

**THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF COMMUNICATION AND INFORMATION TECHNOLOGY
(MCIT)**



**LABOUR MANAGEMENT PROCEDURES FOR
DIGITAL TANZANIA PROGRAM (DTP) - P160766**

FINAL REPORT

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LIST OF ACRONYMS

CBRM	Community Based Routine Maintenance
CERC	Contingency Emergency Response
CoC	Code of Conduct
DTP	Digital Tanzania Program
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
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
MCIT	Ministry of Communication and Information Technology
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
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
TMP	Traffic Management Plan
WB	World Bank

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EXECUTIVE SUMMARY

Labour Management Procedures (LMP) 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 Digital Tanzania Program (DTP) is expected to utilize the Government and Contracted Human Resources. To enrich the DTP benefits, the Government of Tanzania through the DTP implementing Agencies (MCIT, PO-PSMGG and DTP-PIU) 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 DTP intends to increase access to high quality internet services for government and citizens, in selected areas, and to improve the government's capacity to deliver digital public services.

The DTP has five (5) components:

- Component 1: Digital ecosystem
- Component 2: Digital Connectivity
- Component 3: Digital Platform and Services.
- Component 4: Project Management
- Component 5: Contingency Emergency Response (CERC)

In accordance with the National Law and Environmental and Social Standard - 2 (ESS2) of the World Bank's Environmental and Social Framework (ESF); MCIT, PO-PSMGG and DTP-PIU, 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 DTP's labour issues. This LMP is a living document, initiated during program preparation, and is reviewed and updated throughout development and implementation of the DTP.

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 DTP, the work force to be involved includes: 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 DTP is of high priority for MCIT, PO-PSMGG and DTP-PIU. The LMP will have

to be implemented by all parties engaged in the DTP implementation. The identified potential labour risks include safety and health hazards (e.g. 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 DTP considered the Tanzanian legal and regulatory requirements, as well as the World Bank (WB) Environmental and Social Framework (ESF) and WB EHS Guidelines for Telecommunications. From the local legal framework this LMP relies 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 and WB EHS Guidelines for Telecommunications section 1.2 on Occupational Health and Safety issues. 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 organize 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 DTP 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 Dispute among the DTP's activities where no contractor will be involved, there will be labour dispute resolution focal person within the DTP-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 workers to present their disputes to the Grievance Committees of the DTP at MCIT, PO-PSMGG and DTP-PIU office. Specific provisions will be included for complaints related to Sexual Exploitation and Abuse (SEA) to ensure the survivor's confidentiality and rights. The DTP'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 DTP implementing agencies will assist safe working conditions; prevent or minimize corruption, misconduct and maladministration during the program implementation.

1. THE LABOUR MANAGEMENT PROCEDURES FOR THE DIGITAL TANZANIA PROGRAM

The delivery of the DTP is expected to utilize the Government, Private and contracted human resources. The Government of Tanzania, through the DTP implementing Agencies (MCIT and PO-PSMGG), 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 DTP benefits. In accordance with the National Law and Environmental and Social Standard - 2 (ESS2), Project Implementing Agencies (MCIT and PO-PSMGG) 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 DTP's Labour issues. This is a living document and is reviewed and updated throughout the implementation of the DTP. 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 DIGITAL TANZANIA PROGRAM

The DTP to be financed by the World Bank involves Digital ecosystem enhancement, Digital Connectivity and Digital Platforms and service delivery, and project management and monitoring. The Project's Development Objectives (PDOs) of the DTP are to:

- (i) Increase access to affordable, high quality internet services for government, businesses and citizens and to improve the government's capacity to deliver digital public services.
- (ii) Contribute to universal access to the internet and digital public services and to facilitate private sector led digital investment, services.

1.2 Components of the Proposed Digital Tanzania Program

The Digital Foundations Project contributes to three core enablers of digital development: (i) Digital Ecosystem: strengthening the laws, policies, regulations, institutional and human capacity needed to promote ICT infrastructure investment, market competitiveness, digital engagement, job creation, and innovation; (ii) Digital Connectivity: ensuring access to affordable, high quality internet services for all citizens, including in rural areas, and for critical government institutions; and (iii) Digital Platforms and Services: building the technical capacity, skills, institutions, and local digital infrastructure for the Government to deliver services to citizens and conduct its own business digitally.

Component 1: Digital Ecosystem

The aim of this component is to make Tanzania a more attractive and competitive place for digital investment and innovation, ensuring that the benefits of digital technology are reaching all citizens and helping lay the groundwork for growth of the digital economy. This will be accomplished by strengthening the many interrelated elements that characterize a thriving digital ecosystem—helping the Government in drafting forward-looking laws, regulations and policies; building digital skills and capacity of Government institutions and youth; prioritizing gender inclusivity, developing a critical mass of innovators, entrepreneurs, and support services; developing a robust local ICT industry that is founded on private investment and is able to deliver e-Commerce services; strengthening cybersecurity capacity to prevent, detect and respond to cyber-attacks, improving data protection and privacy; and working toward closing the digital divide—ensuring that all citizens and businesses benefit from digital development in the long term, especially the poor, women, the elderly and communities in rural areas. These goals will be supported through two subcomponents:

1.1. Digital Enabling Environment

- a) Establishment of a National Center for ICT Professional Development and Innovation

The objective of this activity is to develop a national center for ICT professional development and a series of “soft centers”, or tech hubs for youth, entrepreneurs and small and medium-sized enterprises (SMEs) in five zones of the country, to promote local innovation in the country. The implementation of this activity will be carried out in collaboration with higher learning institutions, vocational training institutions and the industry, as well as with the Ministry of Education, Science and Technology (MEST) and the Council for Science and Technology (COSTECH). This subcomponent will require close collaboration with the private sector to assure that newly trained ICT professionals are ready to enter the workforce and have the qualifications and soft skills demanded by private sector companies, including cybersecurity awareness and skills. The project will specifically address the facilitation needed by women to enable them to attend the training, track the involvement of women in benefitting from the training provided, and promote internships for young women under the Government-funded program for youth employment. Direct collaboration with the private sector will be sought, including by way of specific on-the-job training programs or internships provided by the soft centers. It is planned that a national center would be established at the ICT Commission in Dodoma and four soft centers will be established, to

be housed in training institutions or universities. In principle, the soft centers will be located in four zones namely Northern, Southern, Coastal and Western zones. Criteria for selection of the centers, and modalities for coordination, monitoring and support of soft centers and Fab Labs are defined in the project implementation manual (PIM). The soft centers would be assisted in developing cost-recovery mechanisms for the services they offer and will need to establish good relations with private sector clients in order to establish longer term sustainability, once the project funds are fully used.

b) Establishment of FabLabs

This activity aims to establish Fabrication Labs (Fab Labs) for the refurbishment of ICT hardware, and updating of software, to enable the reuse and increased lifetime of ICT equipment, and to complement efforts to distribute ICT equipment to educational institutions. This will contribute towards the acquisition of low-cost ICT equipment for learning purposes. In addition, establishing FabLabs will reduce e-waste and build capacity in Tanzania for reusing and prolonging the lifespan of ICT equipment, which is an important future strategy to tackling e-waste. Up to three FabLabs would be established and selection criteria developed in the PIM Like the soft centers described above, the FabLabs will need to develop cost recovery mechanisms and to seek private sector support to ensure longer-term viability.

c) ICT regulatory scan and review

Under this activity, the MCIT, in cooperation with the TCRA and in consultation with the licensed operators and with the help of consultants, will conduct a scan of the legal and policy environment in order to identify possible gaps that might be hindering the development of the digital economy in Tanzania, and to review possible responses. This will target broadband implementation and provide recommendations on any new initiatives that may be necessary to create an enabling regulatory, legal and fiscal environment for the Digital Economy. Under this activity, the Ministry will also convene with the TCRA, the Ministry of Health, Community Development, Gender, Elders and Children, to ensure that gender considerations and the needs of women are integrated into this regulatory scan of the digital economy. The results of this regulatory scan should provide inputs to the implementation of the project as a whole, especially the rural connectivity subcomponent (2.2). Activities to be funded under this sub-component will include consultants and the costs associated with stakeholder consultations.

1.2. Infrastructure to support National ICT Development and e-Commerce

a) Enhancing the national addressing and postcode system

This is an ongoing activity which will scale up the pilot projects for the National Spatial Data Infrastructure (NSDI), already started and managed by TCRA, which currently covers 66 wards (<http://www.address.go.tz/>). This initiative is expected to cover 711 wards from 37 Councils which includes Capital Cities, Strategic areas, Central Business Districts and other high revenue generating areas. The activities under this initiative involves development of digital maps; naming of roads/streets and installation of Signage and house number plates; data collection; enhance/update of the national Address Database; Prepare/review of

policies and regulations; ICT works; awareness and capacity building. The NSDI, or digitized map with multiple different layers, will provide a platform on which information can be layered to support key activities such as the national digital ID, and spatial maps for national development. The fieldwork for the mapping would be carried out under the guidance of the MCIT, TCRA and Tanzania Posts Corporation. Ground mapping and photography would be supplemented by commercial firms recruited competitively to assist with digital mapping using remote sensing data from satellites and aerial photography. Activities to be funded would include supply of goods, consultancy services and coverage of operational costs.

b) Development of a national ICT statistical management information system

This activity aims to provide complete, accurate and current statistical data for ICT in the country to support policy decisions for national development. This data would be collected, for instance, by carrying out household ICT surveys, building on the survey carried out in 2017 by the WBG in conjunction with the National Bureau of Statistics (NBS), with funding from the Digital Development Partnership (DDP)¹ will be used by the NBS for national reporting. In addition, it will facilitate investment growth in the ICT sector by providing useful data to potential investors. The funding will be used to support development of electronic management system, establishment of necessary frameworks for enhancing ICT statistics availability and to commission further surveys for key ICT indicators under the guidance of NBS.

c) E-Commerce initiatives for Tanzania Posts Corporation

This activity is intended to assist Tanzania Posts Corporation to catch up with recent technological developments and participate more actively in the delivery of e-Commerce. The initiative will later allow integration with Global e-commerce including the Universal Postal Union's (UPU) Ecom@Africa initiative. The Initiative seeks to make Tanzania a hub for e-Commerce in the region, and will enhance e-business growth and the participation of citizens in the digital economy.

While specific priority activities have been identified, the design of the component is intended to remain flexible, allowing the project to respond to new challenges and opportunities as they arise in this fast-changing sector. There may be a requirement for some additional enabling legislation to promote the development of e-Commerce in Tanzania, and this will be tracked under the regulatory scan in sub-component 1.1 c). The primary costs to be borne under this sub-component are the use of consultants for the development of a secure national e-commerce platform, to assess the country's e-com readiness, a scan of legal and regulatory environment (to complement the scan under sub-component 1.1c), and hosting of the e-commerce Platform and stakeholder engagement.

Component 2. Digital Connectivity

This component's aim is to ensure that, ultimately, all Tanzanians can access high speed broadband connectivity, and 80 per cent by 2025, in line with the Government's target. Widespread, affordable and reliable connectivity is an essential pre-requisite to providing

¹ The DDP is a Trust Fund managed by the World Bank.

and accessing digital services for socio-economic development, and the wider digital economy. In addition to the measures to boost sector competitiveness and private network investment under Component 1, there is a need for more direct investment to meet the connectivity needs of government and the private sector and to create incentives for the private sector to close the digital divide in internet service provision between urban and rural populations. This component will support the Government's agenda for industrialization and equitable spatial development, ensuring that all Tanzanians, including those in rural areas, have equivalent access to digital services and opportunities. This will be supported through two sub-components:

2.1. Enhancement of Government ICT Connectivity

This subcomponent will support the connection to high-speed broadband of those Ministries, Departments and Agencies (MDAs), Local Government Authorities (LGAs) and other Government Institutions that are currently unconnected, or have only slow speed connections to the Government Network (GovNet). This sub-component will build on the successful connectivity program, initiated under RCIP-TZ, under which some 72 MDAs and 77 LGAs were connected to GovNet. This sub-component aims to connect a further 200 institutions including LGAs, Regional Office, Regional Hospitals, District Hospitals; and other MDAs to high-performance internet services. Given that the extension of digital connectivity within the country is paramount, a reliable and robust ICT backbone Infrastructure is a necessity as well as a strong governance, technical and operational framework and capacity development for the security of the backbone, GovNet and their connected networks from cyber-attacks, hijacking and breaches. In view of this, the project will support enhancement of GovNet to provide resilience routes as well as extending coverage of the national backbone to areas needed by telecom operators and other communication service providers for provision of services to citizens and businesses.

Furthermore, Digital Tanzania will fund the pre-purchase of bulk internet capacity of at least 1.5 Gbps per location for ten years (i.e., as an "indefeasible right of use" (IRU) contract. The capacity will be used by MDAs and LGAs to facilitate government service delivery. The pre-purchase of bulk international bandwidth is targeted at priority user groups – schools, universities, hospitals, eGovernment use etc. By supporting these targeted user groups to access cheaper capacity, it will allow them to grow their consumption in line with their actual demand (currently constrained by the prohibitive cost of capacity). This in turn will increase the viability of international infrastructure and in particular increase the usage of submarine cable infrastructure, The pre-purchase of bandwidth would be carried out through competitive tendering for IRU contracts which would be carried out in lots, with one lot covering the provision of international internet bandwidth and other lots covering different regions of the country (for instance, four zones, to be awarded in phases). The preferred technology to connect the government institutions would be fiber optic cable, but where this is not immediately available, temporary solutions using microwave, satellite or 4G mobile broadband could be considered. The bandwidth contracts on offer from government should provide an incentive for operators to upgrade their networks to fiber, over time. Companies winning the contracts funded by IDA would be required to apply relevant WBG environmental and social framework standards for all construction works carried out to extend their networks in the zones served under the project.

2.2 Rural Broadband for Development

This sub-component will build on the successful rural connectivity program supported under RCIP-TZ by extending data-enabled (4G or higher) network coverage to the three million people currently living in areas of the country that are currently unserved by any mobile cellular signal and will upgrade existing 2G networks to 4G and above. This will encourage participation in digital economy development and will help those rural areas that have previously been unable to participate in online learning or remote meetings to do so. This program will be conducted in collaboration with the Universal Communication Service Access Fund (UCSAF) and will draw upon lessons learned from the RCIP-TZ program, for instance to refine the delivery mechanisms for incentives to encourage private sector investment in rural areas by using national roaming.² The activity will also make use of “TV white spaces” spectrum for enhancing broadband coverage in the underserved areas. This will require a consultant study to provide a thorough spectrum analysis to visualize the scope for using TV white spaces spectrum in rural areas and thus to provide policy and regulatory guidance on the use of this spectrum and license coverage.

The mechanism proposed to be used in this intervention is a “reverse auction subsidy”, similar to the one used under RCIP-TZ, and as used in multiple WB programs, such as Niger Smart Villages (P167543) and Digital Malawi (P160533). UCSAF would designate geographical zones (in clusters, or lots) where interested bidders (such as mobile operators, cell tower companies, high-altitude platform services etc.) would be invited to bid competitively for the lowest viable subsidy to capital expenditure that would be required for them to provide, or upgrade, service in the designated zones. Thus, IDA funding would be used to leverage funds from UCSAF (using funds contributed to the Universal Service Fund) and from the private sector, under a mobilizing funds for development (MFD) approach. Under the RCIP-TZ program, an IDA contribution of US\$30m leveraged private sector investment of around US\$70m and brought some 2.5 million people under mobile signal coverage for the first time. This would be a significant contribution to mobilizing finance for development (MFD) from the project, but these sums are not included in the data sheet because the sum will only be known once the bidding process is completed and because there is no commitment, nor requirement, from the private sector to contribute a specific amount. A further challenge to extending rural broadband is the fact that mobile phone use is generally in advance of rural electrification. Under RCIP-TZ, solar power arrays were used, with battery storage. Rural Electrification Initiatives carried out by the REA should be beneficial to the program and where possible renewable technologies will be used.

Activities to be funded under this sub-component includes a) a study on the scope for using TV White Spaces spectrum; b) a study to define the modality to be used for the reverse subsidy auctions, and to define a program operational manual to govern awards, and to monitor the implementation of awards; c) a series of reverse subsidy auctions, open to

² Under national roaming, the company providing rural connectivity in a particular zone would allow other cellular operators to market their own services in that zone without requiring payment of roaming charges. The firm undertaking the investment may typically be granted a short period of exclusivity, of 1-2 years, before competing firms are allowed into the market. The national roaming mechanism was researched under field trials led by GSMA in Tanzania, as documented in GSMA (2018), *Tanzania rural coverage pilots: Performance reports* at: https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2018/02/GSMA_Tanzania_Jan.pdf

competitive bidding, in areas designated by UCSAF. Winning bidders benefitting from capital expenditure subsidies under the project would be obliged to abide by relevant WB safeguards standards in any civil works carried out (e.g., construction of cell towers).

Component 3. Digital Platforms and Services

Component 3 seeks to enhance the core infrastructure and capacity necessary to support digital public service delivery, increase the efficiency of the Government’s internal operations and to rollout priority digital productivity platforms and public services. Progress has been made in recent years in developing digital services and elements of a shared services platform (mobile services portal, SMS gateway, government e-payment gateway, etc.), strengthening of the e-Government Agency (eGA) and deployment of digital productivity tools for government (first phase of e-Office, introduction of one-stop government digital service delivery centers (Huduma Centers), initial digitalization of records, revenue management, etc.). However, various MDAs and LGAs still operate stand-alone IT systems and infrastructure, spending considerable financial and human resources to develop, implement, and operate each separate digital service. This approach risks creating cybersecurity vulnerabilities in non-standardized approaches. It also creates significant financial, operational and security liabilities for institutions ill-suited to cope with them. In addition, the Government lacks sufficient human resources to meet increasing IT demands, and adequate policies, practices and an effective IT infrastructure to deploy high quality digital services in a fast, secure, reliable and cost-effective manner, under a “whole-of-government” approach. ICT skills development under this sub-component is intended to service government institutions and industrial sectors that are in need of high skills for operations underway in the country.

Increased access to affordable, high-quality connectivity will create an opportunity to enhance the way the government conducts its business and provides services to citizens using digital technologies. Offering public services through mobile and online platforms can create significant benefits to citizens who might otherwise need to travel long distances and spend significant time and resources to access those services. This is particularly important for Tanzania’s rural residents who may lack access to public transport and quality roads but are much more likely to have access to a mobile phone. Likewise, digital platforms offer opportunities to deliver new categories of services and transactions such as digital cash transfers under social protection or payroll schemes, lower administrative and logistical barriers to service delivery, and reduce scope for corruption. This Component will include the following three sub-components.

3.1 Digital Services and Productivity Platforms

a) One Stop Service Centers (Huduma Jamii Centre)

This activity will seek to improve existing processes and procedures for offering government services to citizens and small businesses by establishing 31 One Stop Service Centers (OSSC, or Huduma Jamii in Swahili), of which up to 10 will be implemented in the first two years of the project (8 on mainland and 2 in Zanzibar). These centers will be designed for citizens to access public services in a simple, speedy and seamless manner in one location which may be operated, for instance by a post office, a community association or a local

entrepreneur. A feasibility study was completed in November 2020, with funding from the African Development Bank, and provided recommendations for the implementation of the activity and the location of the OSSCs. The study notes that, currently, to establish a business, an entrepreneur would need to visit five separate parts of Government (BRELA, TRA, relevant ministry and LGA and MITI), and visit a bank to make payments at each stage. The aim would be to conduct the process through a single visit to a single government portal, facilitated by an OSSC. The OSSC will provide both informational and transactional services. By the end of the project, it is planned that up to 32 Government services will be provided. The feasibility study proposes to use a processing fee (less than 5 per cent of the cost of a given service) as a means of financing the OSSC. While these services could also be accessed from a website, the OSSC would provide an intermediary service to assist citizens in navigating the relevant steps, would accept payments and provide printing and additional services. Measures would be put in place to maximize the protection of private data entered, uploaded and processed at the OSSCs or on their servers from hacks, breaches or accidental exposure.

In line with the draft budget presented in the feasibility study, the activities to be funded under this activity will include consultant fees, in particular for business process improvement. Other activities to be funded include Supply of ICT goods and services, and rehabilitation of the existing buildings (for instance, internal wiring and repartitioning of rooms). Training of operational staff will also be required, notably for cybersecurity awareness and good practice. The project will work with existing government buildings and any civil works conducted will be subject to World Bank environmental and social safeguards.

b) Digital Economy

This activity, under the Ministry of Finance and Planning (MoFP), and the Tanzania Revenue Authority (TRA), a semi-autonomous body under the MoFP, will focus on enhancement of financial/payment systems by strengthening regulations pertaining to digital financial transactions, in collaboration with the Bank of Tanzania (BoT), and enhancing the National Payment System (NPS). Regulations, standards and guidelines on recognized international practices for the protection of digital payments systems and digital financial services from cybercrime will be adopted, as will measures to protect the privacy of personal data in compliance with forthcoming legislation. By establishing skills and systems that better serve the digital economy, this activity should contribute to increasing revenue for the Government. This activity will require consultant services and purchase of ICT goods and services, including software development and cybersecurity strengthening.

3.2 Data Center Infrastructure

This activity aims to enhance the National Data Centre Infrastructure by acquiring storage, networking equipment, and computing resources for the government shared platform. It also seeks to enable cost effective sharing of resources, increasing the reliability of electronic services offered by government and enhancing the storage of government data as well as creating efficiency in sharing and accessing government applications through shared cloud infrastructure. The cybersecurity and physical security of the national data center and its infrastructure will be assessed at baseline and via regular risk analyses and penetration

tests throughout the lifetime of the project, with the recommendations to address vulnerabilities of the facilities, and to build the capacity of data center staff, supported under the project. This activity will require consultant services, purchase of ICT goods and services and additional training, notably on cybersecurity awareness and good practice, with a focus on good practice on energy efficiency and use of renewable energy. For highly sensitive government data and confidential private data, local data storage hosting on a government cloud may be required. For this purpose, an existing government data center, and the recently constructed National Internet Data Center (NIDC), will be used and enhanced with additional security and data storage capacity.

3.3 Digital Literacy and Capacity-Building

a) Government ICT cadre training program

This activity seeks to build the capacity of the ICT professionals within Government for managing and supporting existing and future government ICT systems (supply side) based on an ICT skills gap assessment conducted in all Ministries in 2018. The project foresees the training of specialized ICT skills for up to 500 ICT experts from the Ministries and will also include longer courses (master's degrees) at top-level universities as well as recognized industry certifications, for instance for cybersecurity, so that government IT officials can serve as Chief Information Security Officers (CSIOs) of their agencies. Synergies will be sought with the National Center for ICT Professional development supported under subcomponent 1.1 to make sure the appropriate programs are developed to support ICT professionals in the public sector or with interest in government jobs. Civil servants benefitting from training overseas will be required to have worked already for the government for several years and to sign contracts to stay within government for a minimum length of time, or to commit to repaying part of the costs of the training. The selection framework will be prepared and included in the Project Implementation Manual (PIM). This is intended to reduce the level of brain drain from government. Training for e-service operation will be provided in the specific activities of the sub-project.

b) Citizen Digital Literacy

An awareness program intended to raise the level of utilization of online government services will run for the entire duration of the Digital Tanzania Project (DTP). It will include, but not be limited to, social media, TV and radio programming to promote e-Government services; TV adverts and short video clips; print media campaign; dissemination of publicity materials; workshops and seminars (for media and the public). The awareness programs will include campaigns directed to the public concerning the protection of personal data in government services and the rights of individuals to determine use of their personal data. Other activities that will be supported are digital forums, conferences, exhibitions and different digital competitions among youth in order to strengthen digital involvement and contribution in innovations and creativity. The activity intends to increase digital literacy in terms of increased awareness and usage of digital services by citizens, with specific consultations with Government and local stakeholders to ensure that women's engagement with citizen services are accounted for. Activities to be supported under this sub-component include workshops, consultant services and training.

Component 4: Project Management

This component will support essential project management functions, covering primarily staff costs and operational costs. The Government, through MCIT and PO-PSMGG, will establish a single project implementation unit (PIU) which will be responsible for supervising operations. The PIU will comprise an overall project coordinator, a digital government services specialist, an ICT technical specialist/technical assistance officer and specialists in procurement and financial management as well as safeguards specialists. It will also include funding for strategic communications, monitoring and evaluation, internal audit, logistics and operational overhead, gender inclusion and diversity. Further to this it will include capacity building for beneficiary agencies, such as UCSAF and eGA, on the preparation of bidding documents and contracts specifically for procurement of ICT, which often includes both goods and services in a single contract. The activities of the PIU will be defined within the project implementation manual (PIM) which has been developed for this project.

2. ANTICIPATED LABOUR USE IN THE PROJECT

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

- 1) People employed or engaged directly by DTP Implementing Agencies (MCIT, PO-PSMGG and DTP-PIU) to work specifically in relation to the project;
- 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 DTP 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 for the projects have not been prepared at this time.

The PIU is formed by the MCIT and PO-PSMGG staff to be the key actors of the program's implementation with assistance from experts from MCIT and PO-PSMGG when and where necessary. It is formed with a combination of different professionals like the Project Coordinator; Assistance Technical Officer; Monitoring and Evaluation (M&E); Environmental, Social and Safety staff; Procurement Management Specialists (PMU), Accountants, Drivers and Secretaries.

2.2 Characteristics of Project Workers:

Description of the Program workers is explained in Table 1 below. 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:

- 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 labour for incidental manual work requiring little to no specialist training (e.g., field guides, vehicle breakdown servicemen). This should be locals.

However, DTP 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. Age of workers will be verified prior to their employment through provision of National Identification Cards (NIDA) to the recruiting personnel which is provided to persons over 18 years of age. The project will also post in the adverts that children as prescribed by the national law are will not be employed in any of the project sites.

2.2.1 Direct Workers:

Implementation of the DTP will mainly use Civil Servants working with the DTP Implementing Agencies (MCIT and PO-PSMGG) found at Ministries' Headquarters. Further, the DTP may necessitate the utilization of "experts" including Safeguard Specialists who will be recruited on a contractual basis and deployed in order to strengthen efficient service delivery of program Implementing Agencies (MCIT and PO-PSMGG). Direct workers will be managed by MCIT and PO-PSMGG 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 (Seconded) 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:

DTP 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 DTP Implementing Agencies (MCIT and PO-PSMGG) as well as World Bank's ESS2. Contracted workers will be hired to conduct design, environmental and social studies and civil works. The DTP will link with universities to identify a potential supply of women students that can apply to these positions.

Timing of Labour Requirements:

Contracted workers will be engaged either under long term period of not less than 12 months, and short-term period of not more than six 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 neighboring villages or other parts of Tanzania) and/or international workers will be engaged under the DTP. 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.

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 DTP. The type of activities to be supported includes:

- Establishment of a center for ICT Professional Development Establishment of Dedicated Zonal Soft centers for Youth, Entrepreneurs and SMEs Establishment of ICT equipment refurbishment centers Scanning of ICT Regulatory (Policy, Legal and Infrastructure) Environment Enhancing the National Addressing and Postcode System Development of National ICT statistical Information Management System (NISMIS)Tanzania Postal E-Commerce initiatives GovNet Connectivity Rural broadband connectivity and Rural ICT Development Huduma Pamoja Centers
- Digital Economy
- Enhancing Data center Infrastructure
- Government ICT Cadre Training Program
- Citizen Digital Literacy/Awareness Program

3.2 Potential project Labour related risks

Potential labour risks associated with the DTP activities include safety and health hazards, accidents and injuries, HIV/AIDS, child labour, labour influx and gender-based violence, specifically sexual exploitation and abuse (SEA) and sexual harassment in the workplace.

a) Labour influx:

Labour influx is known to happen in fiber construction, construction and upgrading of communication towers and for large scale digital 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 project's neighboring villages. Where the required skill is not available, advertisements and recruitment of workers will be held at all levels, i.e., district, regional and national to reduce the risks of labour influx. Employment will also be discouraged at worksites and gates of construction sites. Contracted firms under DTP 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 DTP-PIU.

b) Accident and injuries (safety and health hazards):

The DTP's sub-projects implementation will entail occupational health and safety issues such as: working with cutting equipment; quarry sites and borrow areas where there may be blasting; electrical safety, electromagnetic fields (occupational), optical fiber safety, elevated and overhead work, fall protection, confined space entry, motor vehicle safety. Occupational health and safety hazards may also arise during construction and are common to other types of construction sites and are described in detail, along with measures for their prevention and control, in the General EHS Guidelines. Excavation, construction, and repair of some components of a telecommunications system may result in workers' exposure to existing aboveground or underground utilities, including aerial or buried electric transmission lines or buried natural gas and petroleum pipelines. Identification and location of all relevant existing underground utilities should be undertaken prior to any excavation and trenching activities.

. These works pose occupational hazards that may result in accidents and injuries. The DTP 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 DTP subprojects. Women who seek employment in all employment categories (direct workers, contracted workers) may also face sexual harassment including demands for sexual favors before being employed. To address these, Tanzania has put in place laws and regulations and gender desks in various police stations and Gender focal personnel's in each Government Institution. For the DTP the focal personnel from implementation agencies will be used to ensure GBV/SEA framework is adhered. The projects contractors will also prepare GBV Action plan to be reviewed and cleared by MCIT, PO-PSMGG and DTP-PIU will detail the provisions in Table 2. In addition, sub-component 3c of the DTP 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 which varies across regions in Tanzania ranging from 11.4% in Njombe and 11.3% in Iringa to less than 1% in Lindi. Construction attracts 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. Tanzania has elaborate laws, Employment and Labour Relations Act (2004), prescribing minimum employment age at 18 years, and this will guide the project implementation. The contractors will be required to ensure certification of labourers' 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 MCIT, PO-PSMGG and DTP-PIU Environment and Social Specialists and through the Supervisors for the sub-projects. In addition, the project will require the contractors to present/develop child labour 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 1 below presents possible mitigation measures for the Digital Tanzania Program/Project's potential risks:

Table 1: 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	<p>The supervision engineer to ensure:</p> <ul style="list-style-type: none"> • Each active work site to have an OSHA trained and certified first-aider; • Provision of well stocked first aid kits and first aid training to all site workers; • Develop and implement Emergency Response Plan (ERP) for each of the sub-project; • Installation of warning signs and barricades appropriately at all active worksites; • Appropriate PPE to be provided to site workers and visitors; • Code of Conduct to prescribe that wearing protective gear is mandatory; • Contractor shall develop, adopt and sensitize all site workers on Standard Operating Procedures guiding working at 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.
Likely incidents of child labour	Contractors and sub-contractors	Moderate	<ul style="list-style-type: none"> • 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;

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
			<ul style="list-style-type: none"> • Sensitize beneficiaries on negative impacts of child labour; • Certification of worker age and removal of under-age workers (using National Identification Card, Voters Registration Card, Birth Certificate or affidavit of birth in employment of workers); • Ensure 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.
Labour influx	Semi-Skilled and Manual workers	Moderate	<ul style="list-style-type: none"> • Provision of employment for local community members is 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-skilled labour is conducted within district or regional headquarters 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; • Contractor to have a GBV Action Plan, including a Response and

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
			Accountability Mechanism; <ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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 non-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	<ul style="list-style-type: none"> • Sensitization on HIV/AIDS infection, causes and prevention • Pre and Post Counselling on HIV/AIDS • Sensitization on voluntary testing and provision of the same by a service provider; • Sensitization on the proper use of ARVs; • Provision 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) materials 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 legislation includes:

- 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 Labour, prohibition of forced Labour, freedom of association, leave provisions – annual, sick and holidays, dispute resolution/ grievance management, contractual arrangements, terms and working conditions and prohibition of discriminations.

The 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 LABOUR, prohibition of child LABOUR, 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 DTP 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. All DTP workers (whether direct/contract/migrant) 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 (MCIT and PO-PSMGG) will designate a DTP Implementing Unit (PIU) to coordinate program's activities as well as to oversee all aspects of the implementation of the LMP, in particular to ensure contractors' compliance. 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 DTP 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 DTP.

Table 2: Responsible staff/ Institution and their roles in the DTP Program

S/ N	Institution/ Staff	Roles
1	E&S Staff of the Digital Tanzania Program PIU	<ul style="list-style-type: none"> • 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 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 Consultant	<ul style="list-style-type: none"> • 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 contractor 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, Labour 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
S/ N	Institution/ Staff	Roles
		<p>under them;</p> <ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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;
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S/N	Institution/Staff	Roles
		<ul style="list-style-type: none"> • 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 weekly reports of non-compliance to the Supervision Engineer/consultant; • 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 MCIT and PO-PSMGG.

a) Occupational Health and Safety.

The DTP 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 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 MCIT, PO-PSMGG and DTP-PIU, 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 MCIT, PO-PSMGG and DTP-PIU, as specified by the contract.

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.

b) Labour and Working Conditions.

In accordance with specifications set out in this LMP, contractors will keep records on Labour and working conditions. DTP-PIU may at any time require these records from the contractors to ensure that Labour 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.

c) Worker Grievances.

The procedures currently in place to handle grievances in MCIT, PO-PSMGG and DTP-PIU will remain for Project staff. Contractors engaged in the DTP 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 DTP 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 DTP 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 DTP implementing Agencies (MCIT, PO-PSMGG and DTP-PIU) 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 DTP implementing agencies (MCIT, PO-PSMGG and DTP-PIU) 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 DTP Implementing agencies (MCIT, PO-PSMGG and DTP-PIU). 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 DTP's ESMF.

Under no circumstances will the DTP Implementing agencies (MCIT, PO-PSMGG and DTP-PIU), Contractors, suppliers or sub-contractors engage forced Labour.

Furthermore, implementing agencies (MCIT, PO-PSMGG and DTP-PIU) will be required to develop agency's Occupational Health and Safety Policy Statement for the DTP. 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), WBG EHS Guidelines for Telecommunications 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 DTP will target participation of both men and women between the age of 18 and 65. During the DTP 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 DTP, 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 DTP 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

The grievance mechanism involves a formal process for receiving, evaluating and redressing program-related grievances from affected communities, workers and the general public. The DTP 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 DTP -PIU will require contractors to have a grievance redress mechanism for their work force including sub-contractors to address workplace concerns. Prior of beginning 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 DTP PIU and/or the Supervision 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 both men and women involved in public works to report cases of sexual exploitation and abuse/ sexual harassment (SEA-SH) and procedures to address these kinds of cases. The system will also have in place protocols to ensure safety and confidentiality of the SEA-SH survivors.

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 project level (PIU) will be hearing the case before forwarding to MCIT/PO-PSMGG 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 DTP GRM flow chart for workers grievances is clearly presented in the DTP 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 DTP’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.

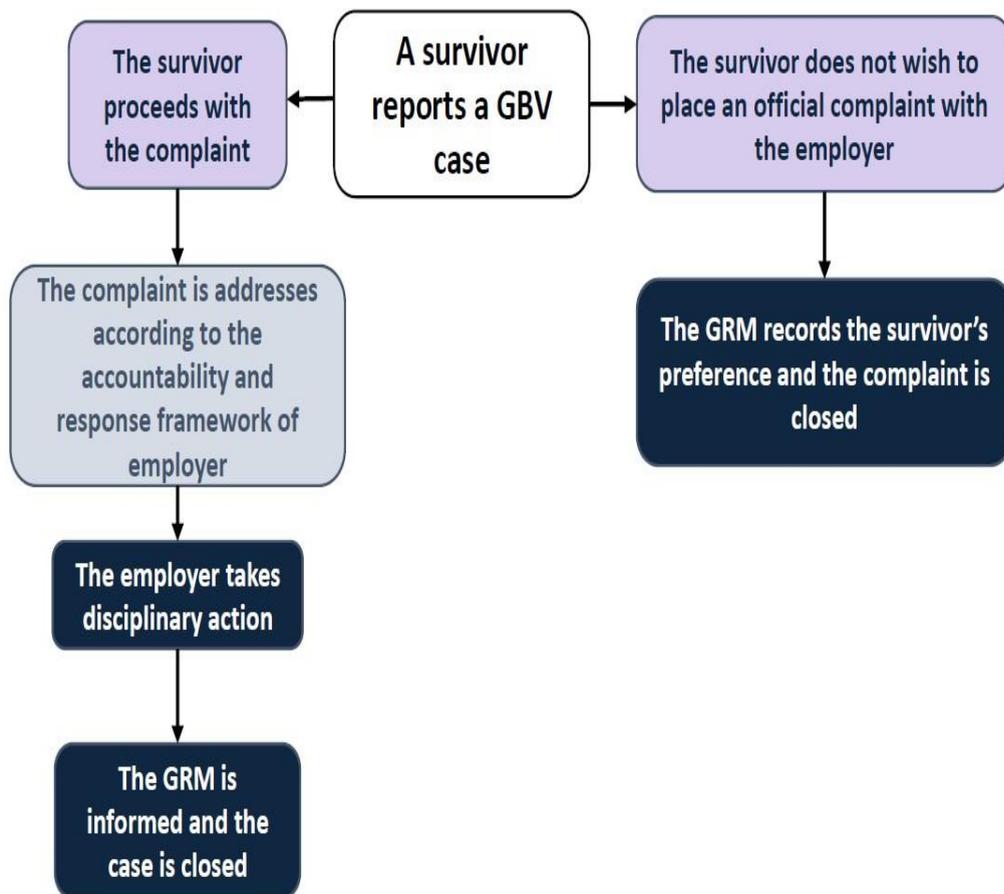


Figure 1: GRM process for GBV survivors.

11. CONTRACTOR MANAGEMENT

It is anticipated that under the subcomponents of the DTP there will be contracting of service providers. The DTP PIU requires that contractors and the involved third parties (sub-contractors, agents or intermediaries) monitor keep records and report on terms and conditions related to Labour 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 DT- PIU will be responsible for ensuring environment, social, health and safety of workers and road safety measures are addressed in DTP 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

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. Whereas DTP implementing agencies (MCIT and PO-PSMGG) will play the managing and monitoring role to ensure that the contractors and third parties (sub-contractors, agents or intermediaries) comply with them.

To ensure sound and time-bound project implementation, DTP utilizes a number of specialists. This call is for sound contractor management be realized through proper agreement signing, agreement on key performance indicators and ensuring that worker related aspects of the project are embedded in contract. Contractors will be selected through an open competitive bidding process. Management of labour issues including occupational health and safety as guided by ESS 2 and the approved LMP shall form part of the contract awarded to the best evaluated bidder. There will be:

- (i) Scrutiny of Information in public records, for example, corporate registers and

public documents relating to violations of applicable labour law, including reports from labour inspectorates and other enforcement bodies;

- (ii) Business licenses, registrations, permits, and approvals; Documents relating to a labour management system, including OHS issues, for example, labour management procedures;
- (iii) Identification of labour management, safety, and health personnel, their qualifications, and certifications;
- (iv) Workers' certifications/permits/training to perform required work;
- (v) Records of safety and health violations, and responses;
- (vi) Accident and fatality records and notifications to authorities;
- (vii) Records of legally required worker benefits and proof of workers' enrolment in the related programs;
- (viii) Worker payroll records, including hours worked and pay received;
- (ix) Identification of safety committee members and records of meetings; and
- (x) Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms

The DTP shall have full access to all project information collected by the contractor and project focal persons. The project manager with support from the Independent Supervisor shall be tasked to monitor and ensure compliance by the Contractor to ESS 2.

All contractors shall have clear SOPs, closure dates and competent action parties. Continuous monitoring shall be carried out throughout the project life cycle including but not limited to anomaly sighting campaigns amongst staff, periodic audits, inspections, and/or spot checks of project locations or work sites and/or of labour management records and reports compiled by third parties. While contractors shall have independent agreements or contracts signed with employees and sub-contractors, DTP shall ensure that all contractors and employees are employed as per National Legislation, Best industry practice and in compliance to the labour management procedures. The contractor is obliged to provide all copies of contracts or agreements from all employees and subcontractors or any other contract entered into as part of the project delivery to DTP.

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 DTP 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 requires that, under the DTP, 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 DTP 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.