSIBLE STAFF

Implementing agencies (TARURA and TANROADS) will create a RISE Program Implementing Unit (PIU) to coordinate program's activities as well as to oversee all aspects of the implementation of the LMP at national level, in particular to ensure contractors' compliance. TARURA and TANROADS regional offices will oversee contractor's compliance at the regional level as well as TARURA's council offices will oversee contractor's compliance at the council level. The PIU will supervise implementation of LMP on a monthly basis or at shorter intervals as defined by specific plans. As part of procurement for works as well as during contractors' induction, the PIU will address all LMP aspects. In accordance with contract specifics, the contractor will be guided by the LMP to understand requirements on labour issues; hence it will help the contractor to capture and plan for labour issues and prepare management measures as part of the Contractor's environmental and social management plan. The detailed approach is described in the sections below:

The details of management of project workers, responsible staff and oversight mechanisms of the RISE Program will be clearly described in the Environmental and Social Management Plan (ESMP). The table below presents the summary of roles of different responsible staff participating in the RISE Program.

Table 3: Responsible staff/ Institution and their roles in the RISE Program

S/N	Institution/ Staff	Roles
1	E&S Staff of the RISE Program PIU	• Provision of training to Supervision Consultants and Contractors on labour and working conditions issues such that they are able to undertake supervision activities in line with ESS2 and national legislation. These experts will also be responsible for ensuring that appropriate due diligence in relation to labour and working conditions is undertaken when contracting consultants and facilitators; • Ensure that the necessary OHS authorizations and permits are obtained; • Determine the scope of physical work i.e. identify the magnitude, sensitivity and risk category of the sub- projects in terms of the OHS issues; • Review and approve Health and Safety Management Plans (HSMPs) where needed and site-specific HSMPs based on alignment walk; • Include the requirements and mitigation measures from HSMPs and site specific HSMPs in the bidding documents and contractor contracts; • Ensure that contractors have an Environmental Health and

		Safety (EHS) Officer; • Review progress reports by the supervision engineer/consultant during civil works and conduct inspection of the sites; • Send Health and Safety Management Plan and reports to the National Occupational Health and Safety Authority for certification; • Send progress reports every 3 months to the World Bank.
2	Supervision Engineer/Consultant	• Enforce contractual agreement on behalf of the project implementation agencies in areas of – HIV/AIDS mitigation measures, compliance with local legal and regulatory requirements, compliance with the ESMP and contactor Environmental Health and Safety Management Plan (C-EHSMP) • Assist the PIU to ensure that the necessary environmental, health and safety authorizations and permits have been obtained; • Maintain open and direct lines of communication between the PIU and contractor(s) with regard to environmental health and safety matters; • Review and approve the contractor's site-specific construction ESMPs (CESMP), Health and Safety, Labor Management Plans and Traffic Management Plans together with the PIU; • Monitoring of the implementation, functioning and effectiveness of workers grievance resolution mechanism in place by the sub-project contractors under them; • Review, approve and ensure implementation of contractor Hiring Procedures and Child Labour Policy; • Monitor and advice on the implementation and enforcement of Code of Conducts' of the sub-project contractors; • In case of any accidents or incidents, immediately notify the PIU and support the process of documenting and reporting the case to the WB; • Prepare written reports for the PIU such as weekly report of non-compliance issues; summary monthly report covering key issues and findings from supervision activities; and consolidated summary report from contractor's monthly report.
3	Contractor through EHS Specialist	• Compliance with relevant environmental and social legislative, occupational health and safety and labour requirements (project-specific, district- and national level), including allocating adequate budget for implementation of

		these requirements; • Work within the scope of contractual requirements and other tender conditions; • Prepare CESMPs based on the site specific ESMP in the bidding documents and contracts; • Train workers about EHS (including relevant WBG EHS Guidelines) and the site-specific environmental and social measures to be followed; • The EHS officer of the contractor will participate in the joint site inspections with the PIU and Environmental Supervision Engineer/consultant; • Carry out any corrective actions instructed by the Supervision Engineer/consultant; • Provide and update information to the Supervision Engineer/consultant regarding works activities including off-site activities/facilities such as borrow pits, quarries, disposal sites, which may contribute, or be continuing to the generation of adverse environmental impacts; • In case of non-compliances/discrepancies, carry out investigation and submit proposals on mitigation measures, and implement remedial measures to reduce environmental impact; • Stop civil works which generate adverse impacts to the workers upon receiving instructions from the Supervision Engineer/consultant and/or PIU; • Propose and carry out corrective actions in order to minimize the environmental impacts; • Send immediate reports to the Client (PIU) in case of any accidents or incidents involving project site, project workers or otherwise occurring within the project area of influence; • Send monthly progress reports to the Supervision Engineer/consultant.
4	OSHA	• Will be responsible for supervising the occupational health and safety at work places in collaboration with TARURA and TANROADS. Will be responsible for supervising the occupational health and safety at work places in collaboration with TARURA and TANROADS.

a) Occupational Health and Safety.

The RISE Program will offer equal employment opportunity for both women and men who will be differently exposed to physical and psychological hazards and risks at the workplace. Nonetheless, exposure to same risks may also impact women and men differently. While

women are always subjected to the so perceived lighter and easier work than men, the risks associated with their exposure for example effect on their reproductive system are not well established whereas those associated with normal men's work have been well established and measures to mitigate the risks well developed. It would be the responsibility of the PIU to ensure that women are well protected from the risks so that to ensure workplace safety and health for both men and women. The PIU will ensure that gender differences are incorporated in the design of OHS Management Plan. During implementation the Contractor must engage a professional Occupational Health and Safety (OHS) office. The OHS officer ensures the day-to-day compliance with specified health and safety measures as well as records of any incident. Minor incidents are reported on a monthly basis while serious incidents are immediately reported to the PIU. Minor, Lost Time Incidences (LTIs), are reflected in the quarterly reports to the World Bank, whereas major issues, which has resulted into a fatality or Incidents that caused or may cause great harm to to the environment, workers, communities, or natural or cultural resources are immediately (within 24hours) flagged to the World Bank.

Furthermore, training of workers on Occupational Health and Safety matters will be the responsibility of TARURA and TANROADS, and the contractor will provide OHS training to all workers. The contractor will be obligated to make staff available for this training, as well as any additional mandatory trainings required by TARURA or TANROADS, as specified by the contract.

b) In case a supervision consultant will be hired, his/her main duties will involve assist the PIU to ensure that the necessary health and safety authorizations and permits have been obtained; prepare written reports (weekly report of non-compliance issues); summary monthly report covering key issues and findings from supervision activities; and consolidated summary report from contractor's monthly report.

c) Labor and Working Conditions.

In accordance with specifications set out in this LMP, contractors will keep records on Labour and working conditions. TARURA/TANROADS may at any time require these records from the contractors to ensure that labor conditions are met. At a minimum of a monthly basis, the PIU will review records against actuals and can call for immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.

d) Worker Grievances.

The procedures currently in place to handle grievances in TANROADS/ TARURA will remain for Project staff. Contractors engaged in the RISE Program will be required to present a workers' grievance redress mechanism which responds to the minimum requirements in this LMP. On a monthly basis the PIU's Grievance focal person will review the records. National System will be used where worker concerns are not resolved, but the PIU will keep the records of resolutions and share with the Bank in the quarterly reports a summary of worker grievance management in the program. Workers grievances and their resolutions are confidential and are not to be revealed to a third party.

7. POLICIES AND PROCEDURES

Some of RISE Program activities which are directly under the control of contractors may result into Environmental, Social, risks and impacts. These activities will be mitigated directly by the same contractors. The core RISE Program's approach is to ensure that contractors are efficiently mitigating the impacts of the project activities. In order for potential bidders to be aware of Environmental, Social and Occupational Health and Safety performance requirements, the RISE Program implementing Agencies (TARURA and TANROADS) will incorporate standardized Environmental, Social and Occupational Health and Safety clauses in the tender and contract documents. Bidders will be required to reflect the standardized Environmental, Social and Occupational Health and Safety clauses in their bids, and required to implement the clauses for the duration of the project's contract.

With these clauses the RISE Program implementing agencies (TARURA and TANROADS) will be accountable to enforce compliance by contractors. The contractor is obliged to make sure that all documentation related to Environmental, Social and Occupational Health and Safety management including the LMP, is available for inspection at any time by the RISE Program Implementing agencies (TARURA and TANROADS). The contractual arrangements with each project worker must be clearly defined in accordance with Tanzania Employment and Labour Relations Act (2004), Occupational Health and Safety Act (2003) and the legal framework stipulated in annex III of the RISE program's ESMF.

Under no circumstances will the RISE Program Implementing agencies (TARURA and TANROADS), Contractors, suppliers or sub-contractors engage forced labor.

Furthermore, implementing agencies (TARURA and TANROADS) will be required to develop agency's Occupational Health and Safety Policy Statement for the RISE Program. The policy will be guided by the provisions under the Tanzania Employment and Labour Relations Act(2004), Occupational Health and Safety Act (2003), the World Bank Standard on Labour and Working Conditions (ESS2) and the ILO conventions to which Tanzania is a party.

8. AGE OF EMPLOYMENT

As stipulated in Tanzania Employment and Labour Relations Act (2004) the minimum age of employment is 18 years, which is also stipulated in the International Labour Organization Conventions (138) on minimum age. These two legislations prohibit the employment of under age children. The implementing agencies' standard for minimum age of employment/work is 18 years, and it will be among the terms of contracts regarding child labour. In the maintenance works community workers will be engaged, the RISE Program will target participation of both men and women between the age of 18 and 65. During the RISE Program implementation various tools will be used to verify age of workers. Such tools include Birth certificates, Voters Registration Card and National Identity Cards which will be filled in each employee's records. In the circumstances where these documents are not available the Affidavit of Birth will be used. The consequence of breaching implementing agencies' standard on child labour may result into termination of the contract.

In case it is found that underage children are working during the implementation of the RISE program, the following procedures will be applied:

- routine document check process without raising the alarm;
- Review age documents of the child and verify that they are genuine;
- If document checks confirm the child is underage, remove the child from all work immediately;
- If the documentary evidence is inconclusive, checking the age of the child may entail Communication or meeting with parents and guardians of children, Contacting local labour authorities to validate identification, and conduct medical checkups to assess age;
- Obtain contact details (ideally mobile phone number) of child and parents/guardian, and wherever possible, home address;
- Talk to the child to ensure they understand what is happening and why, as well as risks and hazards of child labour;
- Meet with the contractor and site supervisor/consultant to communicate the policies and basic positions regarding child labour;
- Contact the parents/guardians to ensure that they understand and agree with what is happening and to explain the risks and hazards of child labour;
- Review all the personnel records at the workplace to identify whether there are any other child workers; and
- Give advice to the contractor and supervision engineer/consultant on improving age verification systems to ensure that no new child worker is hired.

9. TERMS AND CONDITIONS

As already indicated, the RISE Program will involve three main categories of workers namely:

(i) Direct Project Workers from the government who have contracts that are governed by the Employment and Labour Relations Act (2004);
(ii) Contracted workers;
(iii) Migrant workers.

Working conditions will be made clear to the workers prior to commencement of the work. During the meeting community beneficiaries will be informed of such working conditions such as the maximum number of ordinary days or hours that an employee will be required to work. Furthermore, payment will be made on determined mode, whether hourly, daily, weekly or monthly basis after completing assigned work.

10. GRIEVANCE MECHANISM

Grievance mechanism involves a formal process for receiving, evaluating and redressing program-related grievances from affected communities, workers and the general public. The RISE Program recognizes vulnerability of the different project's participants to be involved or affected by the project activities (such as community members, workers and other beneficiaries).

The RISE implementing Agencies (TARURA/TANROADS) will require contractors to have a grievance redress mechanism for their work force including sub-contractors to address workplace concerns. Prior of begining civil works, contractors as well as sub-contractors will be required to prepare and submit a detailed description of the workers' grievance mechanism as a prerequisite for tender documents.

Among other things, the contractors as well as sub-contractors workers' grievance mechanism will include:

- Formal channels for submission and receipt of grievances, such as comment/complaint form, suggestion boxes, email, toll free telephone hotline, face to face communication;
- Stipulated timeframes to respond to grievances;
- Register and procedures to record and track the timely resolution of grievances;
- Responsible focal person to receive, record and track resolution of grievances, and to communicate with workers who submit grievances.

The RISE implementing Agencies (TARURA/TANROADS) or the Supervision Engineer/ Consultant will monitor the contractors' recording and resolution of grievances, and report a summary on a monthly basis. The contractor/ sub-contractor will assign a focal person to oversee and implement the grievance redress mechanism, overseen by the site project engineer.

The workers grievance mechanism will be described in staff induction training, which will be provided to all project workers, and a description added to Worker's Code of Conduct. The contractor will be required to prove that each employee has been inducted and signed that they have been inducted on the GRM procedure.

Furthermore, as part of contractor's human resources policies, there should be a procedure for women involved in public works to report cases of sexual harassment and procedures to address these kinds of cases.

The mechanism will be based on the following principles:

- The process will be transparent and allow workers to express their concerns and file grievances;
- There will be no discrimination against those who express grievances;

- Grievances will be treated confidentially, except anonymous ones;
- Anonymous grievances will be treated equally as other grievances, whose origin is known;
- Workers will be informed of how their grievances are resolved;
- Resolution of anonymous grievances will be announced to the wider workforce; and
- Management will treat grievances seriously and take timely and appropriate action in response.

Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of "suggestion/complaint boxes", and other means as needed.

In case the worker's dispute could not be resolved by the contractor's GRM, it is referred to the GRM Committees at Village/project level, then Ward, then to District as well as Regional levels, will be hearing the case before forwarding to PO-RALG and subsequently to the Labour Court.

The Contractor's grievance mechanism will not prevent workers from using the dispute procedures provided in part VIII of the Employment and Labour Relations Act of 2004.

If the dispute is not resolved at the workplace, other resolutions mechanisms provided for in the labour legislations can be utilized. The proposed RISE Program GRM flow chart for workers grievances is clearly presented in the RISE SEP document.

Specific provisions will be included for complaints related to Sexual Exploitation and Abuse (SEA) that could be derived from the project to ensure the survivor's confidentiality and rights. To properly address GBV risks, the GRM needs to be in place prior to contractors mobilizing. The GRM should not ask for, or record, information on more than three aspects related to the GBV incident: a) the nature of the complaint (what the complainant says in her/his own words without direct questioning, b) if, to the best of their knowledge, the perpetrator was associated with the project, and if, possible, the age and sex of the survivors. Different entry points where survivor can place complaints confidentiality shall be identified and linked to the GRM as described in the RISE program's SEP. The GRM Protocol should have a specific section on GBV related complaints. This shall be developed with the support of specialized organizations in the matter. Figure 1 below shows stepwise procedure for management of GBV cases.

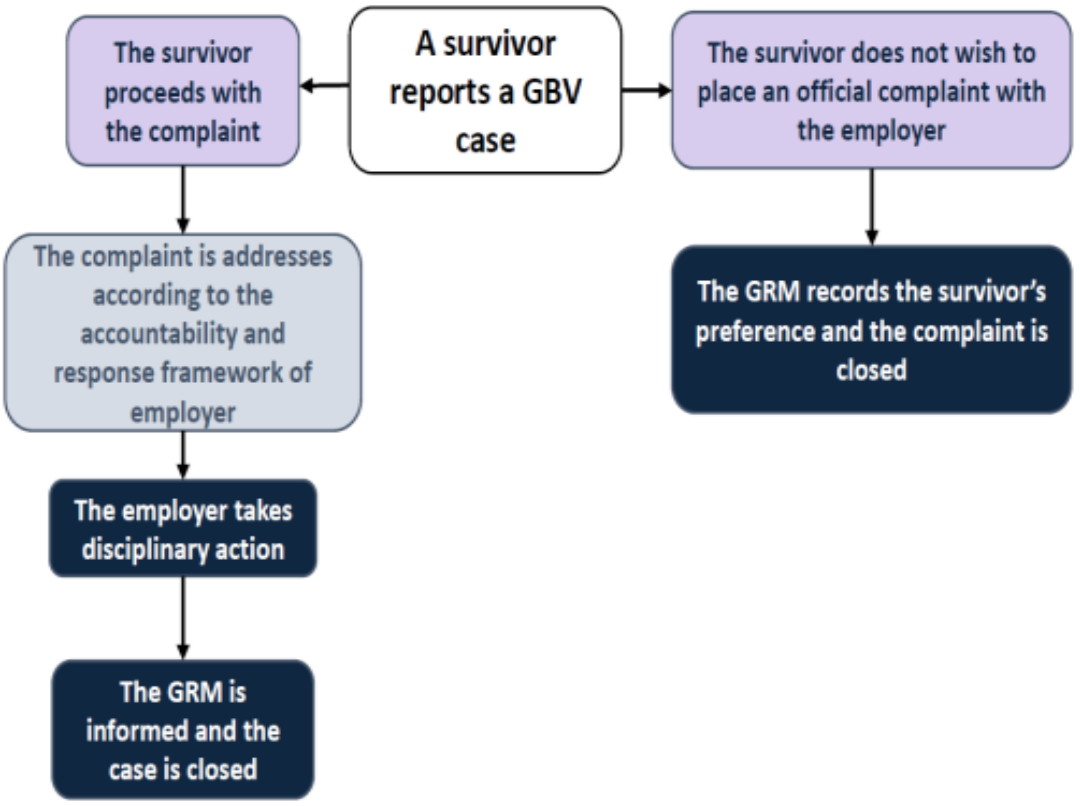

Figure 1: GRM process for GBV survivors.

11. CONTRACTOR MANAGEMENT

It is anticipated that under the subcomponents of the RISE program there will be contracting of service providers. RISE program implementing agencies require that contractors and the involved third parties (sub-contractors, agents or intermediaries) monitor keep records and report on terms and conditions related to labor management.

To ensure fair competition and transparency, contractors will be selected based on the Government of Tanzania's Public Procurement Regulatory Authority (PPRA) and World Bank Procurement Procedures which control the engagement of contractors. This includes:

(i) Competitive bidding through transparent open advertising;

(ii) Shortlisting and selection of contractors; and

(iii) Contract signing.

The E&S team at the RISE PIU will be responsible for ensuring environment, social, health and safety of workers and road safety measures are addressed in RISE projects through integration in the contracts and that proper bill of quantities to ensure implementation of the same are in place. Based on the Environmental and Social Impact Statement, the contractor will be responsible to prepare and sign site specific:

(i) Environmental and Social Management Plan (ESMP);

(ii) Health and Safety Management Plan (HSMP);

(iii) Grievance Redress Mechanism (GRM);

(iv) Traffic Management Plan (TMP); and

(v) Code of Conducts (CoC)

These documents prepared by the contractor will be contractual and legal binding; and will be regularly updated based on reviews, incidence occurred, regulatory changes or project changes to ensure adaptive management of key emerging issues. The contractor will have key role to ensure the site specific ESMP, HSMP, TMP and Code of conducts are implemented. Where as RISE Program implementing agencies (TARURA and TANROADS) will play the managing and monitoring role to ensure that the contractors and third parties (sub-contractors, agents or intermediaries) comply with them.

12. PRIMARY SUPPLY WORKERS

This section addresses procedures for monitoring, reporting as well as management of risk associated with people employed or engaged by primary suppliers. Primary suppliers are suppliers who, on an ongoing basis, provide goods or materials directly to the Project. Major risks facing the workers in the supply chain include accidents and injuries, incidents of child labour, labour Influx, HIV/AIDS, GBV etc.

The RISE Program implementing agencies will not directly procure any primary supply contracts. Rather, main Contractor who subcontracts the supply of materials and equipment for implementation in the project works will be responsible to include the same conditions and specifications on Environment, Social as well as Health and Safety aspects to its subcontracting agreements with supply workers.

In regard to compliance to all matters related with workers welfare, OHS, certificates such as audit reports, legal cases etc the Primary Supplier will be tracked.

This LMP require that, under the RISE Program, any primary supplier maintains records related to occupational injuries, illness and lost time accidents. The LMP will also ensure, that any primary supplier to the RISE Program report fatalities or serious injury, and informs government authorities in accordance with national reporting requirements as well as to the PIU. The PIU then report the incidences to the WB.

Each contractor’s LMP will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will be in line, at a minimum, with this Labour Management Procedure, the Implementing agency's Code of Conduct and General Conditions of the World Bank Standard Procurement Documents.

13. CONSULTATION ON THE LMP

In response to ESS 10, consultations with relevant stakeholders have been conducted during the preparation of the ESMF and other framework documents (e.g. SEP, VGPF, LMP, RPF, ESCP). The borrower organized several public consulting workshops at regional and national levels to guide the preparation and disclose the six (6) framework documents. Table ES-1 below shows a list of consultations conducted during preparation of RISE and ESF framework documents:

Table 4: List of Consultations during RISE preparation

No	Consultation title	Location	Number of attendees	Date
1	The National Stakeholders Workshop.	Dodoma Region	73	January 09th 2020
2	National VGPF - specific Stakeholders Consultation.	Dodoma Region	5	January 21st, 2020
3	Regional VGPF - specific Stakeholders Consultation.	Morogoro, Dar es salaam & Dodoma	16	February 07th to 11th 2020
4	Regional Stakeholders Consultation – Iringa.	Iringa Region	05	March 10th 2020
5	The National Webinar Stakeholders Forum.	Virtual	11	April 02nd 2020
6	Regional Stakeholders Consultation – Lindi.	Lindi Region	20	January 05th 2021
7	Regional Stakeholders Consultation – Tanga.	Tanga Region	34	January 05th 2021
8	Regional Stakeholders Consultation – Geita.	Geita Region	33	January 08th 2021
9	The National Webinar Stakeholders Forum.	Virtually	23	January 13th 2021

Details of the respective consultations for ESF documents can be found in Annex I of the RISE's SEP. Feedbacks from the consulting workshop have been incorporated into the various framework documents, respectively.