

ESWATINI ELECTRICITY COMPANY



Network Reinforcement and Access Project (NRAP)

Labor Management Procedures

February , 2025

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1. Project Background

This Labor Management Procedures (LMP) concerns the activities of the Network Reinforcement and Access Project (“NRAP” or “Project”), targeted at strengthening the reliability and supply of electricity in the Shiselweni region, funded by the World Bank. The LMP has been prepared to ensure compliance with Environmental and Social Standard 2 (ESS2) on Labor and Working Conditions and Environmental and Social Standard 4 (ESS4) on Community Health and Safety, and other relevant World Bank provisions. The purpose of this LMP is to facilitate the planning and implementation of the Project, by identifying the main labor requirements, associated risks and the procedures and resources required to mitigate these risks. In this manner, the LMP sets out the parameters relevant to labor risks associated with the implementation of the Project components. The Project will ensure compliance with national law requirements as well as World Health Organization and World Bank guidance regarding the COVID-19 situation, including World Bank “ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects”, April 7, 2020.

1.1 Scope and Objectives

The LMP is designed to enable different Project-related parties, including staff of the Project Implementation Unit (PIU), contractors and sub-contractors, primary suppliers, and all Project workers, including community workers, to identify and understand key aspects of labor planning and management. The LMP identifies the main labor requirements and risks associated with the Project and assists the Eswatini Electricity Company (EEC) in determining the resources necessary to address Project labor issues. The LMP is a living document and will be reviewed and updated throughout development and implementation of the Project. The LMP seeks to achieve the following objectives:

- Establish arrangements to appropriately manage and protect the occupational health and safety and welfare of workers employed/engaged in relation to the Project who may be exposed to occupational health and safety risks in implementing the activities associated with the Project, including the transmission of COVID-19 and other communicable diseases.
- Ensure that workers engaged/employed in relation to the Project and employers, including Project Management in the PIU, contractors, sub-contractors and primary suppliers and community workers understand their rights and obligations in relation to ensuring compliance with national law and World Bank provisions, in particular ESS2 (Labor and Working Conditions) and ESS4 (Community Health and Safety) provisions of the World Bank Environmental and Social Framework.

- Allow workers to exercise their rights to freedom of association and collective bargaining.
- Provide workers employed/engaged in relation to the Project with a feedback mechanism for raising their grievances, concerns, complaints, including for complaints related to sexual exploitation and abuse and sexual harassment (SEA/SH) and provide feedback to the project as well as receive information on the responses and corrective actions that have been identified. This includes managing the worker grievances in a manner that treats those affected with respect and dignity without threat, abuse, or ill-treatment or fear of reprisal
- Prohibit discrimination in hiring, remuneration, access to training on the grounds of race, religion, disability, gender, sexual orientation, union membership, political opinions, age and any other personal characteristics not related to inherent job requirements, and promote equal opportunities for all.
- Prohibit the use of child and forced labor/labor trafficking regarding all Project activities, including in relation to contractors/sub-contractors, community workers, and primary suppliers.

1.2 Scope of Labor Management Procedures

The LMP describes the requirements in terms of compliance, reporting, roles, supervision and training with respect to labor and working conditions. It covers all categories of workers, including government workers/civil servants that have been seconded into the Project, whose coverage is outlined in paragraph 8 of ESS2, unless otherwise noted in this LMP. The LMP will discuss the following matters;

- Overview of labor use on the Project
- Assessment of key potential labor risks
- Overview of labor legislation (Terms and Conditions)
- Overview of legislation (Occupational Health and Safety)
- Responsible staff
- Policies and Procedures
- Age of employment
- Terms and conditions of employment
- Grievance mechanism
- Contractor management

1.3 Overview of labor use on the Project

Eswatini Electricity Company seeks to improve the reliability of electricity supply and access to electricity services in the Shiselweni region. The implementation of the Project will

involve the engagement of different types of workers. It is estimated that the Project will engage a total of between 400-918 workers, including the workers that will be engaged for component 1b and 2 of the Project. Out of the estimated 400-918 workers, twenty-one (21) are direct workers, thirteen (13) community workers, twenty (20) primary suppliers and an estimated eight- hundred and sixty-four (864) are contracted workers. The Project workers will vary from skilled to semi-skilled and unskilled labor. The skilled and semi-skilled are likely to come from both inside and outside of the country, but the unskilled labor will mainly be hired from within the communities where the Project will be implemented. The LMP applies to all Project workers whether full-time, part-time, temporary, seasonal or migrant workers.

EEC will ensure that all Project workers sign a Code of Conduct (CoC), (annexed to this LMP. see appendix 4), acknowledging understanding of the content of the CoC and implications for non-compliance with the CoC. The worker's individual acknowledgment will be attached to the worker's contracts of employment before the commencement of any works in the Project. EEC will be responsible for ensuring that all workers receive adequate training, at their induction and periodically during the Project life cycle, on the CoC, applicable sanctions and complaint procedure under the grievance mechanism. EEC will also ensure that the CoC is translated into a language (siSwati) that the illiterate, unskilled labor will be able to comprehend. EEC will ensure that at the time of induction for work on the Project that all illiterate/marginally literate workers are given adequate verbal training and sensitization on the objectives, content and sanctions for non-compliance with the CoC, before they sign/provide the equivalent assent to accepting the terms of the CoC.

1.4 Types of Workers

The implementation of the NRAP will include different categories of workers, who will be engaged in different activities of the Project. In line with ESS2, the LMP identifies persons employed/engaged in relation to the Project in the following manner:

1. Persons employed or engaged directly by EEC to work specifically with the Project (direct workers);¹
2. Persons employed or engaged by contractors/sub-contractors to perform work related to core functions of the Project, regardless of location (contracted workers);

¹ In line with paragraph 4 of ES2, EEC staff, including Project staff and consultants engaged by the PIU for the Project, will remain subject to the terms and conditions currently in place at EEC and the provisions of ESS2. In line with paragraph 8 of ESS2, ESS2 will not apply to government civil servants working in connection with the project, except in relation to the provisions of paragraphs 17-20 on protection of the workforce, and paragraphs 24-30 on occupational health and safety of ESS2. These conditions are outlined in the LMP.

3. Persons employed or engaged by EEC's primary suppliers (primary supply workers) (see section 13)
4. Persons employed or engaged in providing community labor (community workers).

In line with ESS2, these categories of workers are described in more detail below;

1.4.1 Direct Workers

This category of workers will comprise a mix of government civil servants from the Ministry of Natural Resources and Energy and those appointed by EEC to form part of the PIU. Government civil servants, who will provide support to the Project, remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, but will otherwise be subject to the provisions of paragraphs 17-20 and 24-30 of ESS2. The requirements of paragraphs 9 to 30 of ESS2 will apply to all other direct workers engaged/employed with the Project, with a total of 21 direct workers already engaged to work in the Project.

1.4.2 Contracted Workers

The Project will engage an estimated number of 864 contracted workers. These are grouped into Two (2) broad categories which include consultants who will provide implementation support services (ESIA and RAP consultants, Owner's Engineer (OE) and Third-Party Monitoring Agency (TPM)) to the Project. The other category of contracted workers includes the workers of contractors/sub-contractors, and primary suppliers for provision of various services and goods required to complete the Project in accordance with specifications. Contracted workers will also be hired for the design, installation and commissioning of works.

The requirements of paragraphs 9 to 33 of ESS2 will apply to all contracted workers, including the following.

- **Security workers:** EEC will ensure that Project contractors engage private security companies to provide 24 hours security on site to protect Project personnel and property. Construction sites will have dedicated 24-hour security personnel to safeguard against any form of criminality which includes fraud, corruption, property damage and theft. It is estimated that a total of fifty-one (51) private security workers will be engaged/employed for the purposes of providing such security for the Project. EEC will be responsible for ensuring that the selection and management of such security personnel conforms to the requirements of all national laws and the provisions of paragraphs 24-26 of ESS4 and Annex 3 of ESS1 on Management of Contractors.
- **Waste Management Workers:** Two groups of waste management sub-contractors will be engaged by the contractors; general and hazardous waste management

contractors. Before commencement of works, the contractors will submit an approval letter/license from a waste disposal service provider in alignment with national laws which specify how different kinds of waste should be disposed, see annexure 2 for waste handling and disposal procedure.

1.4.3 Primary Supply Workers

The EEC will engage twenty (20) material suppliers that will supply material for Components 1b and 2. The Engineering Procurement Construction (EPC) contractor for Component 1a of the Project will engage its own suppliers. The PIU will ensure that all suppliers engaged to work on the Project have sound Environmental and Social Standards and management practices in place. EEC will also ensure that suppliers undertake their manufacturing and supply activities related to the Project in line with national laws, ESS2, ESS4, and other relevant sections of the ESF. The PIU will assess all primary suppliers to the Project to ensure that they comply with all requirements of national laws and the ESF, in relation to paragraphs 39-42 of ESS2. This assessment shall be entrenched in the tendering and contracting processes. The requirements of paragraphs 39 to 42 of ESS 2 will apply to primary supply workers.

1.4.4 Community workers

An estimated number of thirteen (13) community liaison officers (CLOs), who are community workers for purposes of this Project, will be engaged for the duration of the Project. Each CLO represents an affected chiefdom within the Project area, namely Mapondweni, Ngwenyameni, Mchinsweni, Ezikhotheni, Manyiseni, Nkonka, Maplotini, Vimbizibuko, Kwaluseni, Hhohho Emuva, Mabonabulawe, Nsingizini and Mbilaneni.

Each chief in consultation with the chiefdom's inner council follows customary practices in appointing each CLO. CLOs will be engaged throughout the Project to develop, maintain and manage relationships between EEC, contractors and the local communities. The CLOs form part of the PIU structure and report to the Social Development officer on E&S issues. In line with the provisions of ESS2, the EEC shall provide each CLO with a monthly salary in accordance with the Eswatini labor laws. The Project worker grievance mechanism, established in line with ESS2 paragraphs 21-23, shall also be applicable to the CLOs to raise workplace concerns and grievances, including workplace sexual exploitation and harassment issues.

The duties of the CLO shall include the following;

- Facilitate the smooth liaison between contractors, staff and local residents by maintaining regular contact and networking with communities (located within

reasonable proximity to the Project construction site) and other key relevant stakeholders.

- Tasked with the responsibility of managing expectations of interest groups.
- Assist EEC in the identification of potential implementation problems and bottlenecks with regards to both the community and the local government relationships.
- Work with the Social Development Officer, the Project team and in line with the EEC communication strategy and the Stakeholder Engagement Plan to:
 - Disclose Project related information to interest groups and people that are affected or likely to be affected by the Project
 - Ensure that communities at construction sites are kept abreast of the Project developments and communication channels remain open with the communities
 - Forward questions and grievances related to the Project from the community members and leaders to appropriate authorities including the local authorities such as chiefs or their inner council representatives.
 - Provide a familiar and accessible face with whom community members can raise concerns, realise opportunities and resolve grievances.
 - Risk and impact mitigation (including managing and resolving local grievances, conflict resolution and mediation);
 - Assist in the implementation of the Project GRM in a manner that takes into consideration culturally appropriate traditional local community grievance redress approaches used to resolve grievances at the community level.²
 - Respond to community concerns by ensuring that they are brought to the attention of the EEC Social Development Officer and to conduct follow-ups to ensure issues are resolved on time to prevent risk and negative publicity to the Project.
 - In coordination with the EEC Social Development Officer, provide initial introductory sensitization to local Project affected communities regarding the purpose, scope, and content of the Project Grievance Redress Mechanism (GRM), and the means for accessing it, including by ensuring accessibility and inclusion of the GRM for members of vulnerable groups, including persons with disabilities, and the poorest persons. In coordination with the EEC Social Development Officer, the CLOs will also provide information on the purpose, content and accessing the GRM to local affected communities throughout the Project life cycle.

² Access to the Project GRM will not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures or substitute for grievance mechanisms under collective agreements.

In order to avoid forced labor, all CLOs appointed by the local chiefs will have contracts of employment specifying their terms and conditions of employment. The requirements of ESS2, paragraph 10 to 12 (Terms and Conditions of Employment) and paragraph 25 and 27 (Occupational Health and Safety) shall apply to all community workers engaged to work in the Project. In order to ensure that the community labor by the CLOs is provided on a voluntary basis, EEC will document that an agreement is reached with the CLOs on an individual basis setting out the details of the work duties of CLOs, their terms and conditions of employment/engagement for the Project and how they may be represented. In line with ESS2, EEC will make the Project worker grievance mechanism available to the CLOs. EEC will ensure that all CLOs receive adequate and appropriate PPE, where relevant. EEC will ensure that Eswatini law and the provisions of ESS2 on Occupational Health and Safety, including the General Environmental Health Safety Guidelines (EHSG), apply to the CLOs, see footnote 2.

Furthermore, to address the risk of child labor among community workers, EEC will obtain and keep on file written confirmation from each CLO of their age. Where there is reasonable doubt to age, EEC will request national identification cards, birth certificate or community verification demonstrating age. If a person under the minimum age of 18 years is discovered working in relation to the Project, EEC will take measures to remove the person in a responsible manner, taking into consideration the best interest of the young person in line with the requirements of Eswatini law, the provisions of ESS2, and the Code of Conduct that is annexed to this LMP.

1.5 Application of GBV Action Plan in relation to contractors/sub-contractors, community workers and primary suppliers

Each contractor/sub-contractor and primary supplier for the Project shall have a SEA/SH risk mitigation and response policy in place, which is fully consistent with the SEA/SH Prevention and Response Action Plan for the Project to minimize SEA/SH risks. The contractor/sub-contractor will provide a copy of the policy to each worker under the contractor/sub-contractor's control/supervision, at the time of recruitment to address SEA/SH in the workplace and surrounding communities. The contractor/sub-contractor will implement this policy throughout the Project cycle. The PIU will approve the SEA/SH policy for each contractor/sub-contractor before the contractor/sub-contractor begins any work related to the Project. The PIU will ensure that each worker engaged/employed for the Project receives adequate training on the SEA/SH Prevention and Response Action Plan, and on the relevant corresponding SEA/SH risk mitigation and response policy of that worker's employer, if the worker is engaged/employed through a contractor/sub-contractor or primary supplier. This will be done at the time of recruitment as well as monthly training on responding to SEA/SH and mitigating related risks throughout the implementation period of the Project.

As part of mitigation measures to prevent SEA/SH, including HIV/AIDS related issues, the PIU shall collaborate with Nhlanguano AIDS Training, Information & Counselling Centre (NATICC), GBV service provider to provide training to all Project workers on SEA/SH, as well as transmission of HIV/AIDS related issues prior to the commencement of works in the Project area.

1.6 Characteristics of Project Workers

Migrant Workers: It is expected that the Project will require a combination of local workers from the nearby communities and workers from other parts of Eswatini and possibly from other countries. Previous experience with transmission line Projects shows that the contractor and sub-contractors will probably hire workers from different regions of Eswatini. These internal migrants will be workers who have experience working on both high, medium and low voltages (component 1a, 1b and 2). Foreign migrants or international migrants are most likely to be management and technical staff who have experience in working on high voltages infrastructure. The number of migrant workers will depend on the labor requirements by the contractors.

Taking into account the nature of the Project workforce (mostly unskilled and semi-skilled construction labor) and characteristics of the labor force market in Eswatini, it is estimated that women will represent 5-10 per cent of the workforce, and these will be mostly the technical (engineering) and or administrative staff working in the construction site offices. In conformance with national regulation as specified in the Employment Act, 1980, governing the engagement of workers, all workers will be over 18 years old and will most likely be the economically active in the country averaging 30-45 years, which constitutes a substantial portion of the population.

1.7 Number of Project workers

It is estimated that the total number of workers to be utilized in the Project ranges between 400-918 workers. The constructions of the transmission and associated substations will utilize approximately three-hundred and seventy (370) and two –hundred and sixty (260) project workers respectively, as stated in Table 3 and 4.

1.8 Labor Requirements: Distribution and Connections (Components 1b and 2)

The upgrades in the distribution network and new connections are expected to benefit 8,000 households. The works for components 1b and 2, which will require a total of 234 workers, will be carried out by thirteen (13) electrical contractors and six (6) survey contractors engaged throughout the Project worksite locations. It is anticipated that each electrical contractor will have one or more teams of not more than 16 persons per team. It is anticipated that each survey contractor will have one or more teams of not more than 5 persons per team. However, at no single time will 234 Project workers be working under Components 1b and

2 Project at the same community. Instead there will be a total of 16 Project workers in each community at any one time. These teams are composed mainly of workers coming from within Eswatini and who are contractually obligated to meet the following requirements:

Minimum Composition of labor crews for Component 1b and 2

- **Minimum Composition of a crew** 1 team Leader (electrician)
- 1 Electrician
- 1 Safety representative (must not be the team leader)
- 1 First aider (must not be the team leader)
- 3 Linesmen
- 6 manual laborers

Maximum Composition of a crew for Component 1b and 2

- 2 team leaders (electrician)
- 2 first aider
- 2 safety representatives
- 4 linesmen
- 6 manual laborers

From the above numbers of labor estimates of Component 1b and 2, 68% will come from other parts of Eswatini. An estimated 32% of the Project workers will come from the Project affected communities composed mainly of unskilled labor. None of the Project workers will come from outside Eswatini since Framework Agreements have been signed with 13 contractors for small electrical works whose workers are all from Eswatini.

In order to avoid or minimize the impact of labor influx into the communities for Components 1b and 2 Projects, the EEC will ensure that contractors employ unskilled labor from the Project area such that out of the 16 Project workers required for each electrical contractor crew for components 1b and 2, about 5 unskilled labor will be hired from the communities.

The provision of employment opportunities to local labor is not only likely to enhance and improve the standard of living but will also ensure that local laborers are provided with skills that they can also use after the Project. Therefore, the procurement officer will ensure that this requirement is included in the bidding and contract documents of the contractors/sub-contractors and primary suppliers that will be involved in implementing the Project.

1.9 Labor Influx

The Project anticipates a labor influx from project contractors engaging/employing workers from outside of the project affected communities. This labor could lead to adverse social and economic impacts for project-affected local communities, including increased demands on

natural resources, social conflicts with or between communities, increased risk of spread of HIV/AIDS, COVID-19 and other communicable diseases, increased risks of illicit behavior and crime, increased volume of traffic and higher risks of accidents, and increased incidence of GBV/SEA/SH.

To address these negative risks and impacts, the EEC PIU, contractors and subcontractors shall need to maintain safe and productive relations with communities where contractor workers will be accommodated. To facilitate productive relations, EEC will ensure that all persons engaged in relation to the Project including contractors, subcontractors and primary suppliers and their workers, shall agree to the terms of and sign a Code of Conduct (CoC) on an acceptable standard of behavior in relation to interactions among project workers/personnel and interactions between project workers and members of local communities. The CoC shall include sanctions, including termination of contract or of engagement or employment in relation to the project, for non-compliance with specific policies/rules regarding GBV/SEA/SH and related matters. Furthermore, EEC will ensure that the CoC is fully and clearly explained to all direct hire, contractor and subcontractor and primary supply workers engaged in relation to the project. to ensure that each worker understands the commitment to standard behavior outlined in the CoC. EEC will maintain an updated list of all workers who have signed the CoC. The list will contain name of each worker, his/her employment status in relation to the project, date that EEC undertook explanation of the CoC to the worker/personnel, and date of worker signature to the CoC and receipt of a copy of the CoC.

Agreement to the terms of, and signature to, the CoC will be a condition of employment/engagement in relation to the project. No worker shall be allowed to commence work without having signed the CoC and affirmed in writing that they have received a copy of the CoC as part of their contract, employment, or engagement in relation to the project. The EEC PUI shall request copies of signed CoC from contractor's workers through the SHE REPs/Supervisor for all new employees after inductions have been done. EEC shall keep a file of the shared signed CoC from Contractors as part of monitoring. Contractor's monthly reports shall also contain number of new employees, so inductions forms are monitored. During inductions, EEC shall ensure that each worker receives a full explanation of the contents, including sanctions for noncompliance, of the CoC. . EEC shall further ensure that all workers engaged in relation to the project are made aware at the time of signing, that their written signature affirms their understanding that violations of the CoC can result to serious consequences, up to and including dismissal or referral to legal authorities as well as acknowledge in writing that adherence to CoC is a mandatory condition of employment.

EEC will ensure that all workers receive regular sensitization sessions (one per quarter, or more if needed) on the content and purpose of the CoC and on the consequences, including termination, for violations of the CoC.

As a means to minimize risks related to labor influx, the EEC PIU shall further require that, depending on the number of unskilled laborers required for project work activities, that each contractor/subcontractor, in consultation with the local chiefs inner counsel actively seeks to recruit workers from the local communities, in preference to outside laborers, and ensures recruitment of at least 5 workers from local communities for unskilled labor positions. The EEC shall also ensure the full implementation of the e the GBV/SEA/SH Action Plan for the project which shall be conducted by EEC GBV service provider/partner NATICC , to ensure ongoing, regular awareness sessions on Gender Based Violence are held in communities to ensure good conduct both from contractor/subcontractor/primary supply workers and the community members

1.10 Accommodation Requirements for Components 1b and 2

During the initial stakeholder engagements conducted between 7-27 July 2020 by the Social Development Officer and the ESIA Consultant, EEC consulted local community members, women's groups, such as Rural Health Motivators, as well as the Chiefs' inner council representatives, regarding the provision of accommodation to Project workers, as it is usually done when seeking accommodation for other EEC projects during implementation. Engaged communities include; Ngwenyameni, Mampondweni, Zikhotheni, Hhohho Emuva, Manyiseni, Mchinsweni, Maplotini, Vimbizibuko, Nkonka, Kwaluseni as well as Mabonabulawe.

The local communities agreed to provide accommodation to EEC Project workers for components 1b and 2, after disclosing that EEC would implement all measures to mitigate the risk of SEA/SH and transmission of HIV/AIDS, as well as COVID-19. These measures include ensuring that all Project workers sign the Code of Conduct (CoC) at the time of their recruitment/induction for work on the Project. The CoC clearly specifies the acceptable behaviors and activities during the time period that the worker is engaged/employed in relation to the Project. EEC also informed the stakeholder participants at the July 2020 stakeholder engagements that a GBV service provider would be engaged to sensitize the community members and Project workers on these issues. As a follow-on to the July 2020 engagements, between 29 September and 12 October 2021, the SEA/SH service provider, Nhlanguano AIDS Information and Counselling Centre (NATICC), which is collaborating with EEC is providing GBV-support related activities for NRAP, conducted additional sensitization meetings in Project communities. NATICC works closely with the government of Eswatini and other non-governmental organizations to prevent and respond to HIV/AIDS and GBV issues in communities in the Shiselweni region. The table below, shows local communities under the project area:

Table 1: Communities for Implementation of Components 1b and 2

Mawelawela	Mashobeni	Ngwenyameni
Hlobane	Vusweni	Ka-Kholwane
Ka-Kholwane	Mhlahlweni	Kwaluseni
Mbilaneni	Buseleni	Qomintaba
Magele	Gwegwe	Mchinsweni
Bufaneni	Ekwendzeni	Dumenkungwini
Enkhungwini	Mbondweni	Eposini
Mapondweni	Lusitini	Hhuhhuma
Ndunaythini	Mawonti	Vimbizibuko
KaLiba	Nokwane 1	Luhlekweni
Shisizwe	Mpini	Msila
Zamiphilo	Ndusheni	
Ntuthwakazi	Ka-Shiba	
Mahlalini	Madacaza	
Ezikhotheni	Tidvulini	
Mhlahlweni	Manyeveni	

On the 11^h November 2021, EEC conducted an assessment of all possible or available accommodation for the Components 1b and 2 Project workers' in order to gauge whether those facilities met the requirements of ESS2 paragraph 28 and were in line with the IFC and EBRD Guidance Note on Workers' Accommodation Processes and Standards. The assessment established that the Shiselweni region is largely rural, with no formal hotels or lodges around to accommodate contractor workers. The villages/communities in the Shiselweni region are located very far from the Nhlengano and Lavumisa towns where hotels and lodges are available in very limited numbers. Typically, the Project areas for Components 1b and 2 are only accessible through poorly managed gravel roads and it is therefore cost effective for contractors' workers for these two Project components to be accommodated in community facilities such as Neighborhood Care Points (NCP), etc. located in these communities for the duration of each sub-Project, which is normally 1-3 months.

The Shiselweni region is largely rural and consists of households with the following type of house structures; modern houses, simple 1 – 2 room brick houses roofed with iron sheets, 3 - 5 rooms brick houses also roofed with iron sheets and sometimes primitive 1 – 2 stick and mud rooms roofed either with iron sheets or thatch roof. Each household typically consists of one or combination of the above-mentioned house types. Furthermore, the assessment established that the only available accommodation options are to: (i) rooms to let from the homesteads, (ii) establish a campsite and (iii) utilize community facilities such as NCPs,

churches, schools, etc. The use of schools and churches was discarded to avoid inconvenience to the communities. The accommodation from the NCPs was then considered to be the most practical option., However, upon later assessment between March and June 2022, EEC learned that not all the communities listed in Table 1 (above) have NCPs and where NCPs are available in certain communities, the NCPs are funded for community development and not for accommodation purposes. Therefore, in consideration of the reality on the ground in the Eswatini context, it is imperative that other accommodation alternatives be adopted.

Measures to ensure these accommodation options will meet the provisions of of ESS2, including ESS2 paragraph 28, and are in line with the IFC and EBRD Guidance Note on Workers' Accommodation Processes and Standards are discussed below:

1.8.1 1.10.1 Neighborhood Care Points (NCPs)

NCPs will be the preferred option for accommodating workers in relation to the project. A NCP is a multipurpose community facility used for community meetings, to serve meals to needy people, to render a variety of services on a temporal basis including testing and counselling for communicable diseases, to distribute relief food parcels during natural disasters, etc. Typically, a NCP can accommodate a maximum of 15 contractor workers. However, since the NCP is a multipurpose community facility its availability is dependent on the current use by the community.

Not all communities have NCPs.

Therefore, where there is an available NCP for contractor workers' accommodation:

- EEC will undertake a thorough acceptability assessment of each NCP and each private home to be used for worker accommodation, prior to accommodation of any workers at the home, to confirm acceptability in line with national law, WB ESS2 and ESS4, and with IFC/EBRD Guidelines on Labor Influx and Worker Accommodations. the EEC shall inspect the facility before any project workers are accommodated/lodged there.
- EEC will not permit any workers to be accommodated in any facilities, under any circumstances, before EEC has undertaken a thorough inspection of the facility, including in relation to health, safety, hygiene, and security.
- Wherever possible, EEC will require that contractors retrofit NCPs that do not meet acceptable hygienic, sanitary and safety standards with regular supplies/piping of

potable water, clean/safe cooking/ food storage facilities, adequate sleeping mattresses, adequate lighting and acceptable bathing/ ablution facilities.

- EEC will undertake monthly monitoring of each NP where workers are accommodated and report on status of acceptability to the World Bank.
- The NRAP/project supervising engineer will also conduct monthly assessments and provide monthly reports to EEC and the World Bank of the acceptability of each NCP and each private home where workers are accommodated.

EEC shall also ensure that a Code of Conduct, see annexure 4, is signed by each worker and is effectively implemented and enforced by EEC and the respective contractor in relation to project workers under his/her supervision, to mitigate the occurrence of SEA/SH in the community due to interactions between project workers and local community members.

On 11 November 2021, the EEC conducted an initial audit of two NCPs in Nhlangano and Hluthi. The assessment established that the NCPs have the potential to meet the minimum requirements of the Bank however requiring touch ups in the form of installing was it not available or upgrading it to average standards. As a result, the EEC shall as standard procedure conduct an initial thorough acceptability assessment of each NCP to be used for worker accommodation prior to occupation by the Contractor workers to confirm acceptability in line with national law, World Bank ESS2 and ESS 4, and with the IFC/EBRD Guideline on Labor Influx and workers accommodation, and thereafter periodically to ensure compliance. the Eswatini law requirements on safety, health, security and hygiene for accommodations, as well as World Bank requirements, including provisions of ESS2 para 28.

EEC will ensure that each NCP used to accommodate project workers is fenced with a lockable gate, has a closed cooking area/kitchen,, an adequate supply of lighting in the evening, has one big common room that can accommodate a maximum of 15 sleeping mattresses for each worker, linens and blankets, outside or inside gender-segregated toilets [male and female],a manual borehole, tap or source clean water using a tanker that will ensure a regular, adequate supply of potable water for drinking, bathing, washing and cooking. water supply.

The NCPs accommodation arrangement shall, as practicable, avoid inconveniencing the local community by using sex-segregated toilets and will avoid putting pressure on community resources such as water and fuel (firewood). EEC shall ensure that the contractor shall be responsible of sourcing water through a water tanker to avoid rivers and other sources of water in communities. They shall also ensure that wood used is at least not sourced from one area being cognizant of environmental impacts. Each contractor/subcontractor will ensure that the accommodation is appropriate for its location, is clean, safe and at a minimum meets the basic needs of workers, taking local cultural factors into consideration.

The accommodation shall meet the provisions of Eswatini legal requirements regarding, but not limited to the provision of minimum amounts of space for each worker, provision of sanitary and bathing, cooking facilities and potable water, the location of accommodation in relation to the workplace; provision of first aid and safety fire equipment and heating and ventilation. EEC will ensure that each respective contractor, as part of its contract for the Project, provides adequate security and access control to the NCP, in line with the national laws and the requirements of ESS4 on management of security personnel. The EEC shall conduct monthly inspections of each contractor worker's accommodation to ensure that the accommodation complies with the requirements of ESS2 paragraph 28 and Eswatini laws. At any facilities found to be deficient in relation to these quality standards, EEC will require contractors to remove workers to acceptable facilities, at the contractor's expense, within five business days of EEC's inspection (or otherwise having become aware of) and identification of such deficiencies.

1.8.2 Rooms to Let in Rural Homesteads

Considering the prevailing constraints on the availability of accommodation that meets the requirements of ESS2 paragraph 28 and is in line with the IFC and EBRD Guidance Note on Workers' Accommodation Processes and Standards in the Components 1b and 2 project sites, EEC will authorize contractors/subcontractors to utilize rooms to let in project affected communities as an option only where NCPs are not available. During the stakeholder engagement conducted between 7-27 July 2020 all community members showed interest to rent out rooms to accommodate Contractor workers. However, NCPs remain the EEC's main preference for worker accommodation in the project so private homes will only be considered only in places where there are no NCPs.

It has already been described above that most rural homesteads are made up of a combination of 1 or 2 room flats and the main house. In order to mitigate against the risk of SEA/SH the Contractor workers will be housed in the 1 or 2 room flats, segregating them from family members. To meet the requirements of ESS2 paragraph 28 and are in line with the IFC and EBRD Guidance Note on Workers' Accommodation Processes and Standards, EEC will ensure that rooms to let accommodation meet the following requirements and that all contractors and subcontractors utilizing such "rooms to let" accommodation adhere strictly to the following:

- Ensure physical separation of worker from household lodging such as separate flats/structures apart from the main house, independent washroom facilities / water supply for workers so they do not ask / need to use household facilities.
- Put in place measures to ensure lodging facilities are lockable and secure (both for workers and households), separate lodging for female and male workers (they should be segregated in different houses), and
- Ensure transport to worksites to avoid possible transport demands/expectation demands by workers to households hosting them.

- The project shall ensure that rental payments are made directly to households by the contractor and signed lease agreement submitted to the client
- Ensure explicit language in the project Code of Conduct and other project documents, prohibiting SEA/SH and any relations with community members.

EEC will also undertake the following in relation to each homestead/room to let facility:

- EEC will undertake a thorough acceptability assessment of each private home to be used for worker accommodation, prior to accommodation of any workers at the home, to confirm acceptability in line with national law, WB ESS2 and ESS4, and with IFC/EBRD Guidelines on Labor Influx and Worker Accommodations.
*This acceptability assessment will also include stakeholder consultations with the male and female owners/occupants of each private home to be used for such accommodation. EEC will ensure the consultations with female occupants/owners are undertaken separately and led by female facilitators.
- EEC will not permit any workers to be accommodated in any facilities, under any circumstances, before EEC has undertaken a thorough inspection of the facility, including in relation to health, safety, hygiene, and security
- EEC will undertake monthly monitoring of each NCP and each private home where workers are accommodated and report on status of acceptability to the World Bank.
The NRAP Contractor's SHE REP shall also conduct monthly inspections.
- Workers will use mobile ablution systems segregated for male and female workers in situations where there are not enough ablution facilities to be used by the contractor in the household premises. EEC will ensure that there will always be an adequate and accessible supply of stationary and/or mobile water containers for drinking, cooking and bathing purposes. Only homesteads with proper fencing and lockable gate for security will be allowed to rent out the rooms.

GBV/SEA/SH, HIV/AIDS, and COVID-19 sensitization meetings will be conducted by the SEA/SH service provider, NATICC, prior to commencement of work for all workers involved with Subcomponents 1b and 2. NATICC will also provide sensitization sessions to community members on a monthly basis including the provision of voluntary HIV Testing and Counselling Services on a quarterly basis to both Project workers and communities. In areas where CLOs are available, they shall assist with monthly monitoring with spot checks to ascertain any arising GBV related issues.

The EEC Social team shall conduct awareness raising sessions for household members on GBV awareness during accommodation inspections involving either the contractor the SHE Rep, director and supervisor depending on who is available on-site during inspections. These sessions will cover what GBV is, roles on GBV prevention, handling and reporting of SEA/SH cases. Again, the Contractor workers will be reminded to adhere to their commitments of the signed code of conduct. This will be done during contractor accommodation inspections and during their safety talks.

In order to further safeguard compliance at all times to the requirements ESS2 paragraph 28 and ESS4 and to mitigate GBV/SEA/SH, the PIU will implement the following measures including subcontractors.

- The EEC will undertake monthly monitoring of each NCP and each private home where applicable and report on the status of acceptability to the PIU.
- Wherever possible, the EEC shall require contractors to retrofit private rooms that do not meet the acceptable hygienic, sanitary and safety standards with regular supply of potable water, safe cooking, bathing, food storage & ablution facilities.
- The EEC will ensure separation of workers from households lodging them such as flats/structures apart from the main house, independent bathing facility, and potable water supply for workers. EEC will further ensure that contractors do not share such resources with household.
- The EEC will also ensure that these vacant rooms are lockable and secure and separate for males and females.
- Contractors shall be required to submit lease agreements which will stipulate payments methods and agreements including that the contractor director shall pay directly to the home and the amount agreed on.
- Ensure that all project workers including contractor and subcontractor workers have access to the grievance mechanism established specifically for the project workforce or the grievance redress mechanism established generally for the project to address concerns relating to GBV/SEA/SH.
- Conduct continuous GBV/SEA/SH awareness raising sessions in local communities affected by the project and where contractors are working and accommodated, explain the responsibilities related to adherence to the Code of Conduct, and consequences for noncompliance, prior to commencement any project work activities
- Implement a Code of Conduct for all project workers that will include related to GBV/SEA/SH and which all contractors, subcontractors and primary suppliers will agree to abide by as a condition of contract.
- GBV screening/spot checks and mobile clinics
- Pre-screening of accommodation homesteads to ensure that homesteads used for accommodation does not have vulnerable groups.

1.8.3 Establish Campsites

The scarcity of NCPs for accommodation of workers has made the project PIU to consider the establishment of campsites as the best long-term solution for contractor accommodation with the high set up cost as the major drawback for this option. Provision of this solution requires about US\$2 million for the 13 Contractors which will reduce the number of electricity access beneficiaries. The camp shall consist of pre-fabricate easy to set up structures to meet requirements of and operate in accordance with ESS2 paragraph 28 and are in line with the IFC and EBRD Guidance Note on Workers' Accommodation Processes and Standards.

In consultation with each Group Scheme Chairperson, the EEC will facilitate the obtaining of land for the campsite that will ensure minimum contact between the contractor workers and the community members in alignment with ESS2 and ESS4, each contractor/subcontractor will be responsible for ensuring that their accommodation is appropriate for its location, is clean, safe and at minimum meets the basic needs of workers. These include but are not limited to; the provision of minimum amount of space for each worker, provision of sanitary, bathing, cooking and food storage facilities as well as potable The campsites shall be fenced, ventilation and provided with adequate security.

The EEC will be responsible for ensuring that each contractor/subcontractor campsite shall have the following;

- Kitchen facilities
- Sleeping facilities
- Bathing facilities
- Ablution facilities segregated by gender
- Adequate lighting including for accessing sanitary
- Regular adequate supply of potable water for washing, drinking and cooking

1.9 Labor Requirements: Transmission Reinforcement (Component 1a)

Procurement of the EPC contractors for Component 1a comprises of two Lots with two separate contracts namely; construction of transmission line and construction of substations. However, it is likely that the two contracts will be awarded to two separate contractors or both contracts be won by a single contractor. The composition of the contractor workers for each contract is illustrated in Table 3 and Table 4, respectively. Table 2: [Package-A: Estimated Manpower for the completion of Transmission line component of Project](#)

Sl. No.	Activity	Required Teams/Crews (in Nos)	Manpower in each Team/Crew (Nos)	Total No. of Workers	Completion Duration (Days)
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1.	Survey Works, RoW clearing, Geo Technical Investigations & etc.	2	20 (17 – L, 3 – F)	40	60
2.	Tower Foundations works, which include includes excavation, PCC, Reinforcement, RCC and etc.	6	30 (25 – L, 5 – F)	180	150
3.	Erection of Towers including hardware fittings & etc.	2	25 (20 – L, 5 – F)	50	210
4.	Stringing of the conductor, OPGW & etc.	2	30 (25 – L, 5 – F)	60	90
5.	Testing & Commissioning	2	20 (15 – L, 5 – F)	40	45
TOTAL				370	

NB: L-Local & F-Foreign

Table 3: Package-B: Estimated Manpower for the completion of Substation component of Project

Sl. No.	Activity	Required Teams/Crews (in Nos)	Manpower in each Team/Crew (Nos)	Total No. of Workers	Completion Duration (Days)
	Survey Works, Geo Technical Investigations & etc.	2	20 (17 – L, 3 – F)	40	60
	Site Levelling, Equipment Foundations (including Transformer), Boundary Wall, Control Room Building, Cable trench, Guard room,	3	30 (25 – L, 5 – F)	90	120
	Erection of equipment & its' structures, Gantry's', connections between the equipment and Indoor Panels'	3	30 (25 – L, 5 – F)	90	120
	Testing & Commissioning	2	20 (15 – L, 5 – F)	40	105
TOTAL				260	

NB: L-Local & F-Foreign

Therefore the total Project workers to be engaged by this component under the Project is 630 with local workers from local and neighboring communities contributing 535 (85%) and only 95 (15%) of the workers will be foreigners from outside the country. Furthermore, EEC will also ensure that unskilled Project workers required for component 1a are also recruited from the communities in the Project area as a measure to reduce the impact of labor influx to the Project affected communities.

1.10 Accommodation Requirements for Component 1a

About 95 Project workers for component 1a will be accommodated in hotels and/or lodges, as the majority of the contractor worker are foreign. These hotels/ lodges are found along the Nhlangano-Lavumisa route, namely Nhlangano Casino, Phumula Guest House - Nhlangano, Ka-Msholo - Lavumisa. EEC on the 26th October 2021, conducted an initial pre- audit assessment on health, safety and security to ensure that the hotels provide all the necessary amenities as stated in ESS2, including proper worker accommodation to meet minimum requirements of *ILO Workers' Housing Recommendation 115 highlighted in the guidance note by IFC and the EBRD for Workers' accommodation: processes and standards*.

- In total 95 Project workers will be accommodated in the hotels at different times depending on the proximity of the hotel/lodge location to the construction site. As a start, all Project workers will be accommodated at the Nhlangano Casino hotel, which has approximately 51 rooms and is located in the Nhlangano town. Access to this hotel is regulated by hotel's security personnel at the hotel's gate, who closely monitors all movements. The hotel ownership is responsible for providing 24-hour security to all visitors.
- Community members are not authorized to enter the hotel premises without approval from the security personnel. Out of the estimated 95 Project workers that need to be accommodated in the hotels, at no single time will all 95 workers be accommodated at the same time within the eighteen (18) months estimated Project duration.
- An estimated sixty (60) Project workers will be accommodated in the hotels/lodges depending on the Project activities that will be conducted at any single time period e.g., civil works will require a set of workers that will not be required during conductor stringing.
- EEC will ensure that the Project contractors are responsible for and cover the costs for transporting their respective Project workers to and from worksite to the hotel/lodge. These accommodation-related measures will serve to therefore minimize the risk of SEA/SH, HIV/AIDS and related security/health and safety risk to workers and local communities.
- Contractors shall be required to submit an accommodation checklist to the client. The accommodation checklist will ensure that the identified accommodation sites meet project requirements.
- The lodging facilities that the Project contractors/sub-contractors shall use to accommodate Project workers under Component 1a, shall have sanitation facilities including potable water and sex-segregated sleeping, washing and rest rooms with lockable doors, and adequate lighting, especially in the evening, to ensure safety of all users at these facilities. Sensitization meetings will be conducted by the SEA/SH service provider, NATICC, prior to commencement of work for component 1a to all Project workers involved with component 1a. NATICC shall also provide

sensitization sessions to community members including the provision of voluntary HIV Testing and Counselling Services on a quarterly basis to both Project workers and communities. As a result, no accommodation camps will be established in the Project area.

- To mitigate the risk of transmission of communicable diseases between workers and local communities, EEC in collaboration with NATICC shall provide continuous awareness-raising and sensitization sessions on SEA/SH,. Project workers will also be provided with Protective Personal Equipment (PPE) such as masks, sanitizers to protect them against the transmission of COVID-19. In addition, the PIU in collaboration with NATICC shall organize SEA/SH, HIV/AIDS and COVID-19 group sensitization sessions including the provision of HTS services to both community members and workers in the Project area.

1.11 Timing of labor requirements

It is expected that the construction phase of the 87 km, 132 kV transmission line and associated three (3) substations including the extension of Nhlangano II substation will last approximately eighteen (18) months. As a minimum three (3) main crews responsible for the construction of the transmission line and associated substations, including civil works will be deployed onsite at specific periods to undertake the particular tasks, such as land clearing, excavations, tower assembling, erection and stringing. While the Project is estimated to require 270 workers during that period, there will not be 270 workers on-site at any time. Depending on the specific task there may be 40-95 persons at the Project site at any time with only during excavation of tower foundations where a total of 6 crews with a total of 180 people will be deployed at a given moment. For example, linesmen are required only during the stringing, the specific machine operators are only required during the erection of the towers.

2. Assessment of Key Potential Risks

A big portion of the approximately 87 km 132 kV transmission shall be constructed on the mountainous part of the Shiselweni region. Construction of the transmission line includes activities such as clearance of the right of way including cutting trees and high vegetation, construction of new access roads (where required), earthworks and construction of foundations, erection of towers, stringing of conductors, etc.

Similarly, the construction of the three new substations shall include activities such as land clearing and earthworks for leveling the sites, civils works for the substation foundations, erection electromechanical support equipment, installation of primary and control plants, testing and commissioning.

On the other hand, the distribution network reinforcement and electricity access typically include activities such as excavation of holes to plant wood poles for distribution lines, stringing of conductors, installation of distribution transformers, test and cold commission of the distribution line, connection of households for access to electricity, installation electricity consumption meters, testing the connections,

The main labor risks associated with the Project have been assessed and determined to include risks related to potentially hazardous work environment during construction of transmission lines, substations and construction of electricity distribution lines to domestic customers and labor influx mainly with respect to the following aspects;

- Occupational Health and Safety Injury risks, including noise and dust, working at heights, working with heavy equipment, working on live equipment (such as ground-mounted transformers, kiosk and ring main unit (RMU), handling of waste, and environmental hazards, such as bites from snakes, wasps, bees, etc.
- Increase in safety incidents and vehicle accidents during Project implementation. Incidents may include fatal, disabling and minor incidents such as falling from heights, electrocution, and property damage and vehicle accidents.
- Inadequate or non-existence of compensation plan for accident victims
- Gender-Based Violence (GBV), including SEA/SH among project workers and between project workers and local communities.
- Possibility of child and forced labor, including labor trafficking
- Unfair recruitment practices, such as discrimination in recruitment and employment based on sex, disability, sexual orientation, gender identity or other personal characteristics unrelated to inherent job requirements., including inequality during recruitment and discrimination against women, girls and other members of vulnerable groups, including the poorest of the poor, persons with HIV/AIDS and persons with disabilities.
- Inadequate and unsuitable provision of Personal Protective Equipment (PPE)
- Employer non-compliance with national labor laws relating to wages, working hours, benefits, and other terms and conditions of employment for project workers, including excessive working hours and overtime without compensation and break periods, delay in payment of remuneration, wages for project workers and consultants and no leave days.
- Transmission of communicable diseases, including HIV/AIDS and COVID-19 among project workers and between project workers and project affected local communities, see Table 5

- Due to the high unemployment rate in the country, contractors might take advantage of this situation by offering wages below the minimum wage and related terms and conditions of employment, since people are vulnerable and have the desire to get jobs in order to make a living.
- Language Barrier due to hiring of foreigners with specialized skills to work with unskilled labor who are locals speaking local language only. This leads to lines of communication during working activities to be unclear which may result in incidents on site, compromise quality of the work with unclear instructions and confusion and frustration on site.

Table 4: Labor risks and mitigation measures

Potential Risks	Mitigation Measures	Monitoring Actions	Responsibility for monitoring compliance with national law and World Bank ESF provisions/mitigation requirements.
Labor Risks			
<ul style="list-style-type: none"> Language Barrier due to hiring of foreigners with specialized skills to work with unskilled labor who are locals speaking local language only. 	<ul style="list-style-type: none"> Contractors will be required to hire an interpreter for all sites with foreigner workers to ensure clear communication and understanding of instructions on site to reduce misunderstandings that could lead to accidents. 	<ul style="list-style-type: none"> Number of interpreters employed through monthly employee list. Regular site visits 	PIU
<ul style="list-style-type: none"> Exploitation through unlawful contract conditions (giving one month contract for a 	<ul style="list-style-type: none"> No worker shall be hired on a contract shorter than three months. Any request for contracts less than three months shall be submitted for approval to the client. 	<ul style="list-style-type: none"> Social Audits Environmental Compliance Officer (ECO) audits 	PIU

continuous work			
Exploitative wages due to desire to get jobs	<ul style="list-style-type: none"> • Project workers shall be paid monthly as required by national labor laws and the requirements of the principle of equal pay for equal work • Minimum wage shall not be lower than the minimum wage established by the periodic Building and Construction Wages Regulation. • Deduction allowed under the law shall not exceed 33% of their salary as stated in the Employment Act, 1980, section 56, 4(c) 	<ul style="list-style-type: none"> • Employment Contracts and Salary pay-slip 	PIU
Grievances related to SEA/SH	<ul style="list-style-type: none"> • Sensitize and train all Project workers on SEA/SH risks) and ensure that they understand all risks and sanctions before commencement of works. This includes sensitizing Project workers on the basics of GBV, including SEA/SH concepts and its effects on society as stated in the Sexual Offences and Domestic Violence Act, 2018 and other laws. Topics that shall be discussed include understanding and avoiding gender-based violence, sexual offences, the legal consequences for committing GBV and other sexual offenses, the negative impact of GBV on survivors and their communities, and on community health and safety generally, including in relation to transmission of communicable diseases such as HIV/AIDS and 	<ul style="list-style-type: none"> • The number of workers trained and sensitized on GBV related issues must cover all workers • Percentage of workers who signed codes of conduct • Percentage of SEA/SH complaints referred to support services • Percentage of SEA/SH complaints must be resolved within the prescribed timeframe under the grievance mechanism 	PIU

	<p>Sexually Transmitted Infections. In addition, understanding prohibited conduct in the workplace, applicable sanctions and how to report misconduct</p> <ul style="list-style-type: none"> • Ensure that all Project workers sign codes of conduct addressing SEA/SH and outlining applicable sanctions • Implement GRM redress mechanism with multiple entry points, safe and confidential complaint procedures for SEA/SH incidents, including specifically on ensuring a survivor centered response and provision of multiple accessible, confidential and safe channels for GBV survivors to submit complaints and access support as well as appropriate response and information sharing protocols with service mapping results, psycho-social and legal services 	<ul style="list-style-type: none"> • Average timeframe for resolving SEA/SH complaints • Number of GBV sensitization sessions held and number of workers who attended each session. 	
Labor Influx	<ul style="list-style-type: none"> • There will be no dedicated accommodation camps, foreign labor (component 1a) will be accommodated in the lodges around Nhlengano town under the supervision of the contractors Project managers, whilst project workers for component 1b and 2 will be accommodated in the community facilities/NCPs and EEC shall ensure that all workers comply to the Code of Conduct. • Contractors will be required in the bidding documents to recruit all unskilled labor from the local communities unless such labor is not available among the local communities 	<ul style="list-style-type: none"> • Number of workers sensitized on HI/AIDS and GBV related issues • Effective Understanding and sensitization among local communities and Project workers on the risks/impacts of SEA/SH, HIV/AIDS and COVID-19 and Project measures to mitigate these risks. 	<p>-PIU is ultimately responsible for ensuring all contractors/sub-contractors and primary suppliers comply with these requirements.</p> <p>-Contractors</p>

	<ul style="list-style-type: none"> • Every Project worker will be required to sign the Code of Conduct (see Annex 1 on the guideline on Code of Conduct) before the commencement of work which includes provisions to address the risk of increased HIV/AIDS infections, SEA/SH, as well as communicable diseases, including COVID-19. The Code of Conduct governs both on-site behaviors (with colleagues) and conduct in the community and also outlines applicable sanctions for misconduct. Relevant training will be provided to workers, such as induction and Friday toolbox talks outlining expected conduct and local community values. 		
Poor working conditions (Unsafe work environment, lack of workers' rights)	<ul style="list-style-type: none"> • Construction sites must provide a safe and healthy working environment with hygienically clean sanitation, drinking, eating, and washing facilities, with adequate potable water, well ventilated and with clean and culturally appropriate sanitary, changing and washing facilities that are separate for males and females. The Project will ensure that all such facilities for males and females are safe, secure, designated and well-lighted and to be lockable from inside • Construction sites must be accessible for people living with disabilities to maneuver around without any difficulties by constructing ramps on buildings • Project workers will be provided with facilities appropriate to the circumstances of their work, 	<ul style="list-style-type: none"> • Presence of construction site offices with an adequate supply of basic amenities • Number of issues raised and addressed 	PIU

	<p>including access to canteens, hygiene facilities and appropriate areas to rest.</p> <ul style="list-style-type: none"> ○ Projects workers working outside of their usual place of work by 5 km shall be provided with travel and subsistence allowance by their employers • Construction sites must be cleaned and organized daily with appropriate safety and information signage/markings in place, for example, signage for smoking area, assembling point etc. • Adequate quantities of potable water must be provided at all Project work sites. • All Project workers will be provided with adequate periods of rest per day (break and lunch), sick leave as required by national law and World Bank policies. • Proper storage of hazardous and nonhazardous material and equipment and removal of scraps and debris from the construction site. Appropriate methods should be employed when storing and disposing of any types of waste • Supply of first aid boxes at each construction site, which will be administered to workers on site during any accidents. Contents of the first aid box are stated in appendix 3. • Conduct risk assessments for each activity to be undertaken and create awareness around Project risks to both workers and direct communities. 		<p>Contractor representative</p> <p>SHE</p>
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	<ul style="list-style-type: none"> • Immediate root cause analysis of serious accidents or fatalities to ensure that these do not occur again by coming up with mitigation measures such as providing training and onsite demonstrations on the use of specific tools. 		
Forced Labor, including Trafficking, and Child Labor	<ul style="list-style-type: none"> • Minimum age of Project workers including community workers eligible for any type of work under the Project is set at 18 years, as set out in this LMP, ESCP, ESMF • Design and implement HR policies that comply with Eswatini's Labor law and ESS2 requirements • Procurement will ensure that no forced labor exists in the Project by developing terms of reference for all engaged in the Project and gathering documents and appropriate proof/evidence. In case forced or child labor is found in the Project, the matter will be reported to the police as this is a criminal offence and the child shall be immediately removed, taking into account the best interest of the child. • All contracts shall have contractual provisions to comply with the minimum age requirement including penalties for non-compliance. The PIU will conduct spot checks and also verify the national identity cards of all employed in the Project by ensuring that all contractors submit labor compliance files, which entail all this documentation • Awareness-raising sessions will be conducted with both the contractors and communities to sensitize them on the prohibition and negative impacts of child and 	<ul style="list-style-type: none"> • Signed documentation from each CLO confirming agreement that the community labor is provided on a voluntary basis. • Absence of minor within the workforce • Attach national Identity documents as part of the contract • Meeting registers/ records with attached minutes. 	PIU

	forced labor. This will be conducted during consultation meetings for communities and also monthly during the toolbox talks for contractors		
Community grievance (community safety, traffic and noise complaints as a result of the construction works)	<ul style="list-style-type: none"> • Develop, train and implement workers code of conduct, including in relation to SEA/SH prohibited conduct and applicable sanctions • Provide each worker with a written copy of the Code of Conduct in a language and format that he/she easily understands. • Develop and train workers on grievance procedure to address community concerns • Provision of resources for the functioning of the grievance redress procedure, including safe and confidential procedures for management of SEA/SH complaints • Monitor adherence to code of conduct • Provide all local authorities and leaders of Project affected communities with copies of the grievance procedure and provide regular awareness-raising sessions for all members of such communities on the content of the Code of Conduct. • Ensure that copies of the grievance procedure are placed in publicly accessible locations throughout the Project affected communities and at all Project worksites. 	<ul style="list-style-type: none"> • Availability of a copy of a grievance procedure of which is given by Project management to each chiefdom that is clearly defined and understood by local authorities • Percentage of worker which have signed code of conduct • Percentage of SEA/SH complaints referred to support services • Percentage of SEA/SH complaints resolved in prescribed timeframe under GM • Average timeframe for resolving SEA/SH complaints • Number of complaints related to traffic, safety, noise or any other activities of the Project workforce 	PIU

Inadequate provision of PPE	<ul style="list-style-type: none"> • Provide and train workers on proper usage of PPE • Ensure that each worker is given and is using PPE that is adequate and appropriate for his/her Project duties/responsibilities. • Ensure that all OHS measures, including the provision of PPE, are undertaken in accordance with the World Bank General Environmental Health and Safety Guidelines on Occupational Health and Safety (EHSGs) 	<ul style="list-style-type: none"> • Adequacy of PPE provided to Project workers according to their work duties and Project safety circumstances. • number and percentage of workers given PPE • Percentage and number of workers using PPE provided to them • Number of incidents and accidents and relationship to PPE 	PIU Contractors/sub-contractors/primary suppliers
Inequality and Discrimination during recruitment and employment against women, and other members of vulnerable groups (including persons with disabilities, LGBTI, low income persons, etc.)	<ul style="list-style-type: none"> • Employment of all workers shall be based on the principle of equal opportunity and fair treatment and there shall be no discrimination with respect to race, gender or compensation. All positions shall be advertised with clear job requirements • The PIU, all contractors/sub-contractors, and primary suppliers, and all workers engaged/employed in relation to the Project, including community workers, will also be required to comply with the Employment Act requirements on gender equality in the workplace which will include the provision of maternity leave, nursing breaks and sufficient, suitable, secure and lockable toilet facilities separate for men and women workers. • Contractors/sub-contractors and primary suppliers will be required to create an enabling work environment 	<ul style="list-style-type: none"> • Total number of workers • Number of women employed • Number of people living with disabilities employed • Types of employment assigned to women in the Project 	PIU Contractors/sub-contractors/primary suppliers

	that establishes and implements a Zero Tolerance policy against sexual exploitation and abuse or sexual harassment in the recruitment and retention of skilled and unskilled female workers by applying fair recruitment practices. This will include sensitizing workers on their rights, developing and implementing a sexual harassment policy		
Overtime/ excessive working hours without compensation and breaks	<ul style="list-style-type: none"> Put in place HR policies and procedures which include mandatory requirements with respect to the minimum wage, minimum age, working hours, contracting terms, leave, equality, diversity, collective bargaining, working terms and conditions Any work undertaken beyond normal working must be compensated per the Building and Construction Wages Regulation 	<ul style="list-style-type: none"> Availability of HR Policy Random sampling of workers who understand their terms and conditions of employment 	PIU
Occupational Health and Safety			
Increase in incidents and accidents	<ul style="list-style-type: none"> Develop and implement a Project-specific Occupational Health and Safety Plan in conformance with national law, ESS2,ESS4 and other relevant World Bank and international standards, including World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety.³ 	<ul style="list-style-type: none"> Hazard identification and control plan Number of incidents and accidents reported and addressed Hazards register communicated to all workers 	PIU Contractor/sub-contractors/primary suppliers

³ Section 2 of the General Environmental Health and Safety Guidelines (EHSGs) on Occupational Health and Safety

	<ul style="list-style-type: none"> • Update and train workers on OCHSIP guidelines and any other HSE related information including OCHSIP risks and hazards associated with each task he/she will be undertaking as part of his/her duties. • Have detailed working instruction and procedures for every activity of the Project • Monitor HSE performance of each site (record and report incidents, root cause analysis and investigations) • Monitor and inspect tools and equipment regularly (daily/monthly) • Keep and communicate updated emergency preparedness and response plan to all onsite workers • Contractors shall comply with the workmen's compensation Act, 1983 by insuring all workers. • Employers shall pay for work-related damage to health, property and families must be compensated in case of death. 	<p>highlight high risks and control measures to be implemented.</p> <ul style="list-style-type: none"> • Availability of OCHSIP implementation plan. 	
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Community Health and Safety

at <http://www.ifc.org/ehsguidelines>.

Security Personnel	<ul style="list-style-type: none"> • Ensure that contractors for the security personnel comply with all terms and conditions of employment under national law and in relation to this LMP/ESS2. • Ensure all security measures are controlled by supervisors, • Ensure that all security personnel are adequately trained regarding the use of force and appropriate conduct toward other project workers and affected communities • Require that all security personnel are adequately trained to understand the project Code of Conduct and sign the project Code of Conduct as a condition for their employment for the Project. • Ensure that all project security personnel receive adequate quarterly training on the risk of GBV/SEA/SH and on the terms of the project GBV/SEA/SH Action Plan. • Ensure that all Security Personnel are properly trained on appropriate use of force in line with national law and the provisions of ESS4. • Make reasonable inquiries to verify that the security personnel retained for the project are not implicated in past abuses. • Rotate all security personnel on a quarterly basis to minimize opportunities for collusion and corruption. 	<ul style="list-style-type: none"> • Monitor all terms and conditions of employment of all project security personnel to ensure these comply with national law and the terms of this LMP/ESS2. • Assess on a quarterly basis the number of project grievance submissions, including regarding GBV/SEA/SH, related to incidents involving security personnel • Assess the timeliness and adequacy of project grievance mechanism resolution of such complaints • Percentage/number of project security personnel trained on the terms of the Code of Conduct and signed the Code of Conduct as a condition of employment for the project • Number of training sessions and number of security personnel who attended training sessions on 	PIU Contractors
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		GBV/SEA/SH and the project GBV Action Plan.	
Transmission of infectious/communicable diseases (COVID-19, HIV, STI's)	<ul style="list-style-type: none"> • Awareness-raising and sensitization of workers on HIV/AIDS-related issues including SEA/SH related risks and COVID-19 by the PIU in collaboration with NATICC, • Distribute condoms free of charge • Provide free voluntary HIV/AIDS testing for all workers engaged in the Project • Train workers on COVID-19 and implement social distancing in accordance with national law, and WHO and World Bank guidance. • Enforce wearing of masks, provision of basic sanitation facilities and temperature testing equipment in line with WHO and national regulations • Reduce the number of workers at a time during pandemics and epidemics, in line with the requirements of national law, WHO and World Bank guidance. • Controlling entry and exit from site/workplace 	<ul style="list-style-type: none"> • Workers wearing appropriate PPE including face shields and masks • Number of workers provided with HIV/AIDs testing • Number of workers sensitized and trained on HIV/AIDS-related issues including COVID-19 	PIU Contractors/sub-contractors/primary suppliers
Non-existence of compensation plan for accidents victims	<ul style="list-style-type: none"> • Awareness-raising on workmen's compensation policy 	<ul style="list-style-type: none"> • Number of awareness sessions conducted with the total number of workers sensitized 	PIU Contractors/sub-contractors/primary suppliers

<p>Gender-based violence, including Sexual exploitation and abuse, workplace sexual harassment and child abuse/ exploitation</p>	<ul style="list-style-type: none"> • Sensitize workers and community members on SEA/SH and related issues prior to commencement of works. • Prior to construction, conduct induction sessions with contractor workers and clarify the SEA/SH impacts and effects on society and how these also influence the spread of HIV/AIDS related sicknesses including new infections through organized group sessions • Provide ongoing bi-monthly training/sensitization sessions, for all Project workers on SEA/SH and HIV/AIDs and minimizing transmission among workers and between workers and local communities. • Contractors will develop, sensitize and implement a Sexual Exploitation and Abuse/Sexual Harassment policy. Contractors will need to develop a SEA/SH policy stating how they will handle all SEA/SH cases internally and how they will mitigate risks related to SEA/SH, including responding to SEA/SH incidents and ensuring appropriate and timely service referrals.. This will be done to raise awareness and also to respond in cases where such offences are committed. 	<ul style="list-style-type: none"> • Number of bi-monthly SEA/SH and HIV/AIDs training sessions undertaken and the number of workers who participate/attend each session. • Number of HTS services provided to workers and Project affected community members • Percentage of SEA/SH complaints referred to support services • Percentage of SEA/SH complaints resolved in prescribed timeframe under GM • Average timeframe for resolving SEA/SH complaints 	<p>/PIU</p>
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3. Brief Overview of labour legislation: Terms and Conditions

Below is an overview of the key aspects of national laws with regards to terms and conditions of work

3.1 Working hours

According to the Employment Act, 1980, the duration of work will not exceed forty (40) hours per week for direct workers. In cases of specific types of employment, such as construction, the duration of employment will not exceed forty-five (45) hours per week. This will not include time for meal breaks, which need to be taken after every five (5) hours of each workday.

3.2 Wages and deductions

A contract of employment will determine the form and amount of remuneration as per job title and responsibilities. An employer shall not pay an employee a salary below the minimum wage calculated at a rate not less than that specified in the annual bill regulation of wages in the building and construction industry as per the requirements of the Wages Act, 1964. This rate shall not be reduced by any amount for housing or accommodation and food supply. Remuneration will be paid monthly. In addition, an employee, who at the commencement of their employment received a higher wage than that prescribed in the annual wages order or enjoys better conditions, shall not suffer any reduction in such wage or condition. The employer may deduct from the workers' remuneration any amounts due to the employee in respect of any tax which the employer is required to deduct from the wages of an employee under any law. This also includes any amount due to the employer in respect of a contribution to the Eswatini National Provident Fund. The total payment amount which may be deducted from the wages of the employee shall not in any period, exceed one-third of the wages due to the employee in respect of that pay period.

3.3 Payment of Overtime

An employee, other than a watchman shall be paid for overtime worked at the following rates;

- a) For any time worked on Saturday before 1.00 pm at one and half times the normal hourly rate of wages
- b) For anytime worked on a public holiday, Sunday or after 1.00 pm on Saturday at twice the normal hourly rate of wages.

Overtime in respect of a watchman shall be calculated at twice the normal hourly rate for all time worked on a public holiday or any time worked in excess of twelve hours on any working day.

3.5 Public holidays

Every employer shall give every employee in his/her employment paid holidays. The following shall be public holidays with full pay; Ascension Day, independence day, Good Friday, Christmas day, Mhlanga (Reed dance) day, king's birthday, Incwala day, Easter Monday, May/Workers day, national flag day, national secondary elections day, new year's day and king Sobhuza's birthday (22nd July). Where a public holiday falls on a Sunday, the following day shall be deemed to be a public holiday.

3.6 Leave day

a) Annual leave

In each year of continuous employment, an employee shall be entitled to twelve (12) days paid leave for each month of each year of employment. An employer and its employee(s) may agree, where it appears to them to be suitable, or convenient, on time or period in which annual leave is to be taken.

b) Sick leave

An employer shall give an employee sick leave, after three months of continuous employment and subject to the production of a medical certificate signed by a medical practitioner. In each year an employee shall be eligible to a maximum of fourteen (14) days on full wages and thereafter to a maximum of fourteen (14) days on half wages.

c) Maternity leave

Every female employee, whether married or unmarried, who has been in the continuous employment of her employer for twelve months or more shall be entitled to twelve weeks maternity leave. In addition, she shall be entitled to a one-hour nursing break with pay per day, three months after maternity leave.

d) Compassionate leave

An employee shall be entitled to a total of one month non-cumulative compassionate leave annually. However, nothing shall be construed as requiring an employer to pay an employee for any time spent on such leave as stated in the Employment Act, 1980 and Wages Act, 1964. As a result, all workers shall be guided by their employers' internal policies in this case.

4. Brief Overview of labor legislation: Occupational health and safety (OHS)

The laws of Eswatini provides for provisions on Occupational Health and Safety and applies to both directed and contracted workers, including foreign workers. The overview below provides key departments under the ministry of labor and social security tasked with ensuring compliance

to all labor requirements. The section also includes other laws and regulations which relates to requirements set out in ESS2, paragraphs 24 to 30.

The Department of Labor comprises of the following sections and units: Industrial Relations Unit, General Labor Inspection Unit, Occupational Safety and Health Inspectorate, Statutory Bodies and International Affairs Unit and the Workmen's Compensation Unit. The overall responsibility of the Department of Labor is the development and administration of labor market policy and labor law in conformity with international labor standards and the national Constitution. Table 6 below, provides an overview of the relevant departments within the Ministry of labor and Social Security.

Table 5: Summary of relevant sections and units within the Department of Labor

Section/ Unit	Function
Industrial Relations Unit	<ul style="list-style-type: none"> • Registration of Trade Unions and Employers organization • Receiving Annual Returns and financial statements from employers and workers organizations • Registration of retrenchments, lay-offs and Short-time • Conduct tripartite training on Industrial Relations • Scrutinize Works Council Constitutions • Intervene before a dispute is reported • Conciliate on Labor disputes where requested
General Labor Inspectorate Unit	<ul style="list-style-type: none"> • Educate, advice and counsel Employers and Workers on Labor law and its application • Conduct routine, complaint and special labor inspections in all places of employment • Conduct follow up labor inspections
Occupational Safety and Health Inspectorate Unit	<ul style="list-style-type: none"> • Conduct regular Occupational Safety and Health inspections • Educate advice and Counsel Employers and Workers on Labor Law and its application. • Conduct Boiler inspections • Conduct Pressure Vessel inspections • Conduct Hoists and Elevator Inspections • Issue Factory Permits • Issue Improvement Notices • Issue Prohibition Notices
Statutory Bodies and	<ul style="list-style-type: none"> • Submit reports on Application of International Standards

International Affairs Unit	<ul style="list-style-type: none"> • Submission of International Labor Organization's instruments to Competent Authorities • Answer ILO queries and questionnaires • Provide Secretarial duties to Wages Councils • Review wages and conditions of employment in all Wages Councils • Provide Secretarial duties to the Labor Advisory Board and Social Dialogue committee
Workmen's Compensation Unit	<ul style="list-style-type: none"> • Registration of all reported injuries on duty cases • Computation of Workmen's Compensation • Secretariat of the Workmen Compensation and Pneumoconiosis Medical Board • Locating dependents of deceased workmen • Resolving Workmen's Compensation disputes • Educate people on the application of the Workmen Compensation Act.

5. Relevant Labour Policies

The Department of Labor has other various laws for protecting workers, which are of relevance to the Network Reinforcement and Access Project and include; The Employment Act 5, 1980; The Industrial Relations Act 2000 (as amended), Wages Act 16, 1964, Factories, Machinery and Construction Works Act, 1973, Workmen's compensation Act, 1983 and Occupational Safety and Health Act, 2001.

The Employment Act 1980 provides for the basic conditions of employment with a view of improving the status of workers in Eswatini. The Act makes it mandatory for employers to furnish workers with written particulars of employment, as attached in appendix 1 stating hours of work, wages, leave entitlements, job description, grievance procedure and benefits if any. It further mandates the Ministry of Labor and Social Security to issue Wages Regulations regularly, which deals with worker's terms and conditions of each particular industry. It is in this legislation where you will find provisions regulating.

- Contracts of employment
- Leave entitlements, i.e. annual leave, sick leave, maternity and compassionate leave
- The protection of wages (prohibition against unlawful deductions)
- Retrenchment procedures
- Fair and unfair reasons for termination of employment

The Industrial Relations Act 2000 (as amended) on the other hand is the main Act that provides for the collective negotiation of terms and conditions of employment in the workplace (i.e. negotiations between employers and trade unions, and the dispute resolution mechanism). It outlines the registration and recognition processes of trade unions for workers in exercising their right of freedom of association as enshrined in the Constitution of Eswatini, 2005. The Act further establishes the three specialized forums for dealing specifically with labor issues in Eswatini, the Conciliation Mediation and Arbitration Commission (CMAC), The Industrial Court and the Industrial Court of Appeal.

The Wages Act 16, 1964 deals specifically with the minimum wages and basic terms and conditions of employment in virtually all sections of economic activity in Eswatini, be it in retail, manufacturing, agriculture, building and construction industry. EEC requires Contractors to comply with the most current Wages Regulations Order for Building and Construction as issued by the Minister from time to time.

Factories, Machinery and Construction Works Act of 1972. The act deals with the regulation of working conditions and the use of machinery at factories and construction sites. Section 19, requires the reporting of accidents in the workplace and therefore any accident during the Project is to be formally reported. Section 20 requires that safety devices not be interfered with, that workers shall use the safety equipment provided and that no persons shall do anything that places their safety and that of others at risk. The regulations control health and safety working conditions and the use of machinery at factories and construction works. Regulation 9, requires that machinery be kept in good and safe working condition and used safely which is relevant to construction vehicles and other equipment. Regulation 15, requires the training and supervision of inexperienced personnel using machinery which is relevant to the machine operators. Regulation 151, requires that hearing protection be provided and used in noise zones which is relevant for operators of noisy machinery (above 85 decibels). Regulation 152, requires that no person under the influence of alcohol be permitted into the workplace.

Workmen's Compensation Act of 1983. The Act provides for the compensation and medical treatment of workmen who suffer injury or contract work-related diseases in the course of their employment. Relevant to this Project is section 25, which requires the employer to be insured against liability for work-related injuries. These regulations control the reporting of workplace accidents and work-related diseases, the provision and payment of medical treatment of injured workers and the compensation of such workers.

Occupational Safety and Health Act of 2001: The Occupational Safety and Health Act provides for the safety and health of persons at work and the workplace, and the protection of persons other than those at the workplace against hazards to safety and health arising from work activities. Relevant aspects of this Act are section 9, which stipulates the duties of the employer to ensure safe and healthy working conditions, make workers aware of the hazards of the workplace, provide personal protective equipment, provide training and supervision of workers and prevent exposure

of non-workers to hazards arising from the works. Section 11, stipulates the duties of the employee to cooperate and follow the instructions of the employer, use equipment and safety devices provided by the employer, report accidents and unsafe conditions to the employer. Section 28, requires the employer to record and report minor and major accidents and dangerous occurrences to the Labor Inspector.

Sexual Offences and Domestic Violence (SODV) Act, 2018: Another recent reform in the country was the enactment of the Sexual Offences and Domestic Violence Act (SODV), 2018. This provides a framework which criminalizes and imposes harsher fines and imprisonment for sexual harassment, gender-based violence nationally and prohibit child marriage. Section 48 of the SODV Act 2018, imposes steeper fines of up to USD2400 or 35 years imprisonment with no option of a fine for rape cases which serves as a deterrent for all forms of sexual harassment. To address workplace sexual harassment cases, EEC has developed a Sexual Harassment Policy which applies to all EEC employees and independent contractors.

Child Labor: The Country ratified both the ILO Minimum of Age Convention (C138) and the ILO Worst Forms of Child Labor Convention (C182) in 2002. It also signed the African Charter on the Rights and Welfare of the Child in 1992 but has not yet ratified it. The Employment Act 1980 Section 97, prohibits the employment of children below the age of 15. The Children's Protection and Welfare Act 6, 2012 states that children below the age of 18 cannot be engaged in any form of hazardous employment.

As specified in the national legislation, (Employment Act, Industrial Relations Act and Wages Act), the following terms and conditions of employment shall apply to direct and contracted workers for the NRAP Project.

5.1 Terms and Conditions of Employment: Direct Workers

- All Project staff will be provided with an employment contract as per the requirements of the Employment Act (5/1980).
- All direct Project staff employed for the Project will be above 18 years.
- Maximum working hours for staff will not exceed the maximum limit set in their respective contracts of employment.
- Equal training opportunities will be provided to all staff working in the Project without discrimination, based on gender or otherwise, as specified in the Employment Act. It is the responsibility of the Project coordinator, who reports to the General Manager Research and Development to ensure that such discrimination does not exist by ensuring that the Human Resource department follows all recruitment policies and procedures when recruiting employees.
- All workers will be inducted on OHS guidelines and the hazards related to the work to be done in the Project. This will include the provision of pre-employment training certification and on the job demonstrations on the use of tools and equipment.

Furthermore, competence certificates for specialized jobs such as lifting equipment operators and persons authorized to work at heights will be issued.

- Project workers will be provided with PPE at no cost and trained on OCHSIP guidelines including emergency prevention and preparedness plans and response arrangements during emergencies. Training records shall be maintained by the employer.
- All workers depending on the nature of the job profiles will be provided with PPE on an annual basis.
- All workers will be entitled to breaks from work of 60 (sixty) minutes after every 05 (five) hours during working hours as stated in contracts of employment
- All workers will also be entitled to leave days as stated in their contracts of employment.
- Project workers will be made aware of the avenues available for victims of sexual harassment during employee induction and Friday toolbox talks. Internal news publications (bulletins) will also be used to share this information. They will be able to lodge complaints through the wellness office at EEC.
- Staff will be provided with a provident contribution and deductions will be made from their salaries for their contribution as per the Eswatini National Provident Fund Order, No.23 of 1974
- A daily subsistence allowance (DSA) will be provided to all Project staff covering lodging, meals and transport costs when travelling in the field.
- At the time of their recruitment for the Project, each Project worker will receive information and sensitization on the grievance redress procedure available for them as specified under their contracts of employment. To ensure enforcement of these aspects highlighted in the LMP, these provisions will be communicated during the induction of all direct workers.

5.2 Terms and Conditions of Employment: Contracted Workers

- A list of workers to be utilized in the Project, with proof of employment will be required to be submitted to the PIU by all contractors.
- Construction work can only commence once the following conditions are met:
 - i. Toolbox training on OCHSIP related issues including hazards and risks associated with the Project and the use of PPE.
 - ii. All the required Personal Protective Equipment and tools are acquired by the contractor for all workers at no cost to the workers.
 - iii. Any newly employed party by the contractor will be required to complete the toolbox before commencing any physical work.
 - iv. As per the provisions of the employment, all parties employed by any contracted party will be above 18 years of age.

- v. All contractors will be required to provide documentary evidence (passport, identity card or birth certificate) confirming the age of workers to PIU before involving them in activities of the Project.
- vi. The leave entitlements for contractor workers will be in line with their employment contracts which shall be not less than what is provided for in law.
- vii. All foreign parties employed by all contractors will have a valid work permit. The work permit details will be shared with PIU prior to commencement of any works.
- viii. All vehicles used by any contractor/ for the Project will have valid registration, insurance and roadworthiness certificates.
- ix. A grievance mechanism will be provided to all contracted workers at the time of recruitment to raise workplace concerns without any retribution and provide timely feedback to those concerned in a language that they understand. The grievance mechanism will not impede access to judicial or administrative remedies that might be available under the law or through existing arbitration procedures.
- x. Each contractor/sub-contractor will be responsible for sensitizing each worker under their control/supervision on the availability and means of accessing the Project worker grievance mechanism within their places of work.
- xi. Each contractor will submit a SEA/SH policy that they use including a grievance redress procedure that clearly states how they address SEA/SH related complaints which will be reviewed and cleared by the PIU before commencement of any works.

5.3 Terms and Conditions of Employment: Community Workers

- All community workers will be provided with an employment contract as per the requirements of the Employment Act (5/1980).
- All community workers employed for the Project will be above 18 years and will sign a voluntary engagement letter to certify that they have not been forced to serve as community liaison officers for their respective communities but their service is voluntary
- Maximum working hours for staff will not exceed the maximum limit set in their respective contracts of employment.
- Equal training opportunities will be provided to community liaison officers working in the Project without discrimination, based on gender or otherwise, as specified in the Employment Act.
- All workers will be inducted on OCHSIP guidelines and the hazards related to the work to be done in the Project including community awareness raising sessions on health and safety, such as gender-based violence, HIV/AIDS and transmission of

communicable diseases such as COVID-19 and Sexually Transmitted Infections (STI's).

- Workers will be provided with PPE at no cost and trained on OCHSIP guidelines including emergency prevention and preparedness plans and response arrangements during emergencies. Training records shall be maintained by EEC.
- All workers will be entitled to breaks from work of 60 (sixty) minutes after every 05 (five) hours during working hours as stated in contracts of employment
- They will also be entitled to the leaves as stated in their contracts of employment.
- Project workers will be made aware of the avenues available for victims of sexual harassment during employee induction. They will be able to lodge complaints through the wellness office at EEC.
- At the time of their recruitment for the Project, each community worker will receive information and sensitization on the grievance redress procedure available for them as specified under their contracts of employment. To ensure enforcement of these aspects highlighted in the LMP, these provisions will be communicated during the induction of all community workers.

5.4 Terms and Conditions of Employment: Primary Suppliers

- All primary suppliers shall have sound Environmental and Social Standards and management practices in place.
- EEC will also ensure that contractors undertake all activities related to the Project in line with national law, ESS2, ESS4, and other relevant sections of the ESF.
- The PIU will also assess all primary suppliers to the Project to ensure that they comply with all requirements of national law and the ESF, in particular in relation to paragraphs 39-42 of ESS2. This assessment will be entrenched in the tendering, hiring and contracting processes. For instance, all bidding documents for works will include specific requirements that minimize the use of workers from outside the vicinity to address labor influx issues.
- As a result, all types of Project workers engaged for works, as well as for monitoring the Project shall sign a Code of Conduct (CoC). The requirements of paragraphs 39 to 42 of ESS 2 will apply to primary supply workers.

To ensure the enforcement of the provisions mentioned above, the conditions highlighted here will be included in the contracts signed by all contractors. If workers are required by their employers to work longer hours due to work-related emergencies, this will be documented alongside measures taken to protect such workers (e.g. mandatory rest breaks).

6. Bank Environmental and Social Standards

This Project is being developed and implemented using the World Bank Environmental and Social Framework (ESF). In the context of managing risks associated with labor and working conditions, this LMP is being implemented under national law and the Environmental and Social Standards (ESS) of the ESF, specifically focusing on ESS2 and ESS4.

6.1 Environmental and Social Standard 2- Labor and Working Conditions

ESS 2 recognizes the importance of employment creating and income generation in the pursuit of poverty reduction and inclusive growth. Borrowers can promote 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.

The objectives are as follows;

- To promote safety and health at work
- To promote the fair treatment, non-discrimination and equal opportunity of project workers
- To protect project workers, including vulnerable groups such as women, persons with disabilities, children, contract workers and primary supply workers
- To prevent the use of all forms of forced and child labor
- To support the principles of freedom of association and collective bargaining of Project workers in a manner consistent with national law.
- To provide workers with accessible means to raise workplace concerns

6.2 Environmental and Social Standard 4-Community Health and Safety

ESS4 recognizes that Project activities, equipment and infrastructure can increase community exposure to risks and impacts. In addition, communities that are already subjected to impacts from climate change may also experience acceleration or intensification of impacts due to Project activities. This ESS also puts the responsibility on the EEC to avoid or minimize such risks and impacts, with particular attention to people, who because of their particular circumstances may be vulnerable. The objectives applicable to this Project are as follows;

- To anticipate and avoid adverse impacts on the health and safety of Project-affected communities during the project life cycle from both routine and non routine circumstances
- To promote quality and safety and considerations relating to climate change in the design and construction of infrastructure
- To avoid or minimize community exposure to project-related traffic and road safety risks, diseases and hazardous materials
- To have in place effective measures to address emergency events
- To ensure that the safeguarding personnel and property are carried out in a manner that avoids or minimizes risks to the project affected communities

7. Occupational Health and Safety Guidelines

The OCHSIP guidelines have been developed to address identification of all potential hazards to project workers, particularly those that may be life-threatening, provision of preventive and protective measures via modification, substitution or elimination of hazardous conditions, training of project workers, emergency preparedness and response arrangements to emergencies, documentation, reporting and identification of remedies of incidents and accidents.

The following guidelines shall be adhered to by all contractors;

- Identify all occupational community health and safety hazards and associated risks as early as possible in the Project cycle.
- Involve SHE professionals who have the experience, competence and training necessary to assess and manage SHE impacts and risks.
- OCHSIP implementation guidelines should be monitored.

Table 6: Comparison between ESS2 & 4 and National Labor legislation

Potential Risks	Mitigation Measures	Monitoring Actions	Responsibility for monitoring compliance with national law and World Bank ESF provisions/mitigation requirements.
Labor Risks			
Exploitative wages due to desire to get jobs	<ul style="list-style-type: none"> • Project workers shall be paid monthly as required by national labor laws and the requirements of the principle of equal pay for equal work • Minimum wage shall not be lower than the minimum wage established by the periodic Building and Construction Wages Regulation. • Deduction allowed under the law shall not exceed 33% of their salary as stated in the Employment Act, 1980, section 56, 4(c) 	<ul style="list-style-type: none"> • Employment Contracts and Salary pay-slip 	PIU
Grievances related to SEA/SH	<ul style="list-style-type: none"> • Sensitize and train all Project workers on SEA/SH risks) and ensure that they understand all risks and sanctions before commencement of works. This includes sensitizing Project workers on the basics of GBV, including SEA/SH concepts and its effects on society as stated in the Sexual Offences and Domestic Violence Act, 2018 and other laws. Topics that shall be discussed include understanding and avoiding gender-based violence, sexual offences, the legal consequences for committing GBV and other sexual 	<ul style="list-style-type: none"> • The number of workers trained and sensitized on GBV related issues must cover all workers • Percentage of workers who signed codes of conduct • Percentage of SEA/SH complaints referred to support services 	PIU

	<p>offenses, the negative impact of GBV on survivors and their communities, and on community health and safety generally, including in relation to transmission of communicable diseases such as HIV/AIDS and Sexually Transmitted Infections. In addition, understanding prohibited conduct in the workplace, applicable sanctions and how to report misconduct</p> <ul style="list-style-type: none"> • Ensure that all Project workers sign codes of conduct addressing SEA/SH and outlining applicable sanctions • Implement GRM redress mechanism with multiple entry points, safe and confidential complaint procedures for SEA/SH incidents, including specifically on ensuring a survivor centered response and provision of multiple accessible, confidential and safe channels for GBV survivors to submit complaints and access support as well as appropriate response and information sharing protocols with service mapping results, psycho-social and legal services 	<ul style="list-style-type: none"> • Percentage of SEA/SH complaints must be resolved within the prescribed timeframe under the grievance mechanism • Average timeframe for resolving SEA/SH complaints • Number of GBV sensitization sessions held and number of workers who attended each session. 	
Labor Influx	<ul style="list-style-type: none"> • There will be no dedicated accommodation camps, foreign labor (component 1a) will be accommodated in the lodges around Nhlango town under the supervision of the contractors Project managers, whilst project workers for component 1b and 2 will be accommodated in the community facilities/NCPs and EEC shall ensure that all workers comply with the Code of Conduct. • Contractors will be required in the bidding documents to recruit all unskilled labor from the local communities 	<ul style="list-style-type: none"> • Number of workers sensitized on HI/AIDS and GBV related issues • Effective Understanding and sensitization among local communities and Project workers on the risks/impacts of SEA/SH, HIV/AIDS and COVID-19 and Project 	<p>-PIU is ultimately responsible for ensuring all contractors/sub-contractors and primary suppliers comply with these requirements.</p> <p>-Contractors</p>

	<p>unless such labor is not available among the local communities</p> <ul style="list-style-type: none"> • Every Project worker will be required to sign the Code of Conduct (see Annex 1 on the guideline on Code of Conduct) before the commencement of work which includes provisions to address the risk of increased HIV/AIDS infections, SEA/SH, as well as communicable diseases, including COVID-19. The Code of Conduct governs both on-site behaviors (with colleagues) and conduct in the community and also outlines applicable sanctions for misconduct. Relevant training will be provided to workers, such as induction and Friday toolbox talks outlining expected conduct and local community values. 	measures to mitigate these risks.	
Poor working conditions (Unsafe work environment, lack of workers' rights)	<ul style="list-style-type: none"> • Construction sites must provide a safe and healthy working environment with hygienically clean sanitation, drinking, eating, and washing facilities, with adequate potable water, well ventilated and with clean and culturally appropriate sanitary, changing and washing facilities that are separate for males and females. The Project will ensure that all such facilities for males and females are safe, secure, designated and well-lighted and to be lockable from inside • Construction sites must be accessible for people living with disabilities to maneuver around without any difficulties by constructing ramps on buildings • Project workers will be provided with facilities appropriate to the circumstances of their work, 	<ul style="list-style-type: none"> • Presence of construction site offices with an adequate supply of basic amenities • Number of issues raised and addressed 	PIU

	<p>including access to canteens, hygiene facilities and appropriate areas to rest.</p> <ul style="list-style-type: none"> ○ Projects workers working outside of their usual place of work by 5 km shall be provided with travel and subsistence allowance by their employers • Construction sites must be cleaned and organized daily with appropriate safety and information signage/markings in place, for example, signage for smoking area, assembling point etc. • Adequate quantities of potable water must be provided at all Project work sites. • All Project workers will be provided with adequate periods of rest per day (break and lunch), sick leave as required by national law and World Bank policies. • Proper storage of hazardous and nonhazardous material and equipment and removal of scraps and debris from the construction site. Appropriate methods should be employed when storing and disposing of any types of waste • Supply of first aid boxes at each construction site, which will be administered to workers on site during any accidents. Contents of the first aid box are stated in appendix 3. • Conduct risk assessments for each activity to be undertaken and create awareness around Project risks to both workers and direct communities. 		<p>Contractor representative</p> <p>SHE</p>
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	<ul style="list-style-type: none"> • Immediate root cause analysis of serious accidents or fatalities to ensure that these do not occur again by coming up with mitigation measures such as providing training and onsite demonstrations on the use of specific tools. 		
Forced Labor, including Trafficking, and Child Labor	<ul style="list-style-type: none"> • Minimum age of Project workers including community workers eligible for any type of work under the Project is set at 18 years, as set out in this LMP, ESCP, ESMF • Design and implement HR policies that comply with eSwatini's Labor law and ESS2 requirements • Procurement will ensure that no forced labor exists in the Project by developing terms of reference for all engaged in the Project and gathering documents and appropriate proof/evidence. In case forced or child labor is found in the Project, the matter will be reported to the police as this is a criminal offence and the child shall be immediately removed, taking into account the best interest of the child. • All contracts shall have contractual provisions to comply with the minimum age requirement including penalties for non-compliance. The PIU will conduct spot checks and also verify the national identity cards of all employed in the Project by ensuring that all contractors submit labor compliance files, which entail all this documentation • Awareness-raising sessions will be conducted with both the contractors and communities to sensitize them on the prohibition and negative impacts of child and 	<ul style="list-style-type: none"> • Signed documentation from each CLO confirming agreement that the community labor is provided on a voluntary basis. • Absence of minor within the workforce • Attach national Identity documents as part of the contract • Meeting registers/ records with attached minutes. 	PIU

	forced labor. This will be conducted during consultation meetings for communities and also monthly during the toolbox talks for contractors		
Community grievance (community safety, traffic and noise complaints as a result of the construction works)	<ul style="list-style-type: none"> • Develop, train and implement workers code of conduct, including in relation to SEA/SH prohibited conduct and applicable sanctions • Provide each worker with a written copy of the Code of Conduct in a language and format that he/she easily understands. • Develop and train workers on grievance procedure to address community concerns • Provision of resources for the functioning of the grievance redress procedure, including safe and confidential procedures for management of SEA/SH complaints • Monitor adherence to code of conduct • Provide all local authorities and leaders of Project affected communities with copies of the grievance procedure and provide regular awareness-raising sessions for all members of such communities on the content of the Code of Conduct. • Ensure that copies of the grievance procedure are placed in publicly accessible locations throughout the Project affected communities and at all Project worksites. 	<ul style="list-style-type: none"> • Availability of a copy of a grievance procedure of which is given by Project management to each chiefdom that is clearly defined and understood by local authorities • Percentage of worker which have signed code of conduct • Percentage of SEA/SH complaints referred to support services • Percentage of SEA/SH complaints resolved in prescribed timeframe under GM • Average timeframe for resolving SEA/SH complaints • Number of complaints related to traffic, safety, noise or any other activities of the Project workforce 	PIU

Inadequate provision of PPE	<ul style="list-style-type: none"> • Provide and train workers on proper usage of PPE • Ensure that each worker is given and is using PPE that is adequate and appropriate for his/her Project duties/responsibilities. • Ensure that all OHS measures, including the provision of PPE, are undertaken in accordance with the World Bank General Environmental Health and Safety Guidelines on Occupational Health and Safety (EHSGs) 	<ul style="list-style-type: none"> • Adequacy of PPE provided to Project workers according to their work duties and Project safety circumstances. • number and percentage of workers given PPE • Percentage and number of workers using PPE provided to them • Number of incidents and accidents and relationship to PPE 	PIU Contractors/sub-contractors/primary suppliers
Inequality and Discrimination during recruitment and employment against women, and other members of vulnerable groups (including persons with disabilities, LGBTI, low income persons, etc.)	<ul style="list-style-type: none"> • Employment of all workers shall be based on the principle of equal opportunity and fair treatment and there shall be no discrimination with respect to race, gender or compensation. All positions shall be advertised with clear job requirements • The PIU, all contractors/sub-contractors, and primary suppliers, and all workers engaged/employed in relation to the Project, including community workers, will also be required to comply with the Employment Act requirements on gender equality in the workplace which will include the provision of maternity leave, nursing breaks and sufficient, suitable, secure and lockable toilet facilities separate for men and women workers. 	<ul style="list-style-type: none"> • Total number of workers • Number of women employed • Number of people living with disabilities employed • Types of employment assigned to women in the Project 	PIU Contractors/sub-contractors/primary suppliers

	<ul style="list-style-type: none"> Contractors/sub-contractors and primary suppliers will be required to create an enabling work environment that establishes and implements a Zero Tolerance policy against sexual exploitation and abuse or sexual harassment in the recruitment and retention of skilled and unskilled female workers by applying fair recruitment practices. This will include sensitizing workers on their rights, developing and implementing a sexual harassment policy 		
Overtime/ excessive working hours without compensation and breaks	<ul style="list-style-type: none"> Put in place HR policies and procedures which include mandatory requirements with respect to the minimum wage, minimum age, working hours, contracting terms, leave, equality, diversity, collective bargaining, working terms and conditions Any work undertaken beyond normal working must be compensated per the Building and Construction Wages Regulation 	<ul style="list-style-type: none"> Availability of HR Policy Random sampling of workers who understand their terms and conditions of employment 	PIU
Occupational Health and Safety			
Increase in incidents and accidents	<ul style="list-style-type: none"> Develop and implement a Project-specific Occupational Health and Safety Plan in conformance with national law, ESS2,ESS4 and other relevant World Bank and international standards, including World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety.⁴ 	<ul style="list-style-type: none"> Hazard identification and control plan Number of incidents and accidents reported and addressed 	PIU Contractor/sub-contractors/primary suppliers

⁴ Section 2 of the General Environmental Health and Safety Guidelines (EHSGs) on Occupational Health and Safety

	<ul style="list-style-type: none"> • Update and train workers on OCHSIP guidelines and any other HSE related information including OCHSIP risks and hazards associated with each task he/she will be undertaking as part of his/her duties. • Have detailed working instruction and procedures for every activity of the Project • Monitor HSE performance of each site (record and report incidents, root cause analysis and investigations) • Monitor and inspect tools and equipment regularly (daily/monthly) • Keep and communicate updated emergency preparedness and response plan to all onsite workers • Contractors shall comply with the workmen's compensation Act, 1983 by insuring all workers. • Employers shall pay for work-related damage to health, property and families must be compensated in case of death. 	<ul style="list-style-type: none"> • Hazards register communicated to all workers highlight high risks and control measures to be implemented. • Availability of OCHSIP implementation plan. 	
Security Personnel	<ul style="list-style-type: none"> • Vandalism of property • Civil unrest (arson and vandalism) • Housebreaking and Theft (fraud) • Corruption (collusion) 	<ul style="list-style-type: none"> • Ensure maintain contractors to the security personnel terms and conditions of employment • Engage law enforcement agencies such as the police immediately 	PIU Contractors

at <http://www.ifc.org/ehsguidelines>.

		<ul style="list-style-type: none"> • Ensure all security measures are controlled by supervisors • Rotation of personnel on a quarterly basis to avoid collusion • 	
Community Health and Safety			
Transmission of infectious/communicable diseases (COVID-19, HIV, STI's)	<ul style="list-style-type: none"> • Awareness-raising and sensitization of workers on HIV/AIDS-related issues including SEA/SH related risks and COVID-19 by the PIU in collaboration with NATICC, • Distribute condoms free of charge • Provide free voluntary HIV/AIDS testing for all workers engaged in the Project • Train workers on COVID-19 and implement social distancing in accordance with national law, and WHO and World Bank guidance. • Enforce wearing of masks, provision of basic sanitation facilities and temperature testing equipment in line with WHO and national regulations • Reduce the number of workers at a time during pandemics and epidemics, in line with the requirements of national law, WHO and World Bank guidance. • Controlling entry and exit from site/workplace 	<ul style="list-style-type: none"> • Workers wearing appropriate PPE including face shields and masks • Number of workers provided with HIV/AIDs testing • Number of workers sensitized and trained on HIV/AIDS-related issues including COVID-19 	PIU Contractors/sub-contractors/primary suppliers

Non-existence of compensation plan for accidents victims	<ul style="list-style-type: none"> • Awareness-raising on workmen's compensation policy 	<ul style="list-style-type: none"> • Number of awareness sessions conducted with the total number of workers sensitized 	PIU Contractors/sub-contractors/primary suppliers
Gender-based violence, including Sexual exploitation and abuse, workplace sexual harassment and child abuse/exploitation	<ul style="list-style-type: none"> • Sensitize workers and community members on SEA/SH and related issues prior to commencement of works. • Prior to construction, conduct induction sessions with contractor workers and clarify the SEA/SH impacts and effects on society and how these also influence the spread of HIV/AIDS related sicknesses including new infections through organized group sessions • Provide ongoing bi-monthly training/sensitization sessions, for all Project workers on SEA/SH and HIV/AIDs and minimizing transmission among workers and between workers and local communities. • Contractors will develop, sensitize and implement a Sexual Exploitation and Abuse/Sexual Harassment policy. Contractors will need to develop a SEA/SH policy stating how they will handle all SEA/SH cases internally and how they will mitigate risks related to SEA/SH, including responding to SEA/SH incidents and ensuring appropriate and timely service referrals.. This will be done to raise awareness and also to respond in cases where such offences are committed. 	<ul style="list-style-type: none"> • Number of bi-monthly SEA/SH and HIV/AIDs training sessions undertaken and the number of workers who participate/attend each session. • Number of HTS services provided to workers and Project affected community members • Percentage of SEA/SH complaints referred to support services • Percentage of SEA/SH complaints resolved in prescribed timeframe under GM • Average timeframe for resolving SEA/SH complaints 	/PIU

8. Responsible Staff

8.1 Responsibilities of the LMP

The overview of responsible staff and oversight mechanisms are described in detail in the Project ESMPs. EEC's PIU has the overall responsibility to oversee all aspects of the implementation of the LMP, in particular, to ensure contractor compliance. EEC will address all LMP aspects as part of procurement for works as well as during contractor and workforce induction and orientation.

The PIU will be responsible for the following;

- Implement this LMP in relation to all direct workers and ensure that all contractors/sub-contractors and primary suppliers are implementing this LMP in relation to all workers they engage/employ in relation to the Project.
- Monitor that contractors are meeting obligations towards contracted and sub-contracted workers as included in the general conditions of the contract and in line with ESS2 and the national labor laws.
- Monitor that occupational health and safety standards are met at workplaces in line with national occupational health and safety legislation and occupational health and safety guidelines
- Ensure that the grievance mechanism for Project workers is established in line with ESS2 and monitor its implementation
- Monitor the implementation of the workers' code of conduct

The contractor is subsequently responsible to EEC for compliance in accordance with contract-specific Labor Management Plans, which will be aligned with this LMP for NRAP. EEC will be responsible for ensuring that all contractor-specific Labor Management Plans are fully consistent with national law, EES2, ESS4 and the Labor Management Plan for NRAP. The implementation of the contractor specific Labor Management Plans will be supervised by the EEC's PIU monthly or at shorter intervals as defined by the specific Plans. The detailed approach is described in the following sections.

The EEC PIU Environmental and Social officers will be responsible for;

- Ensuring that contractor(s) responsible for the construction works prepare Contractors Environmental and Social Management Plan (CESMP), in compliance with this LMP and OCHSIP guidelines before the initiation of the construction works. Monitor that the contractors are meeting obligations towards contracted and sub-contracted workers in line with ESS2, ESS4, EEC Occupational Community Health and Safety Implementation Plan, Industrial Relations Act 2000 (as amended), the Employment Act 5, 1980 and the Wages Act 16, 1964.

The EEC PIU Safety Officer will monitor the implementation of Labor Management Procedures ensuring that OHS standards are met at workplaces in line with the OCHSIP.

The EEC PIU Social Development Officer will:

- Ensure that the grievance mechanism for the Project workers is established and monitor its implementation. This also includes monitoring the implementation of the workers' code of conduct

The appointed Safety, Health and Environment (SHE) representatives will be responsible for the following

- Preparation of OCHSIP
- Sensitize Project workers weekly during toolbox talks on the different OCHSIP topics related to their works including ergonomics, Personal Protective Equipment, ladder Safety, waste handling management.
- Promptly manage any incidents / near misses according to the OCHSIP. Minor incidents are reported to EEC monthly whilst serious incidents are to be reported immediately. Minor incidents are reflected in the quarterly reports to the World Bank, major issues will be flagged to the World Bank within 48 hours.
- Prepare frequent progress reports on the OCHSIP aspects
- Ensures day-to-day compliance with specified safety and health measures while keeping records of all incidents.

Occupational Health and Safety. Contractors must engage one SHE (Safety, Health and Environment) representative. The SHE representative can be any other employee, such as manual labor and linesmen except the team leader. The SHE representative shall ensure day-to-day compliance with the Occupational Community Health and Safety Implementation Plan. This includes ensuring that all workers are using appropriate PPE, all tools and equipment are available and operational, and hazard identification and risk assessment are done for the tasks given on the day. Minor incidents are reported to EEC monthly, serious incidents are reported immediately within 24 hours. Minor incidents are reflected in the quarterly reports to the World Bank, major issues are flagged to the World Bank within 48 hours.

Labor and Working Conditions. Contractors will keep records in accordance with occupational community, health and safety specifications as set out in this LMP section 5 and terms and conditions of employment on sections 8-9. EEC may at any time require records to ensure that labor and working conditions are met. The PIU will review records against actuals at a minimum on a monthly basis and can require immediate remedial actions if warranted such as serious non-conformance. This may include utilizing equipment without following safe work procedures/operations, such as not utilizing a safety harness when working at heights or working

on a live chamber without a permit. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.

Worker Grievances: In line with the provisions of ESS2 paragraphs 21-23, the PIU will ensure that direct and contracted workers have a worker-specific grievance redress procedure in place to raise workplace concerns, including workplace sexual harassment. EEC's procedures currently in place will remain for the PIU. All workers will be informed of the grievance procedure available to them at the time of recruitment. Measures will be put in place to ensure that the grievance procedure is accessible to all Project workers and that measures are in place to protect workers against reprisal for its use. Contractors will be required to present a worker grievance redress procedure that responds to the minimum requirements in this LMP and also the requirements of the Industrial Relations Act, 2000. The Project Implementation Unit's Social Development Officer will review contractor's grievance records monthly. Where worker concerns are not resolved, the national system will be used as set out in the Industrial Relations Act 2000. The Project Implementation Unit will provide quarterly reports on the number of grievances resolved to the World Bank.

Additional Training. Contractors are required to, at all times, have a qualified safety officer on board. The NRAP PIU is responsible for ensuring that all contractors/sub-contractors provide at regular intervals, adequate OHS and other workplace training to the workforce under the respective contractor's/sub-contractor's control/direction in relation to the Project. The contractor's safety officer will provide toolbox safety talks to Project workers as stated in table 6.1. EEC will communicate and conduct awareness-raising sessions, every three months, on the risks associated with labor influx and how to mitigate these to all Project workers and communities under the Project continuously. EEC will be responsible for ensuring that each contractor makes its staff available for any training, as well as any additional mandatory training required by EEC, including all OHS Project-related training such as firefighting, first aid, etc.

8.2 Labor Requirements: EEC

The Ministry of Natural Resources and Energy oversees the Project. The Project will be implemented by the EEC with support from the Ministry. To enhance coordination and ownership, EEC has established a Project Implementation Unit (PIU) which is housed within the company. The PIU consists entirely of EEC workers and includes the Project Coordinator, Procurement Officer, Financial Management Officer, Environment Officer, Project Engineer, Safety Officer, Social Development Officer, Survey and GIS Officer.⁴ The primary function of the PIU is to coordinate the effective implementation of the Project. Some of the responsibilities of the PIU team are specified below;

8.2.1 Project Coordinator

- The Project Coordinator will oversee the project team on the overall day-to-day management and coordination and implementation of the subcomponents of the Project.
- The Project Coordinator will also closely liaise with the Task Team from the World Bank and other Stakeholders (i.e. EEC departmental heads, relevant Ministries and parastatal agencies). The Project Coordinator will assist the team to ensure that the works are in line with the objectives of the Project and are carried out according to World Bank environmental and social guidelines as well as national legislation.

8.2.2 Financial Management Officer

- The Financial Management officer will assist the project team to lead the financial management activities of the Project and coordinate with the technical teams and stakeholders assigned to implement the sub-components.

8.2.3 Procurement Officer

- The Procurement officer will lead the procurement activities of the Project and coordinate with the technical teams and stakeholders assigned to implement the sub-components.
- The Procurement Officer will work with the Environment and Social Development Officers to ensure that all the Procurement documents adequately reflect environmental and social requirements.

8.3 Responsibilities of the Environmental and Social Officers

The Environmental and Social Officers shall be under the direct supervision of the National Project Coordinator, with the following duties;

8.3.1 Social Development Officer

The Social Development Officer within the Research and Development Division reports to the Project Coordinator and will lead all social activities of the Project and coordinate with the Environmental Officer, technical teams and stakeholders assigned to implement components 1b and 2. The stakeholders to be engaged include the Ministry of Natural Resources and Energy (Department of Energy) for the implementation of component 2, Nhlanguano town council and Eswatini Water Services Corporation (EWSC) and Eswatini post and telecommunications (EPTC) for the implementation of component 1b. Together with the Environment Officer, the Social Development Officer will primarily be responsible for ensuring that Project activities avoid or minimize negative social impacts and where they cannot be avoided, such impacts are identified and the necessary mitigation measures are developed and implemented following the relevant

national law requirements, as well as the ESF and other World Bank policies. This also includes providing direct oversight on GBV related issues in the Project. The Social Development Officer will also ensure that the Project worker grievance mechanism is fully operational for all project workers to raise workplace grievances and provide timely feedback to those concerned in a language that they understand without any retribution. The Social Development Officer is responsible for the management of CLOs as discussed in section 1.8 of this LMP.

8.3.2 Environmental Officer

The Environmental Officer within the SHERQ department, reporting to the SHERQ manager will lead the environmental activities of the Project and coordinate with the social development officer, technical teams and stakeholders assigned to implement the subcomponents. Together with the Social Development Officer, the Environment Specialist will primarily be responsible for ensuring that Project activities avoid and minimize negative environmental impacts; and where they cannot be avoided, that impacts are identified, and the necessary mitigation measures are developed and implemented following the relevant national legislation as well as the World Bank policies.

The Environmental and Social Development Officer will provide overall policy and technical direction for environmental and social management under the Project, as defined by the Environmental and Social Commitment Plan (ESCP), Environmental and Social Management Framework (ESMF). The Social Development Officer shall also ensure that the Stakeholder Engagement Plan (SEP) and these Labor Management Procedures (LMP) are implemented in line with the requirements of national law and the provisions of the World Bank ESF. In essence, therefore, the overall responsibility of ensuring that the LMP and SEP are followed in Project implementation, remains with the PIU who will continuously update these documents throughout the Project life cycle.

8.3.3 Safety Officer

The Safety Officer will be responsible for the development, implementation and monitoring of the Project Specific OCHSIP, compliance to national legislation, World Bank Environmental, Health, and Safety guidelines and ensure implementation of the LMP in line with the World Bank requirements.

8.3.4 Support Staff

Additional staffing may be needed during Project implementation. However, EEC has several existing staff who will provide support to the Project. The following offices have been identified within the EEC:

- **GIS Office:** the surveyors have developed many transmission routing options and identified tentative resettlement impacts. It is expected that the office will continue to lend support to

the Project Implementation Unit's Social Development Officer regarding the resettlement process.

- **Legal office:** the legal office will assist in the drafting, and vetting of Contracts.
- **Outsourcing Office:** will lend support with regard to contracting during Project implementation.
- **Commercial Services:** inspects primary suppliers twice annually and will report to Project Implementation Unit any irregularities.
- **Transport Department:** The EEC Transport Department is responsible for the Management of the fleet allocated to the Project Implementation Unit.

Likewise, EEC has partnered with NATICC to facilitate awareness-raising sessions on SEA/SH including HIV/AIDS related issues and the transmission of communicable diseases such as Sexually Transmitted Infections (STI's) in collaboration with Family Life Association of eSwatini (FLAS) in order to prevent and mitigate the risk of GBV in the Project. The provisions given under this LMP will apply to such consultancies as they will be providing services related to sensitization on GBV and responding to GBV cases. In addition, the health and safety needs of such specialist consultants will be considered, and the measures adopted by the Project to address occupational health and safety issues, including those specifically related to COVID-19, will apply to them. This means that the consultants will remain subject to the terms and conditions of their existing employment agreements.

8.4 Owners Engineer (OE)

The OE shall report to the PIU PM and shall complement the PIU in the supervision of Component 1a of the Project. The OE will work closely with the PIU in ensuring that the Project deliverables are achieved timely and that project management and project implementation capacities are transferred to EEC. The OE shall support the EEC in the following project management functions under component 1a:

Implementation Plan: EEC will prepare a project implementation schedule before project effectiveness. The OE shall within thirty (30) days of its assignment review and update EEC's implementation schedule of the Project.

Monitoring of Project Progress: The OE shall supervise and monitor the project implementation progress and report to EEC details of any aspect that may threaten the progress of the works.

Contract Management: The OE shall support the PIU in ensuring its contractors' compliance with the terms and requirements of the contracts and delivery of the required goods, works,

and services consistent with the terms of the contracts. The OE shall also recommend to the PIU best practices to enforce the contract requirements for the success of the Project.

Monitoring implementation of environmental and social instruments: The OE shall support the PIU in the monitoring and reporting of all environmental and social instruments. The Owners Engineer shall conduct spot checks to verify any non-compliance and communicate this to the Environmental and Social Development officers.

Project Mid-Term and Completion Report: The OE shall assist the PIU in preparing Project Mid-Term and Completion Reports. The project completion report shall be submitted two months before the completion of the consultancy services.

The EEC PIU shall maintain its primary responsibility of ensuring that the project is implemented on time, on budget and in accordance with necessary procedures.

8.5 Third-Party Independent Monitoring Agency

An independent Monitoring Consultant for the environment and social issues will be engaged by the PIU. The independent monitoring consultant shall be responsible for ensuring compliance with approved plans and programs related to environmental and social issues. The independent monitoring consultant will be engaged throughout project preparation and implementation.

9. Policies and Procedures

This section outlines the main policies and procedures to be followed in the Project. EEC has rules and procedures which provides for the rights of workers in line with national laws. These rules will apply to direct workers. Direct workers shall also sign a Code of Conduct. The principles and procedures presented below represent the minimum requirements but are not an exhaustive list of the requirements.

As specified in the Employment Act, 1980, the 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 such as recruitment, compensation, working conditions. The following measures will be developed by the contractors and monitored by EEC and supervising consultants to ensure fair treatment of all workers.

9.1 Age of Employment

Although the age of employment in Eswatini differs, the Project will only engage a person at the minimum age of eighteen (18) and this will be enforced at recruitment. Consultants/ contractors will be required to verify the age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, and passport. If a child under the minimum age is discovered working on the Project, the case will be reported

to the police and measures taken to immediately terminate the employment or engagement of the child in a responsible manner, taking into account the best interest of the child.

9.2 Terms and Conditions

The terms and conditions applying to EEC workers are set out in their internal policies, which provides for the rights of workers in line with national law. These internal labor rules and policies apply to all workers assigned to work in the Project. The terms and conditions of contracted workers are determined by their contracts. All Project workers are allowed to join unions as specified in the Industrial Relations Act, 2000. In cases where Project workers are union members, terms and conditions set out in their collective agreements will apply to them.

The work hours are 40 hours per week for direct works. EEC compensates its workers for overtime worked, either by taking a day off or through monetary terms depending on their job profile and as stated in their contracts of employment. The Wages, Act, 1964 allows for the work week of 45 hours in the building and construction industry. All Project workers will receive at least one (1) rest day after six consecutive days of work.

The contractors will set out terms and conditions of their workers in their contracts of employment in line with the minimum requirements as specified in the Employment Act, 1980.

10. Worker-Specific Grievance Mechanism in line with the provisions of ESS2

In accordance with ESS2, the Project will provide a worker-specific grievance mechanism, which will be a separate mechanism from the Project's Grievance Redress Mechanism, for all direct workers and workers engaged through contractors/sub-contractors.

EEC has a grievance procedure in place, which allows all its workers to raise workplace concerns. There is a system in place to track all grievances in the workplace which also assist in identifying reoccurring grievances and coming up with mitigation measures such as developing policies and conducting awareness-raising session on these.

EEC requires that contractors develop and implement a grievance mechanism for their workforce, including sub-contractors, before the start of works. This will be submitted to EEC as part of their labor compliance files. The workers' grievance mechanism will include;

- A procedure to receive grievances such as comment/complaint form, suggestion box
- The worker grievance mechanism will clearly state how SEA/SH grievance are received and managed to ensure survivor centered approach though confidentiality and multiple entry points.
- Stipulated timeframes to respond to grievances
- A register to record and track the timely resolution of grievances

- A responsible individual to receive, record and track resolution of grievances

The supervising engineer (Owners engineer) will monitor the contractors recording and resolution of grievances and report these to the EEC in their monthly reports. The process will be monitored by the Social development and legal officer.

The worker grievance mechanism, which will be in line with the provisions of ESS2, will be described during induction training, which will be provided to all Project workers by their employers. The mechanism will use 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 and all grievances treated with confidentiality
- The grievance mechanism will be designed to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned and in a language, they understand without retribution. In this regard, the mechanism shall operate in an independent and objective manner.
- The worker grievance mechanism will provide for a process for workers to lodge anonymous grievances and will inform all workers of this process for submitting anonymous grievances. Anonymous grievances will be treated equally as other grievances, whose origin is known
- Management will treat grievances seriously and take timely and appropriate action in response

The Project employee's grievances mechanism will not prevent workers from using the conciliation procedure provided in the Industrial Relations Act, 2000 or other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements.

11. Contractor Management

11.1 Selection of Contractors

The Project will make use of the World Bank Standard Procurement Documents for Works and solicitations of contracts. The PIU after receiving bids from the contractors shall ensure that the contractors are legitimate and have permits according to the Eswatini law, and the necessary professional bodies. These include labor and occupational, health and safety requirements. The PIU shall make reasonable efforts to ascertain that the contractor who will engage contracted workers is a legitimate and reliable entity and able to comply with the relevant requirements under the LMP. Such requirements shall be included in the bidding documents. As part of the process to

select the contractors who will engage contracted workers, the PIU may review the following information:

- Business licenses, registrations, permits, and approvals
- Documents relating to the contractor's labor management system and OHS system (e.g., HR manuals, safety program); ESHS personnel and their qualification

11.2 Contractual Provisions and Non-Compliance Remedies

The PIU shall incorporate the agreed labor management requirements as specified in the bidding documents into contractual agreements with the contractor, together with appropriate non-compliance remedies (such as the provision on withholding 10% of the payment to the contractor in case of non-compliance with relevant environmental, social, health and safety requirements; removal of personnel from the works; or lack in the OCHSIP performance security). In the case of subcontracting, the PIU will require the contractor to include equivalent requirements and non-compliance remedies in their contractual agreements with sub-contractors.

11.3 Performance Monitoring

The PIU shall dedicate resources and establish procedures for managing and monitoring the performance of the contractor in relation to the LMP. The PIU will ensure that the contract with the construction and supervision consultants explicitly set out their monitoring responsibility for the contractor's performance on labor and working conditions daily. The monitoring may include, inspections, and/or spot checks of project locations or worksites and/or of labor management records and reports compiled by the contractor. Contractors' labor management records and reports that should be reviewed would typically include the following:

- Representative samples of employment contracts and signed Code of Conduct;
- Grievances received from the community and workers and their resolution;
- Reports relating to fatalities and incidents and implementation of corrective actions;
- Records relating to incidents of non-compliance with the national labor law and the provisions of the LMP; and
- Records of the training provided for contracted workers to explain occupational health and safety risks and preventive measures

11.4 Monitoring performance of contractors

There shall be a comprehensive database of all primary and secondary contractors for the Project. The database will record a summary of their scope of work, business origins, and a brief profile about the history of compliance to environmental and social standards.

This will contain information of the key suppliers which will be used to monitor the primary supply chain and record results of risk assessments for incidents of child and/or forced labor and significant environmental safety issues. If any issues are identified the supplier will be notified through a non-conformance report to rectify the issue in no more than 7 calendar days. If the condition still exists after 7 calendar days the contractor shall stop all works until the issue is resolved.

12. Community Workers

The terms and conditions of employment as stated in ESS2, paragraphs 10-12 will apply to all community workers, namely the 13 CLOs engaged for the Project. They are expected to work from Monday-Friday, eight (8) hours a week and will be provided with a monthly salary. This also includes provision of rest breaks on a daily basis. However, the conditions of ESS2, paragraph 13-15, on terms and conditions of employment, shall not apply to this category of workers because of the manner in which they were appointed into the Project i.e (customary appointment by the Chief). The conditions of ESS2, paragraph 24-27 shall apply to community workers with regards to occupational health and safety. Each chief in consultation with the chieftom's inner council follows customary practices in appointing each CLO. CLOs will be engaged throughout the Project to develop, maintain and manage relationships between EEC, contractors and the local communities. The CLOs form part of the PIU structure and report to the Social Development officer on E&S issues. In line with the provisions of ESS2, EEC shall provide each CLO with a monthly salary in accordance with the eSwatini labor laws. The Project worker grievance mechanism, established in line with ESS2 paragraphs 21-23, shall also be applicable to the CLOs to raise workplace concerns and grievances, including workplace sexual exploitation and harassment issues.

The Social Development Officer will ensure that the CLOs play a critical role in developing, maintaining and managing relationships between corporate and community interests including those interests of government and local authorities (chiefs). For detailed discussion on the issue of community workers, please see section 1.8 of this LMP.

13. Primary Suppliers

The primary suppliers for the transmission line shall be companies that manufacture transmission towers and conductors. These sectors are not known to involve child or forced labor. For the substations, the primary suppliers will be companies that manufacture electrical switching equipment, transformers and other major electrical equipment. It is expected that the primary suppliers will be large scale international companies and EEC will enquire during the procurement process whether the supplier has been accused of any of these issues. If child labor or forced/trafficked labor is found in relation to any primary supplier, EEC will report the incident

without delay to the relevant Eswatini police/judicial/administrative authorities and follow the respective provisions of paragraphs 39-42 of ESS2 and corresponding language in the Guidance Note to ESS2 on addressing child/forced/trafficked labor in the context of primary suppliers.

Appendix 1: Written Particulars of Employment

As required by Section 22 of the Swaziland Employment Act.

SECOND SCHEDULE

(WRITTEN PARTICULARS OF EMPLOYMENT)

(Regulation)

1. Name of Employer
2. Name of Employee
3. Date Employment began
4. Wage and Method of Calculation
5. Interval at which wages are paid
6. Normal Hours of work
7. Short description of employee's work
8. Probation Period
9. Annual Holiday Entitlement
10. Paid Public Holiday
11. Payment during sickness
12. Maternity Leave (if employee female)
13. Nursing Break Entitlement (for female workers)
14. Notice employee entitled to receive
15. Notice employer required to give
16. Pension Schedule, Provident Fund Gratuity Schedule etc. (if any, other than SNPF)
17. Any other matter either party wishes to include

Notes:

- (a) An employee is free to join a trade union or staff association, which is recognized by the undertaking. The address of the Trade Union or Staff Association is:

(b) The grievance procedure and disciplinary procedure in this undertaking requires to be followed when a grievance arises or disciplinary action that needs to be taken.

(c) When any heading is inapplicable enter NIL.

.....

Employee's signature Witness

Date

Appendix 2: Contractors SHE File Monitoring Form (EEC)

Contractor Name;

Depot;

Instructions; Tick (✓) if available, put a cross(X) if unavailable. Tick (✓) if there was activity, put a cross(X) if there was no activity. Tick (✓) if there's evidence, put a cross(X) if there's no evidence. Make a Comment according to the changes that have taken place as reflected by availability, activity and evidence on each SHE item.

#	Monthly Checklist: SHE items	Available	Activity	Evidence	Comment
1	Exposure to EEC IMS Policies,				
2	Valid Working Contract,				
3	Current Employee List (Q-S-OS-P-01-F-05),				
4	Confirmation Letter Inc. copy of ID (per employee),				
5	Understanding of Resources, roles, responsibilities & authority,				
6	Inductions - all contractor staff				
7	HIRA & Reporting; Incidents, accidents & near misses				
8	Appointment letters; for # 9, 10, 11 below				
9	SHE Certificates; Safety Rep				
10	SHE Certificates; 1st Aider				
11	Mandatory Qualifications – as per the evaluation form				
12	Vehicles; CoF, Bluebook, Daily inspection sheet, Driver Permit				
13	Current Evaluation form,				
14	PPE: Branded & Properly worn at all times,				
15	Internal Communication; minutes showing meetings,				
16	NCR's Received and closed,				

17	Environment Management Aspects (the 8 elements),				
18	First Aid Box: availability and usage of the form,				
19	Fire extinguisher; valid				
20	Any other				

EEC SHE Rep Signature

Date compiled

Contractor SHE Rep Signature

Date compiled

Appendix 3: First Aid Box Contents Checklist⁵

1. Items in the first aid box are minimum contents as per the South African Occupational Health and Safety Act 85 of 1993. Checklist must be completed every month to ensure compliance with the law.

Checked by:		PF #:		
Month and year:		Work Station:		
#	ITEM	Quantity Specified	Quantity Present in Box	Comment
1.	Adhesive elastic plasters assorted 20's	1 Box		
2.	Roller bandages-conforming 100mm	4 Rolls		
3.	Roller bandages-conforming 75mm	4 Rolls		
4.	CPR Mouthpieces	2		
5.	Cotton wool 50 gram	2 Rolls		
6.	Fabric roll plaster 25mm x3M	1 Roll		
7.	First Aid dressing No 3 75x 100mm	4		
8.	First Aid dressing No 4 150x 200mm	4		
9.	Forceps- 10cm	1		
10.	Gauze swabs 75mm x 75mm 100's	1 Packet		
11.	Gauze swabs 75mmx75mm Sterile 5's	2 Packets		
12.	Gloves-Latex Large	2 Pairs		
13.	Gloves-Latex Medium	2 Pairs		
14.	Hypoallergenic Adhesive Tape 25mm x 3M	1 Roll		
15.	Safety Pins Bunch of 12	1 Bunch		

⁵ S-S-SH-P-03-F-05_First Aid Box Contents Checklist (1).

16.	Scissors- 10cm	1		
17	3-ply surgical masks	2		
18.	Splints-Straight	2		
19.	Triangular Bandages	4		
20.	Wound Cleaner- CENTRIMIDE 1% 100ml	1 Bottle		
21.	Waste-disposal bags	2		

2. Contents should be regularly replenished by appointed first -Aider

3. Any deficiencies should be reported to the Safety Officer or SHERQ Representative

Appendix 4: Code of Conduct for NRAP

INTRODUCTION:

This Code of Conduct (CoC) is to be followed by all workers, including direct workers, community workers, as well as workers engaged/employed by contractors/sub-contractors and primary suppliers in relation to the Network Reinforcement and Access Project (NRAP) in Eswatini (P165660)

The purpose of this CoC is to lay out a framework of mandatory norms, practices, and behaviors that all workers engaged under NRAP must follow as a condition of employment under the Project. The CoC is a means to prevent and/or minimize social risks within the context of the Project, and each Project worker will be required to review, agree to the terms of and sign this CoC at the time of employment. This CoC addresses a range of environmental and social issues related to Project workers and the workplace area, including, but not limited to, workers' occupational health and safety, community health and safety, including transmission of HIV/AIDS, COVID-19 and other communicable diseases, child labor, forced labor and labor trafficking, sexual exploitation and abuse and sexual harassment (SEA/SH) among Project workers and between Project workers and members of local communities, violence against children, and respect for wildlife and related natural resources in the Project area.

The workplace is an environment where unsafe, offensive, abusive, or violent behavior will not be tolerated. The NRAP is committed to ensuring a work environment that minimizes any negative impacts on the local environment, communities, and its workers, and also where all persons should feel comfortable raising issues or concerns without fear of retaliation.

DEFINITIONS⁶:

Sexual Exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual Abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual Harassment: Any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct

⁶ See Good Practice Note, Environmental and Social Framework for IPF Operations: Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works (The World Bank, 2d ed. 2020).

interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

SH versus SEA⁷: SEA occurs against a beneficiary or member of the community. SH occurs between personnel/staff of an organization or company and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. The distinction between the two is important so that agency policies and staff trainings can include specific instruction on the procedures to report each.

Contractor Personnel: employees that have been engaged by EEC's contractors and sub-contractors to work in the Project

Consent: The choice behind a person's voluntary decision to do something. Consent for any sexual activity must be freely given, okay to withdraw, made with as much knowledge as possible, and specific to the situation. Consent must be informed, based on a clear appreciation and understanding of the facts, implications and future consequences of an action. In order to give consent, the individual concerned must have all relevant facts at the time consent is given and be able to evaluate and understand the consequences of an action. The individual also must be aware of and have the power to exercise the right to refuse to engage in an action and/or to not be coerced (i.e., by financial considerations, force or threats). There are instances where consent might not be possible due to cognitive impairments and/or physical, sensory, or developmental disabilities. **Under this CoC,⁸ consent cannot be given by anyone under the age of 18, regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of the child is not a defense.**

There is no consent when agreement is obtained through:

- the use of threats, force or other forms of coercion, abduction, fraud, manipulation, deception, or misrepresentation,
- the use of a threat to withhold a benefit to which the person is already entitled, or
- a promise is made to the person to provide a benefit.
- A person under the influence of alcohol

⁷ Ibid.

⁸ In accordance with the United Nations Convention on the Rights of the Child.

PERSONEL OBLIGATIONS:

I, [*PERSON SIGNING THE CODE OF CONDUCT SHALL INSERT THEIR NAME HERE*], as a worker or Contractor Personnel, engaged/employed in relation to the NRAP Project, shall:

1. carry out my duties competently and diligently;
2. comply with this CoC and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
3. maintain a safe working environment, including by:
 - a. ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b. wearing required personal protective equipment;
 - c. following all prescribed environmental and occupational health and safety standards;
 - d. remaining in designated working areas during working hours;
 - e. refraining from any form of theft for assets and facilities including from surrounding communities;
 - f. refraining from possession of alcohol and illegal drugs and other controlled substances in the workplace and being under the influence of these substances on the job and during working hours;
 - g. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - h. following applicable emergency operating procedures.
4. report work situations that I believes are not safe or healthy and remove myself from a work situation which I reasonably believe presents an imminent and serious danger to my life or health;
5. treat men, women, and children (persons under the age of 18) with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, disability, resident status, sexual orientation, gender identity, birth or other status;
6. not use language or behavior towards men, women, or children that is violent, harassing, abusive, sexually provocative, demeaning, or culturally inappropriate;
7. not commit any act of physical, psychological, or sexual violence, the threats of these acts, coercion, or deprivation of liberty;

8. not exchange money, employment, goods, or services for sex, with community members, including sexual favors or other forms of humiliating, degrading or exploitative behavior;
9. not engage in the employment or exploitation of minors in the work environment, which includes any form of sexual activity or any other inappropriate behavior, including grooming or through digital media, with respect to minors (defined as individuals under the age of 18), except in cases of pre-existing marriage in accordance with Eswatini law;⁹ mistaken belief regarding the age of a minor and consent from the minor is not a defense;
10. not engage in any act of sexual harassment, sexual exploitation, or sexual abuse, such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including subtle displays of such behavior (in accordance with the definitions provided in this code of conduct);
11. not have sexual interactions with any fellow Project workers or members of the communities¹⁰ in the areas around the Project work locations, including at any hotels, lodges, or community structures providing Project worker accommodation; this includes relationships involving the withholding, promise of actual provision of a benefit (monetary or non-monetary) to community members in exchange for sex – such sexual activity is considered “non-consensual” within the scope of this CoC;
12. shall respect all rules put into place for worker accommodation, including any hotels, lodges, or other structures, which would encompass restrictions on visitors and limitations regarding access to any other members of the community who are not employed on the Project and not residing in worker accommodations, including any overnight access for non-residents;
13. shall strictly respect Eswatini laws, and any relevant signed international treaties, regarding prohibitions against sexual violence or regarding the protection of the rights of minors and women; acts of sexual violence and violence against minors constitute serious violations of this code;
14. attend all required and relevant trainings related to occupational health and safety, community health and safety, transmission of HIV/AIDS, COVID-19 and other communicable diseases, SEA/SH, and violence against children/child labor, as well as any other relevant courses as requested for Project workers and contractor personnel;
15. ensure full respect for any wild fauna and flora, including wild plants, wild animals or other wildlife encountered in relation to Project work sites and in relation to local communities and wildlife habitats, including protected areas located in or near the Project;

⁹ Under S.3 of the Marriage Act of 1964 - No male person below the age of eighteen years and no female person below the age of sixteen years may marry

¹⁰ This excludes cases of pre-existing marriage between fellow workers or members of local communities and Project workers.

16. not hunt, gather, fish, collect, harvest, or disturb any wild birds, and/or their eggs, mammals, amphibians, fish or other aquatic creatures, or reptiles and not engage in any cutting or harvesting of trees or other vegetation anywhere in relation to the Project unless specifically authorized to do so by the Contractor;
17. report violations of this CoC that relate to the harvesting or disturbing of wildlife in areas related to Project worksites or areas near the Project and be encouraged to report any other violations of this CoC, including reporting of SEA/SH-related complaints which must be made with survivor consent; and
18. not retaliate against any person who reports violations of this CoC or who makes use of the grievance mechanism for Contractor's Personnel or the Project's Grievance Redress Mechanism.

REPORTING CONCERNS OR VIOLATIONS:

If any worker or contractor personnel observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she is encouraged to raise the issue promptly.

This can be done in the following ways:

1. Contact EEC Social Development Officer by writing to this address **P. O. Box 258 Mbabane or by telephone at 24094017 or in person at eSwatini Electricity Company, Eluvatsini House, Mhlambanyatsi Road, Mbabane, [Email.info@eec.co.sz](mailto:info@eec.co.sz)**
2. Call [*EEC—PLEASE INSERT REQUESTED INFORMATION*] to reach the Contractor's hotline (*if any*) and leave a message.

The person's identity will be kept confidential, unless reporting of allegations is mandated by Eswatini law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. The Project takes seriously all reports of possible misconduct and allegations of violations of this CoC and, as such, will investigate and take appropriate action. In the case of SEA/SH-related complaints, the Project will likewise provide safe and confidential referrals to service providers in order to provide support to the individual who has experienced an incident of violence or abuse, as appropriate and with the consent of the survivor.

There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

APPLICABLE SANCTIONS:

Any violation of this CoC by Contractor's Personnel may result in serious consequences as well as sanctions, up to and including termination and possible referral to legal authorities, such as the following:

- A warning (verbal and written) depending on the gravity of the offence and the propensity of occurrence;
- supplemental training to address the problem relating to the worker's conduct, such as training on SEA/SH;
- Suspension of employment (without payment of salary), for a maximum period of one month; short of a dismissal.
- Termination of personnel employment in accordance Section 36 of The Employment Act;
- Report the incident/conduct to the police (in cases of SEA/SH, with survivor consent).

FOR NRAP PROJECT WORKER OR OTHER CONTRACTOR PERSONNEL:

I do hereby acknowledge that I have read and understood the foregoing Code of Conduct, do agree to comply with the standards contained therein, and understand my roles and responsibilities. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in termination of my contract.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

ANNEX 1: ILLUSTRATIONS OF PROHIBITED BEHAVIORS RELATED TO SEA/SH

The following non-exhaustive list is intended to provide examples of prohibited behaviors:

(1) Examples of sexual exploitation and abuse include, but are not limited to:

- A Project worker tells women in the community that he can get them jobs related to the work site (cooking and cleaning) in exchange for sex.
- A worker that is connecting electricity input to households says that he can connect female-headed households to the grid in exchange for sex.
- A Project worker denies passage of a woman through the site that he is working on unless she performs a sexual favor.
- A manager tells a woman applying for a job that he will only hire her if she has sex with him.
- A worker begins a friendship with a 17-year-old girl who walks to and from school on the road where Project-related work is taking place, which ultimately results in sex.

(2) Examples of sexual harassment in a work context include, but are not limited to:

- Male staff comment on the appearances of female staff in both positive and negative ways and their sexual desirability.
- When a female staff member complains about comments male staff are making about her appearance, they say she is “asking for it” because of how she dresses.
- A male manager touches a female staff members’ buttocks when he passes her at work.
- A male staff member tells a female staff member that he will get her a raise if she sends him naked photographs of herself.
- A male supervisor pressures a female staff member to engage in sexual relations in exchange for a promotion.