

**MINISTRY OF AGRICULTURE
OF THE REPUBLIC OF TAJIKISTAN**

**STRENGTHENING RESILIENCE OF THE AGRICULTURE
SECTOR PROJECT**

LABOR MANAGEMENT PROCEDURES

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ABBREVIATIONS

ACP	Agriculture Commercialization Project
ALCs	Agro-logistic centers
DRS	Districts of Republican Subordination
E&S	Environmental and Social
EHS	Environmental, Health and Safety (Guidelines)
ESCP	Environmental and social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environmental and social Management Framework
ESMP	Environmental and Social Management Plan
ESS	the World Bank's Environmental and Social Standards
GBV	Gender-Based Violence
GoT	Government of the Republic of Tajikistan
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service of the World Bank
IA	Implementing Agency
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
MoA	Ministry of Agriculture of the Republic of Tajikistan
MoLEM	Ministry of Labor, Employment and Migration
MSMEs	Micro, small and medium enterprises
NGO	Non-governmental organization
OHS	Occupational Health and Safety
PIU	Project Implementation Unit
R&D	Research and Development
SRASP or Project	Strengthening Resilience of the Agriculture Sector Project
REDP	Rural Economy Development Project
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
WB	World Bank
WDCs	Wholesale Distribution Centers

1. INTRODUCTION

1.1 Project Background

COVID-19 has exposed the weaknesses of the Tajik agricultural sector and has had a large adverse impact on food security and nutrition. The impact on agricultural production in 2020 was moderated by the fact that farm inputs for the main planting in spring were procured by farmers before the COVID-19 outbreak. However, the adverse impact on the 2021 agricultural production is anticipated to be much larger. The small fiscal space of the Government of Tajikistan (GoT) has become smaller in the aftermath of COVID-19 crisis, reducing the likelihood of another emergency input distribution and improved generation and delivery of agricultural services without external assistance. During the COVID-19 pandemic, the GoT did not have real-time information on food stocks or the structure of actual cropping areas of subsequent planting campaigns to take timely and effective crisis response measures, exacerbating the adverse impact of declined purchasing power of the population as a result of lost jobs and remittances on food and nutrition security. In response, the GoT is launching the proposed Strengthening Resilience of the Agriculture Sector in Tajikistan Project.

The proposed project aims to thereby strengthen the crisis resilience of the agriculture sector, increase domestic food security, strengthen the foundation for increasing production and export competitiveness of the growing horticulture sector, and improve Ministry of Agriculture's and other relevant public institutions' early warning and crises preparedness and response capacity. It would also contribute to the development of a viable sector of private micro, small and medium enterprises (MSMEs) in rural areas and generate employment opportunities in regions with few legal alternatives. The proposed project will support: (i) increase the availability of improved seeds, seedlings and planting materials that are farmer-preferred and well adapted to the different agro-ecological conditions of Tajikistan; (ii) improve the access to improved agro-logistic services of farmers and agri-businesses and (iii) strengthen the crisis management i.e. early warning, preparedness and response capacity of selected public institutions.

The proposed project will be implemented nationwide. The agro-logistic centers (ALCs) will be tentatively located one each in Khatlon, Sughd, and Dushanbe regions selected for their agro-ecological potential, agricultural production patterns, and proximity to major urban market (in the case of Dushanbe). The sub-sectoral focus will be on horticulture. The project builds on and complements to two ongoing projects related to agricultural food sector development. The Agriculture Commercialization Project (ACP) that promotes an increased competitiveness of and inclusion of smallholders in dairy, fruit, and vegetable value chains, and Rural Economy Development Project (REDP), which supports dairy value chains and productive partnerships and agro-tourism in Khatlon, Sughd, and DRS regions.

The project recognizes the significance of and adopts the World Bank's Environmental and Social Standards (ESS), for identifying and assessing as well as managing the environmental and social (E&S) risks and impacts associated with this investment project. The reviews undertaken by the Bank has classified both environmental and social risks as substantial. As a response, the Government of Tajikistan/ Ministry of Agriculture (MoA), implementing agency, has developed several key instruments to address the same. One of them is the Labor Management Procedures (LMP).

1.2 About the Project

Project Development Objective is to strengthen the foundations for a more resilient agriculture sector.

The geographic coverage will be nationwide, with specific focus on Khatlon, Sughd, and Dushanbe regions selected for their agro-ecological potential, agricultural production patterns, and proximity to major urban market (in the case of Dushanbe).

Project Components

Component 1: Strengthen seed, seedling and planting material systems.

This component will support the development of viable seed, seedling and planting material systems to ensure the availability of improved, locally adapted, market and farmer-preferred, climate resilient varieties of these inputs for priority crops,¹ and in sufficient quantity. Advances in inputs technology are one of the most important channels for improving productivity in agriculture. The government recognizes the crucial role of the inputs sector in achieving not only agriculture production and productivity goals, but also broader development goals, such as food security and climate resilience. They contribute to enhanced and efficient use of water, in addition to other direct inputs such as fertilizers, pesticides and insecticides. Seeds, seedlings and planting material are major determinants of productivity in the agricultural sector, and production increases due to improved varieties can increase farmers' income where markets exist and ultimately improve livelihoods. This component has four subcomponents prioritizing support for improving the enabling environment necessary for the development of viable seed, seedling and planting material systems; research and development; multiplication; and quality assurance of high-quality seeds, seedlings and planting materials available in the market:

Subcomponent 1.1 Enabling environment: The objective of this subcomponent is to improve the policy and legal framework of the seed, seedling and planting material systems. This subcomponent will support the formulation, implementation, and harmonization of policies and legislation, and capacity building. The main areas of support of the subcomponent would include (i) technical assistance for the review and assessment of existing legislation and policies with the objectives of (a) identifying policy and legislation gaps and implementation challenges, (b) developing new legislation and policies that advance the development of viable and resilient subsectors, (c) harmonization of legislation and policies with regional and international standards; and (ii) capacity building in the development of policy and legal provisions as well as strategies and development programs. Policy guidelines and regulations will be assessed through the lens of removing barriers and increasing incentives for adopting climate solutions and enabling the private sector to take up a more active role in developing local climate products.

Subcomponent 1.2 Research and development (R&D): The objective of this subcomponent is to build the capacity of national agricultural R&D institutions to develop new technologies as well as adapt existing, on-the-shelf technologies to local social and environmental conditions and to changing circumstances over time (e.g. co-evolution of pests and diseases, degradation of water

¹ Priority crops as identified by the GoT include wheat, cotton, potatoes, grapes, onions, apples, and cherries.

and land resources and climate change manifestations). This subcomponent will have two focus areas: (i) infrastructure development; and (ii) human resource capacity building, including on climate-smart agriculture (CSA). These initiatives will target research institutions associated with the Tajikistan Academy of Agricultural Sciences (TAAS) and the Tajik Agrarian University (TAU) and support their capacity to develop market- and farmer-preferred, locally adapted, climate resilient and affordable technologies.

The sub-component will also support the multiplication of early generation high-quality seed, seedlings and planting material accessible to downstream stakeholders for commercial multiplication and distribution. Main elements of support under this subcomponent would include: (i) office furniture, IT and laboratory equipment, mobility and farm machinery (tillage, planting, harvesting); (ii) construction of new and/or rehabilitation of existing office and laboratory buildings and , greenhouses, rehabilitation of existing research infrastructure, including irrigation facilities; (iii) consultancy services in support of capacity and capability assessment and development; and (iv) human resource capacity development, including short-term training for researchers, specialists and technical assistants, workshops and knowledge sharing visits on topics including CSA.

Subcomponent 1.3 Multiplication: The objective of this subcomponent is to build the capacity of entities (seed producers and nurseries) involved in the multiplication of seed, seedlings, and planting material. This subcomponent will have two focus areas: (i) capacity building of seed producers, nurseries and associated stakeholders for enhanced seed, seedling and planting material multiplication, including on CSA; and (ii) importation of super elite and elite material for commercial multiplication by seed producers and nurseries.

Main elements of support under this subcomponent would include: (i) construction and/or rehabilitation of storage facilities, office and laboratory buildings, greenhouses, and rehabilitation of existing irrigation facilities; (ii) procurement of office furniture, field and laboratory equipment, vehicles and farm machinery; (iii) consultancy services in support of capacity and capability assessment; (iv) capacity building and capability development of technicians, consulting support services and other associated personnel through participation in individually targeted training (both short and long-term), workshops, and conferences; and (v) the acquisition (importation) of super elite and elite seed, seedlings and planting material of high value, locally adapted varieties of GoT identified priority crops, including potato, grape, onion, wheat, cotton, rice, apple and cherry for commercial multiplication by local seed producers and nurseries. The immediate acquisition of seed, seedlings and planting material will support seed producers and nurseries immediate need to access high quality material for commercial production, pending the longer-term benefits associated with the research and development focus of subcomponent 2.

Subcomponent 1.4 Quality assurance: The objective of this subcomponent is to build the capacity of institutions and entities involved in quality assurance of seed, seedlings and planting material that are produced (or imported) and sold in Tajikistan. This subcomponent will have two focus areas: (i) infrastructure development of quality assurance testing facilities including laboratories; and (ii) human resource capacity development. Main elements of support under the physical capacity building aspect of the subcomponent would include: (i) construction of new and/or rehabilitation of existing office and laboratory buildings; (ii) procurement of office

furniture, field, laboratory, IT and associated equipment, farm machinery and vehicles as well as inputs essential for the operation of laboratories and other quality assurance promotions and activities. Main areas of support in human resource capacity building would include (i) consultancy services in support of capacity and capability assessment; and (ii) training of researchers, technicians, consulting support services and other personnel associated with quality assurance through participation in individually targeted training (both short and long-term), workshops and conferences.

Component 2: Support investments in agro-logistical centers for horticulture value chain.

The objective of the component is to support investments in Agro Logistical Centers (ALCs) to enhance horticulture value chains and improve their competitiveness and access to high-end markets (e.g. retail chains and export). The investments in ALCs help build resilient food systems, promote diversification, and ensure better market linkages, quality, and food safety standards, reduce food loss and waste, and initiate the development of an efficient distribution system network in Tajikistan.

Subcomponent 2.1: Support the development and operation of ALCs. The sub-component will support the development and operation of three ALCs tentatively located in Khatlon, Sughd, and Dushanbe regions to support primary collection, quality and food safety standards enforcement for local horticulture production and its access to high value outlets. Streamlined processing platforms, including improved and new storage facilities, will reduce the risk of losses due to climate, and increase resilience. Specifically, the sub-component will support (i) technical assistance for the preparation of feasibility studies, business plans, environmental and social impact assessments, and detailed designs and construction supervision plans for all three facilities; (ii) civil works for the construction of three facilities; and (iii) equipment for operational activities of three facilities – pre-cooling, sorting, grading and packing lines as well as cold storage units and an operational management software. The facilities are expected to be built on state-owned land and will be owned by the State. The ALCs could be managed through a public delegation service contract to a private operator (cooperatives and/or agri-food sector company).

Subcomponent 2.2: Capacity building for operation and management of ALCs and awareness raising. The subcomponent will support (i) capacity building of future management staff for operation and management of ALCs through specialized trainings; and (ii) strengthening of GoT's knowledge through workshops and study tours to prepare the ground for future investments in a sustainable and integrated food distribution network organized around various ALCs and potentially a Wholesale Distribution Centre (WDC) in Dushanbe.

Component 3: Strengthen public capacity for crises prevention and management. This component will strengthen the capacity of relevant public institutions on agricultural crises prevention and management, focusing on priorities with quick wins, readiness for implementation, and significant impacts. The Component will consist of the following three subcomponents.

Subcomponent 3.1: Real-time monitoring of agricultural production, land use, and agrometeorology. The objective of this subcomponent is to improve information base and data analysis capacity for effective policy making to ensure more resilient and sustainable development of agriculture. This subcomponent will also support generation of real-time agrometeorological information. Informed advisories, alerts and robust early warning systems are essential for farmers and rural dwellers to prepare for and adapt to changes in climate. The project will support two

focus areas in this regard: (i) increasing capacity of MoA to collect and analyze location-specific weather information, in collaboration with the Agency for Meteorology; and (ii) providing early warning and timely diagnoses for farmers, which will address the currently delayed and inaccurate agrometeorological information provision. The subcomponent will pay attention to channel information through technologies that are accessible also to women farmers and agri-entrepreneurs.

Main elements of support under this subcomponent would include: (i) human resource development, including training on digital data collection, analyses, and forecasting, workshops, seminars and experience sharing visits; (ii) development of protocols and manuals for data collection in the unified database; (iii) agricultural production forecasting using remote sensing and other data through scaling up the ACP-supported pilot of agricultural production forecasting; (iv) preparation of agrometeorological information materials for farmers and development of distribution channels; (v) establishment of new agrometeorological stations and ICT infrastructure to receive and process data; (vi) procurement of goods and equipment for remote sensing and field data collection and monitoring; (vii) operating expenses for data collection and analyses.

Subcomponent 3.2: Soil fertility management. The objective of this subcomponent is to increase farmers' awareness of their soils, water and biohazards, and success in replacing blanket recommendations with test-based recommendations and adoption of climate-smart farming practices (i.e. precision agriculture). This will entail generation of agro-technology maps and a broader menu of options for farmers tailored to specific needs of agro-ecological zones of the country. This subcomponent will have three focus areas: (i) enhancing land productivity through improved soil fertility and soil health and addressing land degradation; (ii) building capacity of MoA and other public institutions on climate-smart practices that lead to reduction in greenhouse gas (GHG) emissions and fertilizer use; and (iii) creating the foundation for effective use of innovative remote digital soil scanning and testing in the future.

This subcomponent would also support capacity building to experts, scientists, and farmers in natural resource management through a combination of awareness creation and training; provision of field and office equipment and critical supplies; and operational expenses for field days and hands-on exercises.

Subcomponent 3.3: Crop protection and locust control. The objective of this subcomponent is to strengthen capacity of crop protection and locust control agencies² to provide public-nature plant protection services and help farmers protect against pests in an environmentally sustainable manner. Warmer temperatures are favourable to pests; and potential climate change-induced threats to Tajikistan include the arrival of new pests and diseases.³ There will be two focus areas of this subcomponent: (i) investing in broad-scale control measures to control the locusts, damages and losses; and (ii) investing in human capacity to apply measures.

Main elements of support under this subcomponent would include: (i) human resource development, including training and workshops on CSA and Integrated Pest Management (IPM);

² The project will complement and fill the gaps of the second phase of the regional program on locust management implemented by FAO and financed by the Government of Japan, which started in December 2020. This five-year project will provide support for improving locust management through regional cooperation and strengthening of technical capacities on a wide range of topics, including for the operational use of the Automated System for Data Collection and national Geographical Information System, allowing collection and analysis of standardized field locust data.

³ Asian Development Bank and World Bank. 2021. Climate Risk Country Profile Tajikistan. (draft).

(ii) upgrading crop protection laboratory infrastructure, including civil works for buildings⁴ and procurement of equipment and laboratory reagents; (iii) improving technical capacity of the crop protection and locust control units, with investments in chemicals, other goods, and equipment, to deliver services and strengthen field surveillance; and (iv) operating expenses.

Component 4 - Project management and coordination. The objective of this component is to support project management, coordination, M&E, citizen engagement, and implementation of environmental and social framework (ESF) instruments and fiduciary aspects of the project. Activities to be financed under this component include: (i) PIU staffing; (ii) operational costs; (iii) goods, including office furniture, IT equipment, vehicles, audio visual etc.; (iv) consultancy and non-consultancy services, including training, workshops, conferences etc. and technical assistance (TA) for various activities e.g. conducting TOT, beneficiary surveys, capacity needs assessment, specification of lab equipment etc.; and (v) implementation, including planning, monitoring (supervision) and evaluation (impact evaluation), report writing, project auditing, donor coordination, etc.).

1.3 Implementing Agency

The implementing agency for the proposed project will be the Ministry of Agriculture (MoA). The project will be managed by the Project Implementation Unit (PIU) to be established under the MoA. The PIU will employ a Social Development Specialist in Dushanbe who will have the necessary experience and knowledge on WB social risk management standards and social assessment frameworks. Furthermore, the PIU will recruit additional social risk management consultants in each Regional Project Offices in Sughd and Khatlon to ensure project compliance to the new ESF. Since the MoA has limited experience and knowledge on addressing requirements related to new ESSs, in particular on labor and working conditions and labor safety issues, community health and safety, and biodiversity conservation, the ESF capacity building activities will be included into the E&S Commitment Plan.

1.4 Environmental and Social Aspects

This project addresses the environmental and social aspects through the World Bank's Environmental and Social Standards (ESS) approach/ framework. One of the Standards- ESS 2- relates to Labor and Working Conditions and expects the Implementing Agency (IA) to develop labor management procedures (LMP). In compliance with ESS2, this LMP has been prepared to identify main labor requirements and risks associated with project implementation and help the IA to determine the resources necessary to address labor issues. The LMP is a living document, which is initiated early in project preparation, and is reviewed and updated throughout development and implementation of the project. Accordingly, this document details out the type of workers likely to be deployed by the project and the management thereof.

1.5 Scope and Structure of the LMP

⁴ Investment in laboratory facilities will be designed with an objective, among others, to use climate -proof and energy efficient materials and reduce exposure to extreme weather conditions.

Scope of the LMP shall be as outlined in the World Bank's ESS 2. The engagement will be planned as an integral part of the project's environmental and social assessment and project design and implementation. This report has 10 chapters. Chapter 1 serves as Introduction. An overview of labor use in the project is presented in Chapter 2. Key potential labor risks are listed in Chapter 3. Legislative Framework governing labor employment in Tajikistan and a gap analysis with that of the World Bank's ESS 2 is discussed in Chapter 4. Implementation Arrangements, Age Requirements, Policies and Procedures and Timing of labor requirements follow in the subsequent chapters. Grievance Redressal Mechanism and Contractor Management are presented in the last two chapters 9 and 10 respectively.

2. OVERVIEW OF LABOR USE IN THE PROJECT

2.1 Type of Workers

ESS 2 categorizes the workers into direct workers, contracted workers, community workers and primary supply workers. The Project could encompass the following categories of workers: direct and contracted workers. Direct workers will be those deployed as ‘technical consultants’ and ‘project specialists’ by the PIU. They will be governed by mutually agreed contracts. Contracted workers will be employed as deemed appropriate by contractors, sub-contractors, and other intermediaries, details of which will be known as and when activities' implementation begins. No primary supplier workers or community workers are anticipated. Communities will have no role in procurement and management of any contracts; though, community members are expected to be employed as contractor’s labor, which will be governed by the Contractors Management Plans. About primary supply workers, project does not, on an ongoing basis, seek directly goods or materials essential for the core functions of the project.

Direct workers. The project will be implemented by the Project Implementation Unit to be established under the Ministry of Agriculture (MoA PIU). Apart from the PIU at the national level, it is expected to have two regional project offices, one in Khatlon and another in Sughd regions.

Contracted Workers. Two broad categories of contracted workers are expected. First is Consultant service providers who will provide implementation support services to the implementing agency. Second is the staff of civil works contractors to be subcontracted to arrange for civil works under the subprojects.

2.2 Number of Project Workers

The exact number of project workers which will be engaged in relation to the Project is currently not known. However, some estimated numbers are provided below. These are based on the current workforce of the MOA PIU, present in Dushanbe and in the potential regions to be covered by the Project, as well as on prior projects of similar scale.

Direct Workers. Total number of the PIU employees, dedicated to this project, is estimated to be approximately 30, including the national office in Dushanbe and two regional offices in Khatlon and Sughd regions. The PIU core employees financed under Component 4 include, but not limited to: Project Director, Deputy Director, Accountant (4), Project Coordinators, Agriculture Development Specialists, Marketing Specialist, Procurement Specialists (2), M&E specialist, Environmental Specialist, Social Development Specialist, interpreter/translator, and regional representatives (including environmental and social staff, community liaison officers).

Contracted Workers. The precise number of project contracted workers who will be employed are not known as of now. This will become known as and when implementation begins. Contracted workers will include:

- *Technical Assistance Consultants* will be recruited for research and capacity building tasks. Estimated number of consultants to be hired is about 50.
- *Civil Works Contractors and Workers.* Civil works are foreseen under Components 2 and 3 of the Project. Component 2 includes construction of 3 agro-logistics centers with

locations to be determined and rehabilitation of premises of the state agencies and institutions. Estimated number of workforces for Component 2 is about 200. Component 3 includes civil works for rehabilitation and construction of new laboratories for Research Institutes, demonstrational activities, installation of climate-smart technologies, foundation of extension centers, etc. Estimated number of workforces for the Component 3 is about 250.

In total about 450 workers may be involved in construction works under the project.

2.3 Workforce Characteristics

Given the nature of the project workforce (mostly unskilled and semiskilled construction labor) and characteristics of the labor force market in Tajikistan, it is likely that the workforce, especially the lower-skilled workers will be predominantly male. Female workers are expected to be employed by the PIU and, in more limited numbers, by Contractors. It is estimated that women would represent about 5-10 percent of the workforce, and those would likely be community liaison officers and/or staff working in the operation offices and camps (maids, cooks, cleaners etc.). The expectation is that the majority of labor will be locally hired with the exception of a few skilled workers. All the works will be contracted out. Contractors will be encouraged to train and hire as many workers as possible from local communities.

Based on the experience under previous projects implemented by MoA and ACP PIU, all workers will be above 18 and will be on average 30-50 years old.

2.4 Timing of Labor Requirements

The direct workers will be required full time and around the year for the project duration. Consultant Services workers will be required full time and on intermittent basis for the project duration. Civil works contracted workers will be required, as per the need. Construction season typically lasts from March to November but can vary depending on the weather conditions. It will be up to the contractors to mobilize labor force to coincide with the type of works and the season.

3. POTENTIAL LABOR RISKS

Occupational Health and Safety (OHS) risks are moderate and will depend on the type of subproject works to be implemented. It is assessed that key labor risks would be associated with occupational health and safety risks related to the construction of agro-logistics centers and rehabilitation of buildings such as exposure to physical, chemical and biological hazards during construction activities, use of heavy equipment, trip and fall hazards, exposure to noise and dust, falling objects, exposure to hazardous materials and exposure to electrical hazards from the use of tools and machinery. As the construction activities will involve hazardous work, persons under the age of 18 will not be employed in civil works. The risks are considered moderate because the local contract workers are likely to be unskilled. Many workers will be exposed to occupational health and safety hazards, including but not limited to:

- Electrical works
- Exposure to chemicals (as paints, solvents, lubricants, and fuels, pesticides, chemical fertilizers)
- Traffic accidents
- Excavations hazards
- Lifting of heavy structures
- Exposure to construction airborne agents (dust, silica and asbestos)
- Ergonomic hazards during construction
- Welding hazards (fumes, burns and radiation)
- Steel erection hazards and so on.

The MoA/PIU will take steps to prevent accidents, injury, and disease arising from, associated with, or occurring in the course of work by minimizing, as far as reasonably practicable, the causes of hazards. In a manner consistent with good international industry practice, as reflected in various internationally recognized sources including the World Bank Group Environmental, Health and Safety Guidelines, the client will address areas that include the (i) identification of potential hazards to workers, particularly those that may be life-threatening; (ii) provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (iii) training of workers; (iv) documentation and reporting of occupational accidents, diseases, and incidents; and (v) emergency prevention, preparedness, and response arrangements. Requirements to follow good industry practice and EHS Guidelines will be included in bidding documents of all civil works contractors. All contractors will be required to follow these labor management procedures, provisions of which are stated in their contracts, including procedures to establish and maintain a safe working environment as per requirements of ESS2. All contractors will be required under the ESMP to ensure workers will use basic safety gears, receive basic safety training and other preventive actions as provided in the Project ESMF.

The project proposes some small/medium scale infrastructure for the construction or rehabilitation of genetics banks, and seed laboratories agri-logistics centers; therefore, the majority of contractors are expected to be from the local vicinity. The expectation is that the majority of labor will be locally hired with the exception of a few skilled workers. Therefore, *the labor influx risk* is considered low.

The risk of child labor/forced labor is rated Moderate, as based on the national legislation the contractors have to comply with the minimum age of employment and mutually agreed written

contracts. However, according to the Tajik Labor Code, the persons between 14 and 16 years old may also be employed with reduced working hours, for employment that is not considered heavy or hazardous, and with parental permission and outside the school hours. For civil works no child labor is allowed; for agricultural works farmers might engage their 14 above children at home plots outside the school hours, however the agricultural workers are not considered the project workers as per ESS2 definition. The PIU will supervise the contracts and the Contractors will be required in the contract to commit against the use of child/forced labor, and PIU staff in charge of contractor supervision will monitor and report the absence of child/forced labor. The child labor monitoring form will be prepared as part of the Project Operational Manual.

Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) risk is assessed as moderate mostly due to the status of national Gender-Based Violence (GBV) legislation, gender norms, and the rural location of most project activities.

Labor risks associated with contracted workers at subproject level. Subprojects will be implemented by local contractors and most contracted workers will be hired locally with the exception of a few skilled workers. All contractors will be required to have a written contract with their workers materially consistent with objective of ESS2, in particular about child and forced labor.

Employment Risks. Workers will be hired by the PIU, either directly as PIU staff or indirectly as part of contracts with NGOs, or service providers. The experience with the WB-funded Agriculture Commercialization Project shows that the civil works subcontractors do practice employment contracting and official payrolls to their workers, as they are obliged to follow all legal and regulatory labor and accounting procedures under the GoT executed Loans/Grants. There is a risk that the current practice of unaccounted working hours and lack of compensation for overtime will continue. According to the leadership, the PIU relies on the donor-funded projects and has approved budgets per project and cannot exceed the budget ceilings. The PIU will track the staff working hours by completing the timesheets and restricting overtimes.

4. BRIEF OVERVIEW OF LABOR LEGISLATION

4.1. National Legislation

The Constitution of the Republic of Tajikistan (adopted on November 6, 1994) includes legal provisions on labor conditions and occupational safety. It provides everyone the right to:

Safe labor. The use of the labor of women and young people in hazardous and underground work as well as work in hazardous labor conditions is prohibited (Article 35);

The right to rest. That right is ensured by fixing the working hours and providing annual leave, weekly days off and other conditions stipulated under laws (Article 37);

Health Protection. The state takes measures to improve the environment, promote mass sports, physical culture and tourism (Article 38); and

Social security in old age in the event of disease, disability, loss of breadwinner and in other cases stipulated under the law (Article 39).

Labor Code of the Republic of Tajikistan (dated July 26, 2016) is the fundamental legislative act aimed at regulating all labor issues arising in the Republic of Tajikistan. This Code governs employment relationships and other relations, directly related, directed to protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms in the sphere of work. Article 7 of the Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, property, leading to a violation of equality of opportunities in the field of labor, are prohibited.

4.1.1 Relevant Labor Legal Provisions

Forced labor and child labor. Article 8 of the 2016 Labor Code prohibits forced labor. The Code also sets the minimum age at which a child can be employed as well as the conditions under which children can work (Articles 113, 67, and 174). The minimum employment age is 15, but in certain cases of vocational training, mild work may be allowed for 14-year-olds (Article 174). In addition, there are some restrictions on what type of work can be done by workers under the age of 18, and what hours of work are permissible. Examples of labor restrictions include that those between 14 and 15 cannot work more than 24 hours per week while those under 18 cannot work more than 35 hours per week; during the academic year, the maximum number of hours is half of this, 12 and 17.5 hours, respectively.

Wages and deductions. Contracts and collective agreements establish the form and amount of compensation for work performed. The Government establishes a minimum wage, which is called a “social norm” (Article 103), and this can be adjusted by an index based on discipline and possibly other factors. Work in desert, other arid (“anhydrous”) areas, and mountainous areas is subject to additional compensation.

Employers are obligated to pay workers at least once per month (Article 108). If payment is not paid as specified in the contract and this is the fault of the employer, the employer must then pay “...additional cash according to the bank discount rate for each day of delay” (Article 108).

Employers also must pay for work-related damage to health or property, and families are compensated in case of death. Deductions are allowed for specific reasons, but may not exceed 50 percent of the amount owed to the employee, and payment after deductions may not be less than the minimum rate determined by the government (Article 109).

Women. Article 162 prohibits overtime, weekend work, and business trips for women who are pregnant or who have children under three years of age. For women with children between three and 14 years of age, overtime and business trips are allowed, but only if the woman agrees. Other gender-specific provisions are described in relevant subsections.

Working hours. The standard work week is 40 hours, with less allowed for those under 18. The number of hours per day, and days per week, is established in the contract/agreement between the employer and employee. Employers must provide up to two hours of unpaid time off each workday for “rest and catering”, and also paid time off in case time is needed to cool off, to warm up, or to breastfeed children. Details of time off are established in contracts/agreements.

Leave. In addition to national holidays, employees have to receive at least 24 days of paid leave per year, with workers under 18 years of age receiving at least 30 days and disabled employees receiving 30 days. In addition, those who work in unhealthy and unfavorable working conditions receive an additional seven days and those who work in unfavorable climate conditions receive an additional eight days.

Leave without pay may also be taken by certain groups of people and may also be covered in contracts. At termination of employment, employees are paid for unused leave, or they may use the leave as their last days of employment.

Women are provided maternity leave for up to 70 calendar days, or 86 days in case of complicated labors, and then are provided 100 days leave after giving birth 100 days, with benefits paid from the state social insurance. Maternity leave is calculated in total and is paid in a lump sum, regardless of the actual number of days off before giving birth. After giving birth, a mother may take additional leave until the child is six months old, again paid by social insurance. She may take unpaid leave until the child is three years of age. Her position is guaranteed upon her return from all these types of leave. In addition, this “baby-minding” leave can be used by the father, grandparents, or other relatives/trustees if they are actually responsible for childcare.

Overtime work. Overtime can be required up to 12 hours per day and is paid with compensatory time or at a rate at least double the normal rate. Night work is paid at 1.5 times the normal rate. Conditions for overtime work are determined in the contract.

Labor disputes. Labor disputes are considered to be “unregulated discrepancies between the employer and employee on the issues of application of legislative and other normative actions on labor of the Republic of Tajikistan and working conditions provided by labor agreement (contract) and collective agreement and contracts” (Article 189). Disputes may be adjudicated by commissions that are created “on a par with employer and agencies representing the interests of employees,…” (that is, with equal representation of employee/employees and employer), if such commissions are provided for in labor agreements/contracts (Article 191). Commissions must

consider issues within 10 days. If the employer, employee, or their representatives disagree with decisions by a commission, or if the commission does not consider applications within 10 days, any of the parties may appeal to the courts, but that must be within 10 days of the decision (or no-decision). In addition, the public prosecutor may appeal if the decision is contrary to law “or other normative actions” (Article 192).

Appeals to the commission or the court must be made within a limited period of time after the event that triggered the dispute: within three months for appeals to a commission and for varying periods for appeals to the court, depending on the nature of the dispute (unlimited for non-property rights and for indemnification for damages to life or health). Employees are exempted from having to pay court costs in such cases.

In comparison to individual disputes, collective disputes are “unregulated discrepancies between employers (employers’ unions) and collective of employees (employees’ representatives) on establishment and changing of working conditions in enterprises, signing and implementation of collective agreements and contracts, and also on issues of applying conditions of legislative and other normative and legal actions, collective agreements and contracts.” Mediators are selected by agreement of the parties (that is, the union and the employer’s representatives). If this does not result in agreement, a “labor arbitration” is created by the parties “with the collaboration of district’s or city’s government” (Article 209), with the parties selecting the members and chairperson of the arbitration. The arbitration has 10 days to make a decision. If agreement cannot be reached, it is referred to the labor collective or trade union, which can use all means of the law to resolve the issue, including strikes. If disputes concern the application of legislative “and other normative actions”, they may be referred to the court by one of the parties.

Grievances. Law on Appeals of Individuals and Legal Entities (from July 23, 2016) contains legal provisions on established information channels for citizens to file their complaints, requests and grievances. Article 14 of the Law sets the timeframes for handling grievances, which is 15 days from the date of receipt that do not require additional study and research, and 30 days for the appeals that need additional study.

4.1.2 Occupational Health and Safety Legal Provisions

Occupational health and safety are also governed by the Labor Code. Section 5 of the Law narrates the roles and responsibilities of employers and employees related to occupational health and labor safety. The law requires employers to:

- Be responsible for ensuring safe working conditions and safety of work at every workplace;
- Apply the means to protect workers individually and collectively (including protective clothing and equipment);
- Provide appropriate work and rest regimes;
- Training workers in their jobs and safe methods of work;
- Provide instructions on labor protection;
- Test and verify the knowledge of workers in working safely;

- Provide certifications of workplaces at least every five years;
- Investigate accidents;
- Provide sanitation and medical services;
- Provide access to premises by state officials; and
- Providing social insurance for accidents and diseases.

Employees, on the other hand, are required to pass initial and periodic tests medical examinations, pass training and periodic checks of their knowledge of their jobs and safety requirements, and to carry out medical and health measures that are prescribed by medical institution if paid by employer.

Not only state officials have the right to inspect premises to verify safety conditions. In addition, trade unions “and other representative bodies” also may “freely check” compliance with labor protection requirements and propose measures to eliminate violations, which must be considered by the Employer.

Employers with over 50 employees must establish a Labor Protective Service. This requirement is to be met by the MoA PIU and will be one of the requirements for civil works contractors with over 50 workers.

The law gives workers the right to refuse to undertake work that violates labor protection requirements. In addition, workers engaged in hazardous working conditions are entitled to free medical and preventative care, additional paid leave and other benefits and compensation. In case of disability or death, employers must provide compensation in multiples of average annual earnings as well as other amounts required by law.

4.2 The World Bank Environmental and Social Standards: ESS 2

The World Bank’s stipulations related to labor are outlined in ESS2. This helps the Borrowers in promoting sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. Key objectives of the ESS 2 are to:

- Promote safety and health at work;
- Promote the fair treatment, nondiscrimination 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 this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labor and child labor;
- Support the principles of freedom of association and collective bargaining of project workers;
in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers. Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public

sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. ESS2 will not apply to government civil servants.

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

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.

For more details on the WB Environmental and Social Standards, please follow the below links:
In English:

www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards

and in Russian

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

4.3 Policy Gaps

Summary of World Bank Requirements and Key Gaps with Tajikistan Legal Requirements

ESS & Topic	Major WB requirements	Key requirements/gaps in Tajikistan legal framework	Principles to be followed by the Project
A. Working conditions and management of labor relations	<ul style="list-style-type: none"> - Written labor management procedures - Terms and conditions of employment - Nondiscrimination and equal opportunity - Worker’s organizations - Elaborate Labor Management Plans including Contractor’s ESMP warranted 	<ul style="list-style-type: none"> - Written employment contract required, including procedures and employment conditions - Specific nondiscrimination and equal opportunity requirements - No provision for Labor Management Plans. 	LMP developed for the project. Terms and conditions in the LMP are consistent with the national law.
B. Protecting the work force	<ul style="list-style-type: none"> - Child labor prohibition - Forced labor prohibition 	<ul style="list-style-type: none"> - No forced labor is allowed (requires free will) 	No children below the age of 18 will be

		<ul style="list-style-type: none"> - Definition of child labor - National State Program on Eradication of Worse Forms of Child Labor adopted - Promotes elimination of hazardous forms of child labor for children aged below 18 	engaged in civil works, green houses construction and maintenance
C. Grievance mechanism	<ul style="list-style-type: none"> - Project specific GRM should be in place for project affected parties - Sperate GRM should in place for direct and contracted workers - GRM should allow for filing anonymous complaints. 	<ul style="list-style-type: none"> - No project specific GRM is warranted. - However, it is allowed to apply to: a) conciliation commission; b) Labor Inspection under the Ministry of Labor; and c) court. - Grievance registration and follow-up procedures are stated in the Law on Appeals of Individuals and Legal Entities. No anonymous grievances are accepted. 	PIU will develop GRM for its workers (Direct workers) as per this LMP. Contractors will establish and maintain GRM for their employees. Anonymous grievances are accepted within project specific GRM.
D. Occupational Health and Safety	<ul style="list-style-type: none"> - Detailed Procedure required for each and every project. - Requirements to protect workers, train workers, document incidents, emergency preparation, addressing issues; and - Monitor OHS performance 	There is no detailed procedure specific to each and every project.	ESMF will identify the framework approach. The site-specific ESMPs will include OHS measures and monitoring plans.
E. Category of workers	<ul style="list-style-type: none"> - Specifies 4 categories of workers. 	No reference to Community and Primary Supply Workers	No community workers will be involved in the Project. Screening and monitoring measures will be introduced as per this LMP.
F. Minimum age of workers	<ul style="list-style-type: none"> - Persons 14-18 are not allowed to be employed. 	<ul style="list-style-type: none"> - Employment permissible for 15 plus age, but with guardian permission. 	All workers will be 18 years old or above for civil works.

5. RESPONSIBLE STAFF

The PIU's Director oversee and guides all the workers associated with the project. The PIU Social Development Specialist (national level) and M&E Specialist will be responsible for the following:

- Implementing these labor management procedures;
- Ensuring that contractors who are constructing the civil works prepare labor management procedures that comply with this labor management procedure, and also prepare occupational health and safety plans before mobilizing to the field, and for approving the procedures and plans before issues notices to proceed with construction works;
- Monitoring to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers as required by Tajikistan law, the General Conditions of Contract, the Special Conditions of Contract, the World Bank Standard Bidding Documents;
- Monitoring contractors and subcontractors' implementation of labor management procedures;
- Monitoring compliance with occupational health and safety standards at all workplaces in line with Tajikistan occupational health and safety legislation and with approved Occupational Health and Safety Plans;
- Monitoring and implement training on LMP and OHS for project workers;
- Ensuring that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it;
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance; and
- Monitoring implementation of the Worker Code of Conduct.

The POM will include standard templates of contracts which include LMP provisions, sample Code of Conduct and OHS aspects, and the contractors (NGOs and Civil Works) commit to them. LMP and OHS responsibilities of the Contractors are the following:

- Follow the labor management procedures and occupational health and safety requirements stated in the contracts signed with MoA PIU. If the number of workers (direct+contracted) is above 50, then Contractors will develop their own LMPs and OHS plans. These procedures and plans will be submitted to the PIU Director for review and approval before the contractors are allowed to mobilize to the field.
- Supervise the subcontractors' implementation of labor management procedures and occupational health and safety requirements.
- Maintain records of recruitment and employment of contracted workers as provided in their contracts.
- Communicate clearly job descriptions and employment conditions to all workers.
- Make sure every project worker hired by contractor/subcontractor is aware of the PIU dedicated phone number, email address, and web portal through which anyone can submit grievances.
- Provide induction (including social induction) and regular training to employees in labor protection requirements, including training on their rights under Tajikistan law, on the risks of their jobs, and on measures to reduce risks to acceptable levels

- In collaboration with the PIU Social Development Specialist conduct training on labor management procedures and occupational safety to manage subcontractor performance.
- Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct prior to the commencement of works, and supervise compliance with the Code.

6. POLICIES AND PROCEDURES

As specified in the Labor Code, employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures, highlighted in the POM, will be followed by contractors and monitored by the PIU M&E Specialist, to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender.
- Applications for employment will only be considered if submitted via the official application procedures established by the contractors.
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract.
- Unskilled labor will be preferentially recruited from the affected communities, settlements and municipalities, with a goal of at least 50 percent.
- Employees will be informed at least two months before their expected release date of the coming termination.
- The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer (in this case, the “Employer” would be the contractor).
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties.
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.
- It is noted that language-related problems are not expected, but if they are, interpretation will be provided for workers as necessary.
- Foreign workers will require residence permits, which will allow them to work in Tajikistan.
- All workers will be 18 years old or above for civil works. This will be a requirement in PIU contracts with civil works contractors. PIU will ensure that no construction workers below 18 years old are employed).
- Normal working time should not exceed 40 hours per week. With a five-day working week, the duration of daily work is determined by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration.

7. AGE OF EMPLOYMENT

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

Contractors will be required to verify the identify and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of a child in a responsible manner, considering the best interest of a child.

8. TERMS AND CONDITIONS OF EMPLOYMENT

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

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

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

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

9. GRIEVANCE MECHANISM

There are two options for project stakeholders and citizens to submit complaints regarding the project activities, i.e. the Project Grievance Redress Mechanism (GRM) and the World Bank Grievance Redress Service (GRS). The project specific GRM will be based on the Laws of the Republic of Tajikistan “On Appeals of Individuals and Legal Entities” and “On Civil Service” as well as the Instructions of the Government of the Republic of Tajikistan “On the Procedures of Records Management on the Appeals of Citizens” and the WB ESS 10.

The project will also establish a separate GRM for the project workers. Essentially, it will be at two levels – regional (in two regional PIU offices) and national (in Dushanbe at central PIU office). The project specific GRM and GRM for workers allow for **anonymous complaints** to be filed as per the WB ESSs.

9.1 Worker GRM structure

The project specific GRM is structured at two levels, local/contractor and national/PIU levels.

Local Level: Contractors will establish and maintain GRM for their employees as per this LMP. The contractor will assign the Grievance Focal Point (GFP) to file the grievances and appeals. If the issue cannot be resolved at the contractor level within 15 days, then it will be escalated to the national level to the PIU.

National level: Grievance Management Group (GMG) to be chaired by the PIU Director, comprising representatives of Labor Inspection under the MoLEM, relevant state agencies, and national Employers' Association. The PIU Social Development Specialist will function as the Secretary of the group and serve as national Grievance Focal Point (GFP) to file the grievances and appeals received directly or escalated from the contractors. S/he will be responsible for summarizing the number and types of all the complaints and issues received from project workers from target regions.

The timeline for complaint resolution at the national level will be **15 days** upon receipt of the complaint that does not require additional study and research, and **30 days for the appeals** that need additional study. The complainant will be informed of the outcome immediately and at the latest within **5 days** of the decision.

Appeal Mechanism. If the complaint is still not resolved to the satisfaction of the complainant, then s/he can submit his/her complaint to the appropriate court of law.

9.2 Grievance Logs

The PIU Social Specialist and GRM Focal Points will maintain worker local grievance logs to ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed. The project specific GRM allows for filing anonymous complaints. When receiving feedback, including grievances, the following is defined:

- Type of appeal;
- Category of appeal;
- People responsible for the study and execution of the appeal;
- Deadline of resolving the appeal; and
- Agreed action plan.

The PIU Social Specialist and GRM Focal Points will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed. The project specific GRM allows for filing anonymous complaints. The log should contain the following information:

- Name of the person, his/her location and details of his / her complaint;

- Date of reporting by the complainant;
- Date when the Grievance Log was uploaded onto the project database;
- Details of corrective action proposed, name of the approval authority;
- Date when the proposed corrective action was sent to the complainant (if appropriate);
- Details of the Grievance Management Group meeting (if appropriate);
- Date when the complaint was closed out; and
- Date when the response was sent to the complainant.

9.3 Monitoring and Reporting on Grievances

GRM Focal Points will be responsible for:

- Maintaining the grievance logs on the complaints received at the regional level;
- Monitoring outstanding issues and proposing measures to resolve them; and
- Submitting quarterly reports on GRM mechanisms to the PIU Social Development Specialist.

The PIU Social Development Specialist will be responsible for:

- Maintaining the grievance logs on the complaints received at the national level;
- Summarizing and analyzing the qualitative data received from the GRM Focal Points on the number, substance and status of complaints and uploading them into the single project database;
- Monitoring outstanding issues and proposing measures to resolve them; and
- Submitting quarterly reports on GRM mechanisms to the PIU M&E Specialist.

The PIU will submit quarterly reports to the WB, which shall include Section related to GRM which provides updated information on the following:

- Status of GRM implementation (procedures, training, public awareness campaigns, budgeting);
- Qualitative data on number of received grievances \ (applications, suggestions, complaints, requests, positive feedback), highlighting those grievances related to the WB ESS 2 and number of resolved grievances;
- Quantitative data on the type of grievances and responses, issues provided and grievances that remain unresolved;
- Level of satisfaction by the measures (response) taken; and
- Any correction measures taken.

The PIU and its subcontractors will use the Bank's 2017 Standard Procurement Documents for solicitations and contracts, and these include ESF provisions on labor and occupational, health and safety requirements. As part of the process to select the contractors who will engage contracted workers, the PIU may review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;

- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system and occupational health and safety system (e.g., HR manuals, safety program);
- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Records of labor-related litigation;
- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Identification of safety committee members and records of meetings; and
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2 or equivalent requirements.

9.4 World Bank Grievance Redress System

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org. A complaint may be submitted in English, Tajik or Russian, although additional processing time will be needed for complaints that are not in English. A complaint can be submitted to the Bank GRS through the following email: grievances@worldbank.org

Communities and individuals who believe that they are adversely affected by a project supported by the World Bank may also complaints directly to the Bank through the Bank's Country Office through the following channels.

By phone: +992 48 701-5810

By mail: 48 Ayni Street, Business Center "Sozidanie", 3rd floor, Dushanbe, Tajikistan

By email: tajikistan@worldbank.org

The complaint must clearly state the adverse impact(s) allegedly caused or likely to be caused by the Bank-supported project. This should be supported by available documentation and correspondence to the extent possible. The complainant may also indicate the desired outcome of

the complaint. Finally, the complaint should identify the complainant(s) or assigned representative/s and provide contact details. Complaints submitted via the GRS are promptly reviewed to allow quick attention to project-related concerns.

10. CONTRACTOR MANAGEMENT

Construction and other contracts will include provisions related to labor and occupational health and safety as provided in the World Bank Standard Procurement Documents and Tajikistan legislation.

The PIU will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor management records and reports compiled by contractors. Contractors' labor management records and reports that may be reviewed would include: representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions, records relating to incidents of non-compliance with national law, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.