

# Labor Management Procedures

## Child Nutrition & Social Protection Project (P174637)

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**Government of Papua New Guinea**

National Department of Health; Department for Community Development & Religion; and  
Department of Justice and Attorney General.

**DRAFT**

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**Acronyms**

<b>CNSP</b>	Child Nutrition and Social Protection
<b>DCDC</b>	District Community Development Centre
<b>DFAT</b>	Department of Foreign Affairs and Trade
<b>DfCDR</b>	Department for Community Development and Religion
<b>DJAG</b>	Department of Justice and Attorney General
<b>DNPM</b>	Department of National Planning and Monitoring
<b>E&amp;S</b>	Environmental and Social
<b>ECD</b>	Early Child Development
<b>ESCP</b>	Environmental and Social Commitment Plan
<b>ESF</b>	World Bank's Environmental and Social Framework (ESF)
<b>ESRS</b>	Environmental and Social Review Summary
<b>ESS</b>	Environmental and Social Standard
<b>FTI</b>	Fast Track Initiative
<b>GoPNG</b>	Government of Papua New Guinea
<b>IA</b>	Implementing Agency
<b>LLHA</b>	Local Level Health Authority
<b>LMP</b>	Labour Management Plan
<b>M&amp;E</b>	Monitoring and Evaluation
<b>NGO</b>	Non Government Organisations
<b>NDoH</b>	National Department of Health
<b>OH&amp;S</b>	Occupational Health and Safety
<b>PDO</b>	Project Development Objective
<b>PHA</b>	Provincial Health Authority
<b>PSP</b>	Payment Service Providers
<b>PNG</b>	Papua New Guinea
<b>SA</b>	Social Assessment
<b>SA/MP</b>	Social Assessment and Social Management Plan
<b>SBCC</b>	Social Behaviour Change Communication
<b>SEA</b>	Sexual Exploitation and Abuse
<b>SEP</b>	Stakeholder Engagement Plan
<b>SLOS</b>	Social and Law & Order Sector
<b>SH</b>	Sexual Harassment
<b>TA</b>	Technical Assistance
<b>VAW</b>	Violence Against Women
<b>VHA</b>	Village Health Assistant
<b>VHV</b>	Village Health Volunteers
<b>WASH</b>	Water Sanitation and Hygiene
<b>WB</b>	World Bank

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# 1 Introduction

## 1.1 Background

The Government of Papua New Guinea's (GoPNG) Fast Track Initiative (FTI) to Reduce Stunting is a unified, whole-of-government approach, led by the Social, Law and Order Sector Special Working Group on Nutrition (SLOS-SWN) to address stunting in PNG by investing in children to build PNG's human capital and drive economic growth. It seeks to catalyze district-led, multi-sectoral action to tackle stunting and undernutrition, improve policy coherence and localize the implementation of multi-sectoral evidence-based nutrition interventions.

## 1.2 Project Description

The design of the project is outlined in the draft PAD dated November 2021. A summary is provided below.

The Project Development Objective is to increase utilization of **priority nutrition interventions** and **purchasing power** of first thousand-day households in selected provinces.

**The three (3) key results indicators are:**

- a) Percentage point increase in the proportion of children at two years of age who have received two doses of Vitamin A supplement;
- b) Proportion (%) of first 1,000-day households receiving child nutrition grant; and
- c) Percentage point increase in proportion of mothers/caregivers who demonstrate adequate infant and young child feeding practices.

**The direct beneficiaries are the first 1,000 days households covered by the project.** While the pregnant women or the mothers of infants under 2 would be the recipients of the child nutrition grant, their family members would also benefit from the project in terms of more and better-quality food and exposure to SBCC. The secondary beneficiaries are health workers that would receive training for delivering essential health and nutrition services. The national and sub-national government officials that are involved in the FTI planning and implementation would also benefit from capacity building activities and coordination mechanism established by the project.

The project will be implemented through three components:

- **Component 1: Implementing Community-based Approaches to Reduce and End Stunting (PNG CARES)** - This component seeks to promote critical nutrition behaviors including use of health services, early stimulation and positive parenting behaviors among first 1,000-day households and to support the convergence of multi-sectoral nutrition-relevant services. Since health systems capacity to deliver nutrition-specific health services at health facilities and through outreach is a critical bottleneck to the use of these services, this component also seeks to strengthen capacity to deliver these services and integrate them into routine health service delivery and outreach. Sub-components include:
  - *1.1 Community-level Multi-sectoral Actions for Nutrition and Early Childhood Development*- involving sub-grants between NDOH and church health organizations for i) community mobilisation; ii) action planning and progress monitoring using village score cards; iii) behaviour change communication for child feeding and hygiene practices; iv) promoting use of nutrition services through the PNG health system; advocating pro-nutrition health and WASH investments; promoting kitchen gardens and small livestock

rearing to promote diet diversification; and Early Stimulation and Positive Parenting programs to empower parents to improve the quality of their interactions and play with their children through early stimulation and positive parenting.

- *1.2 Strengthening Health Systems* – including the procurement of digital tools (i.e. phones, tablets etc.) and technical assistance, training, and associated operational costs to improve the collection and use of data related to nutrition as well as for the management and oversight of service delivery. In addition, this sub-component will finance mass media-based advocacy campaign on child stunting. Activities will include: (i) development and rollout of a nation-wide stunting-focused advocacy and awareness campaign; (ii) high-level policy events and summits (national and sub-national level); and (iii) nationwide advocacy and awareness activities focused on early stimulation and positive parenting.
- **Component 2: Implementing a Nutrition-Sensitive Child Grant** – This component, implemented by the Department for Community Development and Religion (DfCDR), seeks to address the affordability dimension of food security among the first 1,000 days families and incentivize the adoption of healthy and positive behaviours and feeding practices. Sub-components include:
  - *2.1 Provision of Child Nutrition Grant* – Targeted towards pregnant women or children under 2 years old. The parameters of this child grant such as benefit level will be determined during the project preparation;
  - *2.2 Improving Delivery Systems and Capacity Building for Child Grant* – involving the development of systems and management capacity to deliver the child grant; and District and subnational staff (i.e. Community Development Officers) training to facilitate the child grant activities and monitor the implementation progress. A small number of district Community Development Centres will serve as a venue for communication, coordination & training to support the project.
- **Component 3: Advocacy, Coordination, and Project Management** – The objective of this component is to support advocacy of the FTI agenda, oversight and coordination of nutrition relevant interventions, and overall project management and M&E.

This component will finance the operational costs needed to advocate and coordinate nutrition policies and programs, the consultancy support to carry out a series of project monitoring surveys and thematic studies, and the personnel costs for managing project related financial management (FM), procurement, M&E and learning, and safeguards to facilitate project implementation. The support will include: (i) strengthening the Department of Justice and Attorney General (DJAG), the Special SLOS Working Group on Nutrition (SSLOS WG-N), and the SLOS Secretariat housed in DJAG to enhance coordination among FTI stakeholders related to the project implementation and to build institutional capacity for the oversight, coordination and monitoring of the FTI; (ii) organizing National Nutrition Summits to highlight the importance of child stunting reduction, its determinants, and review the progress; (iii) facilitating the planning and implementation of FTI activities at the province and district level; (iv) developing and coordinating the implementation of a unified monitoring and evaluation (M&E) strategy with common indicators across implementing levels - provinces, district, wards down to villages; and (v) managing the project M&E, reporting, and planning. The proposed M&E strategy will capitalize on existing systems, particularly the electronic National Health Information System (e-NHIS) to improve the tracking of progress made on stunting as well as information systems in other sectors and across levels of Government. In addition, it will also seek to document and provide robust evidence on the effectiveness of both Government-financed and Project-supported

actions to reduce stunting and promote ECD, and capture lessons learned to support cross-learning on good practices both within PNG and with other countries.

### 1.3 Project Management Overview

The CNSP Project will be implemented through a multi-sector approach (refer to Figure 1.3.1). The Social and Law & Order Sector (SLOS) Ministerial Committee with the convening power to coordinate across sectors including at the subnational level, and the mandate to lead, coordinate, and oversee the Fast Track Initiative (FTI), will serve as the Steering Committee for the CNSP Project. The Project will consist of three implementation agencies (IAs). DJAG which houses the SLOS Secretariat will establish a Project Coordination Unit (PCU) and will be responsible for implementing Component 3. NDoH and DfCD&R will be responsible for implementing components 1 and 2 respectively. Component Management Unit (CMU)s will be established within both these departments. As a core part of the public health system in PNG, church health organizations will be engaged through subgrants to support the delivery of project activities identified in Components 1 and 2. The subgrants will be supported by Memoranda of Understanding or MoAs to cover incremental implementation costs of project activities over and above the existing scope of work of church health organizations. Agreements will also be established with selected Payment Service Providers (PSPs) to make payments on behalf of the IA for the CN Grant.

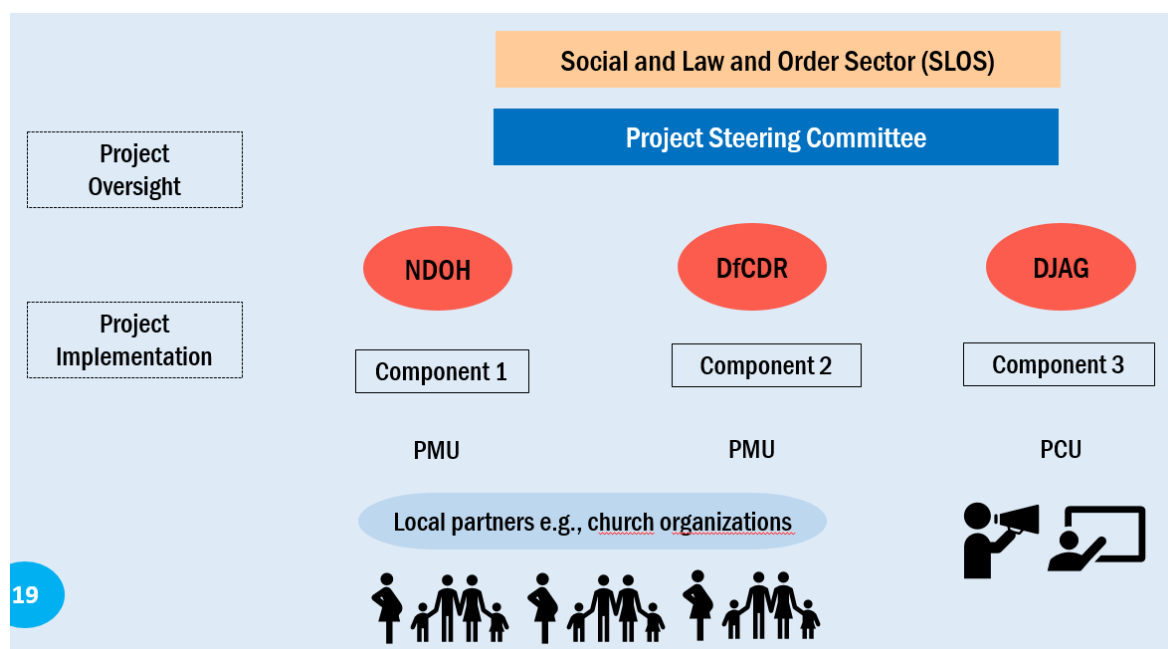


Figure 1.3.1 CNSP Project Institutional Arrangements

### 1.4 Purpose of the Labour Management Procedures

The CNSPP will be implemented in accordance with relevant PNG laws and the World Bank’s Environmental and Social Framework (ESF). The ESF requires all World Bank Borrowers to comply with ten Environmental and Social Standards (ESSs) for identifying, assessing and managing potential environmental and social risks and impacts associated with investment projects. ESS2 relates to Labor and Working Conditions whereby the borrower is required to document the main labour requirements and related risks associated with the delivery of the project in a Labor Management Procedure (LMP).

The LMP outlines how workers and contractors are engaged, trained and managed for the duration of the project under the requirements of PNG law and ESS2. This includes measures to support appropriate working conditions and relationships, occupational health and safety practices, and prevention strategies for sexual exploitation and abuse and sexual harassment.



## 2 Overview of Labor Use in the Project

### 2.1 Categorisation of labor use in the Project

Three categories of workers, as defined in the World Bank's ESS2 Labor and Working Conditions are expected to be engaged through the CNSP Project including direct workers, contracted workers and community workers. A description is provided below.

#### 2.1.1 Direct workers

A direct worker is a worker with whom the Borrower (the IAs) have a directly contracted employment relationship and specific control over the work, working conditions, and treatment of the project worker. The direct workers will be employed or engaged, paid directly, and subject to the day-to-day instruction and control by the three IA(s).

Two types of direct workers have been identified and include:

- Direct workers (government/civil servants) - including government staff in the IAs, provincial governments and other public institutions with a role in implementing project activities; and
- Direct workers (consultants) - consultants engaged directly by the IAs.

#### **Direct workers (government/civil servants)**

Direct workers (government) comprise civil servants employed by the IAs (i.e. NDoH, DJAG, DfCDR) or provincial governments (i.e. Provincial Health Authorities & District Development Authorities) and clinics, community centres and other public sector organisations working in the areas of health and social protection.

All direct workers (government) will remain subject to the terms and conditions of their existing public sector employment agreements, although terms and conditions may be altered to accommodate project delivery requirements. As the central government agency with the primary responsibility for public sector management including human resources issues under the Public Services (Management) Act 2014, the Department of Prime Minister (DPM) has controlled most staff management practices in the health sector (recruitment and selection, discipline and performance management).

Note: Under ESS2, provisions for occupational health and safety (ESS2 paragraphs 24 to 30) including those specifically related to COVID-19, as well as measures to protect the workforce in terms of child labour and forced labour (ESS 2 paragraphs 17 to 20) apply to civil servants. Other aspects of ESS2 do not apply to this category of project worker.

#### **Direct workers (consultants)**

Direct workers (consultants) comprise consultants engaged directly by the IAs (NDoH, DJAG, DfCDR) as full or part-time workers. During project implementation, the direct workers (consultants) are expected to be employed within the PCU located at DJAG, and within the CMUs located at the NDoH and DfCDR. Several consultants may be located in provincial locations to assist with the coordination and evaluation of activities and services delivered through the Project.

The number of consultants that will be hired is not known yet. They are likely to include project, procurement, finance and human resources managers and MIS, social protection, payments, M&E, E&S and communications, gender, IT and child nutrition specialists and / or officers carrying out technical assistance activities.

### 2.1.2 Contracted Workers

A contracted worker is a worker employed by a third party (and their sub-contractors) engaged by IAs, to perform work or provide services related to the core functions of the project, where the third party exercises control over the work, working conditions, and treatment of the project worker. The employment relationship is between the third party and the project worker, even if the project worker is working on an ongoing basis on project activities.

Types of contracted workers under the project are likely to include:

- Church organisations – the project will contract the services of several church organisations who are active in Papua New Guinea. This would involve the extension of existing Partnership Agreements between the GoPNG and identified church organisations to support the delivery of Component 1 and Component 2 including the Child Nutrition Grant.
- Works contractors - The project may include the engagement of payment service providers to provide models and administer the CN Grant. In addition, some small scale civil works to retrofit selected district community development centres where contracted workers would be engaged to complete minor construction activities may occur.
- Consulting firms – workers from consulting firms to provide technical assistance services as referred to in 2.2.1 Direct workers (consultants).

Some direct workers (consultants) and contracted workers are expected to be recruited as international consultants from outside of PNG. They will require a work permit issued by the Foreign Employment Division of the Department of Labour and Industrial Relations in accordance with the Employment of Non-Citizens Act 2007 and the Employment of Non-Citizens Regulation 2008. Non-citizens can also be engaged as technical advisors by government agency secretaries such as the Department of Treasury under the Public Employment (Engagement of Non-Citizen Technical Advisers) Regulation 2015 and the Public Employment (Non-Citizens) Act 1978.

### 2.1.3 Community Workers

Community workers refers to people who are employed or engaged in providing community labor<sup>1</sup>. Given the scope and nature of the project, including the delivery of community awareness, training, grants programs and project information sessions, the engagement of community workers such as the engagement of Village Health Volunteers and Assistants, community volunteers, community leaders and Family Life Educators through informal arrangements by implementing agencies, the provincial and district health authorities, subnational partners and contractors would occur.

## 3 Potential Labour Risks

### 3.1 Key Labor Risks

The key labor risks for CNSP Project are in the form of labor and working conditions, occupational health and safety, child labor and minimum age and forced labor.

### 3.2 Working conditions

The CNSP project is being implemented through a multisectoral approach which will result in an expanded project workforce, working across multiple provinces and in remote locations. While the expanded workforce may help to address existing fragmentation in service delivery across the various levels of government (national, provincial and lower levels<sup>Error! Bookmark not defined.</sup>), the new working arrangements with additional implementing partners may increase demands on existing health and social protection workers across all levels. Workers may become overburdened, particularly with a change in approach to service delivery and current pressures from COVID-19 on PNG's Health Sector. Strong leadership by managers, accompanied by clear plans which clearly specify roles and expectations of workers will be required, particularly in the first phase of project implementation.

The risk of the terms of employment (employment period, remuneration, tax and insurance payments etc.) not being secured by contractual agreements is a further consideration. To retain workers and ensure a capable and effective workforce is maintained, it is recommended that a procurement/human resources specialist is appointed within PCU/CMU to ensure all contracts with all direct (consultants) and contracted workers clearly outline employment and management requirements and ensure workplans are developed and then implemented. Furthermore, the status of labor and working conditions is recommended to be included as a standard reporting item in all reports and reviewed quarterly by the CNSP Project Steering Committee.

Another key feature is the potential for discrimination in the recruitment, hiring, compensation, working conditions, terms of employment, of workers. While existing policy frameworks are in place such as the Constitution of PNG which guarantees all citizens the same rights, privileges, obligations and duties irrespective of race, tribe, place of origin, political opinion, colour, creed, religion or sex and PNG's Employment Act prohibits discrimination of women on account of their sex and requires employers to pay women and men that same wages, the careful monitoring of potential risks of discrimination will be required. This will involve managers ensuring recruitment processes comply with PNG laws and that the relevant mitigation measures in the SA/MP which includes the Gender Action Plan and clauses for inclusive methods to be practised by contractors) are enforced.

### 3.3 Occupational Health and Safety (OHS)

Occupational Health and Safety risks for frontline service providers especially against COVID contamination will be a key consideration for the project. Rigorous community engagement in selected provinces will be undertaken through project components 1 and 2 and will require implementing partners to adhere to the ESS OH&S requirements as outlined in section 6.4 and the CNSP COVID-19 Safety Protocol (Refer to Annex D of the SEP). Responsible managers located within the PCU and CMU's may face difficulties to ensure workers comply with the COVID-19 protocol given there will be inputs from several implementing agencies and partners to deliver the project. All OH&S requirements and issues will be reviewed regularly by IA's and reported to the CNSP Project Steering Committee to review at each Steering Committee meeting.

Concerning travel arrangements for the project, movements between remote and regional areas are extremely difficult with the lack of quality and regular transport and transport related infrastructure and services. Risk of social conflict and civil unrest may also arise during the delivery of the project. In addition to project workers being informed of the local context prior to arriving through their

employers or by contacting local authorities in the area, they will be required to adhere to relevant OH&S protocols established by their organisations which is to also comply with ESS2.

Lastly, OH&S risks are associated with the retrofitting of the District Community Development Centres under the project. Occupational Health and Safety (OHS) measures will apply to all project workers, with standard measures for small-scale construction activities outlined in the project Environmental and Social Code of Practice (ESCOP). It is expected that the ESCOP and the LMP, including procedures to establish and maintain a safe working environment as per requirements of ESS2, will be followed.

### **3.4 Child Labor and Forced Labour**

Labour risks associated with child labour and forced labour are considered low given that the majority of the workforce will be employed through IAs and implementing partners (i.e. church organisations or channelled PHAs and LLG) and works contractors. There is a heightened risk amongst the community workforce that will be mobilised for the implementation of project activities.

Given the nature of the Project and the required workforce, all direct and contracted workers hired for the Project will be required to comply with the minimum work age which is over 18 (see section 6.3). However community workers under the age of 18 may be recruited. Where this is the case, a child under the minimum age of 14 will not be employed or engaged in connection with the project. A child over the minimum age and under the age of 18 will only be engaged under strict conditions including risk assessment, monitoring and restrictions on engaging in work which is hazardous or interferes with the child's health, wellbeing or development.

Any cases of forced labor that consists of any work or service not voluntarily performed that is extracted from an individual under threat of force or penalty, will not be used in connection with the project. Where it is discovered in the project's workforce, the incident will be referred to relevant government authorities and support services, as appropriate, to be addressed in accordance with national law. This prohibition covers any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. No trafficked persons will be employed in connection with the project.

## 4 Overview of relevant labour legislation

### 4.1 Public Services (Management) Act 2014

The Constitution of the Independent State of Papua New Guinea was adopted in 1975 and guarantees equality of citizens, freedom of assembly and association, and freedom from inhuman treatment and forced labour. The PNG Public Services Management Act (2014) makes provisions to implement the constitution concerning the management of public finances (including those relating to Provincial Governments and Local-level Governments as required by the Organic Law on Provincial Governments and Local-level Governments). The provisions also relate to the staffing of Provincial and Local Level Governments and the establishment of the Public Service Commission which investigates serious allegations made against Departmental Heads, Provincial Administrators, Chief Executive Officers and Regulatory Statutory Authorities.

### 4.2 National Employment Legislation

PNG's main employment legislation is the Employment Act 1978 and associated Employment Regulation 1980 that govern relations between employers and workers. The Employment Regulation of 1980, amended in 2006, operationalises the Employment Act and the employment of non-citizens is regulated by the Employment of Non-Citizens Act 2007.

The Department of Labour and Industrial Relations (DLIR) is responsible for the administration of labour policy and associated activities, including industrial relations, labour inspection and employment services. As a member of the International Labour Office (ILO), PNG has also ratified several ILO Conventions including the eight Fundamental Conventions and 16 other Conventions.

The regulation of freedom of association, collective bargaining and industrial relations is undertaken through the Industrial Relations Act 1962. Other employment issues are governed by about a dozen other Acts which many remain under review and are not well aligned with many of the ILO Conventions ratified by Papua New Guinea. Furthermore, a review of the Employment Act and the Industrial Relations Act 1962 has been underway for several years. In 2014, the Employment Relations Bill, which is an amalgam of the two Acts, was read in Parliament. It has not yet become law.

Direct workers (government/civil servants), according to ESS2, remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the Project which is not foreseen under this Project. ESS2 will not apply to government direct workers, except for the provisions on protecting the workforce regarding child labour, minimum age and forced labour, and provisions on occupational safety and health. It is also important to note that during emergencies such as the COVID-19 pandemic, national laws, including labour laws, can be temporarily amended by Governments. The IAs and contractors are responsible for keeping up-to-date with the legislative situation and adapting workplace practices accordingly.

#### 4.2.1 Wages and deductions

The Employment Act of 1978 stipulates that the wages payable to an employee shall not be less than those provided for by registered awards relevant to the employee.

Casual employees shall be paid a day's wages after each day's employment, while piece-rate employees shall be paid wages in proportion to the amount of work performed, either at intervals of no longer than two weeks or on completion of the piece-rate work, whichever is the earlier. Other employees shall be paid at intervals of no longer than two weeks; or by agreement between the employer and employee, of no longer than one month.

The total amount of deductions from wages may not exceed 50% of the employee's wages. Wage deductions can be made only for cases specified by legislation or with the written consent of the employee. The following deductions are permissible: Contributions to a provident, medical or pension fund or any scheme approved by the Secretary; food rations, clothing and other articles in accordance with registered awards; any amount paid to the employee in error as wages above the amount of wages due to him; subject to any direction by the Secretary—an amount or part of an amount of any shortage of money due to the negligence of the employee where his contract of service provides specifically for his being employed in connection with the receipt, payment and custody of money; in the case of an employee employed under an attested contract, deferred wages; rental for housing provided; cost of repatriation where the employee is not a citizen; any other prescribed items; and any advance paid to the employee.

#### **4.2.2 Working hours**

The standard work week is 44 hours over six workdays (eight hours per weekday and four hours on Saturday). The maximum hours of work are 12 hours in one day. Persons under 16 years of age shall not be employed between the hours of 6 p.m. and 6 a.m., and persons of 16 or 17 years of age shall not be employed between these hours, except in an undertaking in which only members of their family are employed. Women must generally also not be employed between the hours of 6 p.m. and 6 a.m. in any industrial undertaking.

#### **4.2.3 Overtime work**

There is no prohibition on excessive or compulsory overtime. Overtime work will be paid at rates between the hourly rate and twice the hourly rate. Specifically, overtime worked on a Sunday shall be paid at twice the hourly rate; on a public holiday at the hourly rate; and at any time, other than a Sunday or a public holiday, at one-and-a-half times the hourly rate.

#### **4.2.4 Rest breaks**

Employees must be granted a rest and meal break during the workday. Employees who work eight hours or more on any day shall be allowed one or more meal or rest periods totalling in the aggregate not less than 50 minutes. For every five hours of work, they are entitled to a 40 minutes meal or rest period. Workers are entitled to a weekly rest period of 24 consecutive hours. The maximum permissible work hours may be exceeded in certain circumstances such as accidents and emergencies and when employees care for the sick.

#### **4.2.5 Leave**

Employees are entitled to ten working days of paid recreational leave for each year of continuous service, equivalent to 14 consecutive days of paid leave including non-working days. Furthermore, after six months of employment, employees are entitled to paid sick leave at the rate of six days per year.

Pregnant women are entitled to unpaid maternity leave for a period consisting of the number of days necessary for hospitalization before giving birth and six weeks following confinement.

#### **4.2.6 Non-discrimination and equal opportunity**

The Constitution of PNG guarantees all citizens the same rights, privileges, obligations and duties irrespective of race, tribe, place of origin, political opinion, colour, creed, religion or sex. PNG's Employment Act only prohibits discrimination of women on account of their sex and requires employers to pay women and men the same wages for the same work.

PNG ratified ILO's Discrimination (Employment and Occupation) Convention, 1958 (No. 111) by which it undertakes to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination based on race, colour, sex, religion, political opinion, national extraction or social origin.

PNG also signed and ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2011 and 2013 respectively. The CRPD adopts a broad categorization of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms. Signatories recognize the right of persons with disabilities to work, on an equal basis with others. The CRPD prohibits discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, the continuance of employment, career advancement and safe and healthy working conditions. The CRPD promotes the principles that all country legislation and policies be harmonised to take account of the rights and needs of Persons With Disabilities. Despite signing and ratifying ILO's Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the CRPD, PNG's outdated employment legislation makes no mention of persons with disabilities. The National Policy on Disability 2015-2025 therefore advocates for the development of new legislation to provide a clear legal framework for protecting the rights of Persons With Disabilities and for the mainstreaming of the rights of Persons with Disabilities in all legislation and policies.

#### **4.2.7 Freedom of association and collective bargaining**

While the Employment Act does not include provisions on freedom of association, collective bargaining and the rights of workers to join unions, the right to organize is guaranteed by the Constitution (Article 47). The Industrial Relations Act 1962 aims at improving industrial relations and preventing and settling industrial disputes and the Industrial Organizations Act 1962 regulates the registration and functioning of workers' and employers' associations. Unions have the right to organize and bargain collectively. PNG is also party to ILO's Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) and Right to Organize and Collective Bargaining Convention, 1949 (No. 98).

#### **4.2.8 Grievances**

While the Employment Act does not include provisions on the resolution of labour disputes or the introduction of grievance mechanisms in workplaces, the settlement of industrial disputes is regulated by the Industrial Relations Act 1962. With no stipulations regarding the introduction of grievance mechanisms in workplaces in PNG's national legislation, employers of Project workers are required to develop and provide a grievance mechanism for all direct workers and contracted workers, except for public servants, before the beginning of work and inform their employees of the existence of such measures. Workers will be informed of the Workers Grievance Redress Mechanism (refer to Section 9) at the time of recruitment.

### **4.3 National Occupational Health and Safety Legislation**

The main legal framework for Occupational Health and Safety (OSH) is the Industrial Safety, Health and Welfare Act of 1961 and other industry-specific regulations (such as for the mining sector). The Industrial Safety, Health and Welfare Act of 1961 is generally no longer responsive to a modern labour market. Although the Government prioritized the development of new OSH legislation some years ago, new legislation has not been adopted. The legislation applies to factories where manufacturing processes or power generation take place, or buildings or places that are declared factories by the Minister for the purposes of this Act. Hence, the Act regulates issues such as minimum requirements of floor space, ventilation, natural lighting, providing a room for eating, restrooms, sanitary facilities, a first aid kit and first aid personnel. It also requires employers to

notify of disease or injury as a result of employment and it includes specific provisions for dangerous work.

According to the Act, an Industrial Safety Officer may, at all reasonable times and with or without notice to any person, enter any premises or place at which he has reasonable grounds for suspecting that an employee is, or has recently been, employed. Employees can request a workplace inspection if they believe conditions are hazardous. Overall, the PNG Government has a weak influence on occupational health and safety regulations and few inspections take place.

PNG has not ratified the ILO Conventions dealing with occupational health and safety ([ILO Occupational Safety and Health Convention, 1981 \(No. 155\)](#) and the [ILO Safety and Health in Construction Convention, 1988 \(No.167\)](#)), nor [the ILO Occupational Health Services Convention \(No. 161\)](#). With work under the Project being outside the scope of PNG's Industrial Safety, Health and Welfare Act of 1961, the OHS measures of the Project will include the requirements of the relevant sections of ESS2.

#### 4.4 World Bank's Environmental and Social Standards 2

The World Bank's stipulations related to labour are outlined in its Environmental and Social Standard 2 on Labor and Working Conditions (ESS2). This helps the Borrowers in promoting sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. Key objectives of the ESS2 are to:

- Promote safety and health at work;
- Promote the fair treatment, non-discrimination and equal opportunity of project workers;
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and seasonal/migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labour and child labour;
- Support the principles of freedom of association and collective bargaining of project workers; in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including

- **Direct workers:** People employed or engaged directly to work specifically in relation to the Project.
- **Contracted workers:** People employed or engaged by third party contractors to perform work related to core function of the Project, regardless of location.
- **Primary supply workers:** People employed or engaged by the primary suppliers. (This category of workers is not expected to be engaged on the CNSP Project and is not discussed in the LMP.)

Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. ESS2 will not apply to government civil servants.

Under ESS2, the Borrower is responsible for developing and implementing written labour management procedures applicable to the project. These procedures set out how project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures



will address how this ESS will apply to different categories of project workers including direct workers, and how the Borrower will require third parties to manage their workers.

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

The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.

#### **4.5 Draft Village Health Volunteer Policy**

The NDOH is in the final stages of approving a Village Health Volunteers (VHV) Policy and the draft National Health Plan (2021-2030) clearly highlights the pivotal role of VHVs to achieving health and nutrition goals in PNG. Under the Project, church health organizations may partner with VHVs to deliver the nutrition services. Under the draft VHV Policy each VHV is expected to be responsible for about 50 children so the average village may need two VHVs. The Project proposes to integrate the community-based nutrition services into the VHV program. This is in line with the proposed focus on nutrition in the draft National Health Policy and the draft VHV Policy.

## 5 Roles and Responsibilities

### 5.1 Project Implementing Agencies

Each implementing agency will be responsible for ensuring that project workers engaged to deliver activities under their respective components are managed in accordance with this LMP.

The PCU/CMU Coordinators, with the support from senior departmental personnel, will be responsible for:

- Implementing these Labour Management Procedures;
- Ensuring that contractors comply with these Labour Management Procedures;
- Monitoring to verify that contractors are meeting labour and OHS obligations toward contracted workers as required by PNG national legislation and ESS2;
- Monitoring contractors and subcontractors' implementation of these Labour Management Procedures;
- Monitoring compliance with OHS standards at all workplaces in line with ESS2;
- Monitoring compliance with COVID-19 related health and safety measures including making workplaces ready for COVID-19;
- Monitoring and implementing training on LMP, OHS and on mitigating the spread of COVID-19 for all Project workers;
- Ensuring that the WGRM is operational and that workers are informed of its purpose and how to use it;
- Have a system for regular monitoring and reporting on labour and OHS performance; data collection, monitoring, and analysis of the LMP as part of the Project's M&E activity.
- Preparing and submitting regularly progress reports on the implementation of the LMP to the Project Steering Committee and the World Bank.

### 5.2 Contractors

Any 3<sup>rd</sup> parties (i.e. implementing partners, contractors etc.) engaged by the IA's to implement project activities will be responsible for the following:

- To comply with requirements of the PNG national legislation and these Labour Management Procedures;
- Maintain records of recruitment and employment process of contracted workers;
- Communicate clearly job description and employment conditions to contracted workers;
- Provide workers with evidence of all payments made, including benefits and any valid deductions;
- Providing all contracted workers with health insurance (including coverage for the treatment of COVID-19 infections);
- Maintain records regarding labour conditions and workers engaged under the Project, including contracts, hours worked, remuneration and deductions (including overtime);
- Ensure no child or forced labour is involved in the Project;
- Implement the grievance redress mechanism for workers, maintaining records of any worker grievances including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up outstanding.
- Have a system for regular review and reporting on labour, and occupational safety and health performance.
- Submitting reports to the Director of the PCU on the implementation of LMP requirements.

These requirements will be outlined in contractual agreements.

When contractor(s) are known after the beginning of Project implementation, these Labour Management Procedures can be updated to include additional details about companies, hired workforce and others, as deemed necessary.

## 6 Labour policies and procedures

### 6.1 Employment principles

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, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be monitored by the Implementing Agencies and implementing partners to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender;
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post;
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- Employees will be informed at least two months before their expected release date of the coming termination;
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties;
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.

### 6.2 Terms and conditions of employment

Terms and conditions of direct workers are determined by their individual contracts. All the recruiting procedures should be documented and filed in the folders following the requirements of PNG's labour legislation and the ESS2. The maximum weekly working hours are 44. Requirements and conditions of overtime and leave entitlements are agreed as part of individual contracts.

The Implementing Agencies and implementing partners will ensure that contractors are aware of and comply with the labour management and OSH policies and procedures outlined in this LMP. Each contractor will submit an assessment of environmental and social risks (including labour risks) associated with all project activities delivered by the contractor (including through the recruitment of volunteers and community workers) and apply risk mitigation measures to demonstrate they have complied with the Project's environmental and social requirements.

The Project's labour requirements are outlined in the sections below.

### 6.3 Age of employment

PNG has ratified both the ILO Minimum of Age Convention (C138) and the ILO Worst Forms of Child Labour Convention (C182). According to PNG's Employment Act 1978, the minimum age of employment is 16 years of age. Children between the ages 11 and 16 may be employed in a family business or enterprise provided they have parental permission, medical clearance, and a work permit from a labour office. Persons under the age of 16 may not be employed in any employment or any place or under working conditions that are injurious or likely to be injurious to the health of the person. Under ESS2 children under the age of 14 cannot be employed, not even in light work.

Given the nature of the Project and required workforce, all direct and contracted workers hired for the Project will be over 18. To ensure compliance, all employees will be required to produce a Tax Identification Number (TIN) as proof of their identity and age. Contractors and subcontractors will be

required to receive approval for the specific procedures they will use to verify the ages of job applicants.

Community workers under the age of 18 may be recruited. Where this is the case, a child under the minimum age of 14 will not be employed or engaged in connection with the project. A child over the minimum age and under the age of 18 will only be engaged under strict conditions including risk assessment, monitoring and restrictions on engaging in work which is hazardous or interferes with the child's health, wellbeing or development.

If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, taking into account the best interest of the child.

#### **6.4 Occupational Health and Safety**

With work under the Project being outside the scope of PNG's Industrial Safety, Health and Welfare Act of 1961, the OHS measures of the Project will include the requirements of the relevant sections of ESS2. Specifically, the OHS measures will be designed and implemented to address:

- identification of potential hazards to project workers, particularly those that may be life-threatening;
- provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances;
- training of project workers and maintenance of training records;
- documentation and reporting of occupational accidents, diseases and incidents;
- emergency prevention and preparedness and response arrangements to emergencies; and
- remedies for adverse impacts such as occupational injuries, deaths, disability, and disease.

ESS2 requires that all parties who employ or engage project workers will develop and implement procedures to establish and maintain a safe working environment, including that workplaces, machinery, equipment, and processes under their control are safe and without health risk. Such parties will actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as in providing information to project workers, training on occupational safety and health, and provision of personal protective equipment without expense to the project workers.

Project workers will receive OHS training at the start of their employment or engagement, and thereafter regularly and when changes are made in the workplace, with records of the training kept on file. Training will cover the relevant aspects of OHS associated with daily work, including the ability to stop work without retaliation in situations of imminent danger (as set out in paragraph 27 of ESS2) and emergency arrangements.

Workplace processes will be put in place for project workers to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation that they have reasonable justification to believe presents an imminent and serious danger to their life or health. Project workers who remove themselves from such situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removal.

Project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest. Where accommodation services are provided to project workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the health, safety, and well-being of the project workers, and to provide access to or provision of services that accommodate their physical, social, and cultural needs.

The responsible manager of the Implementing Agencies will ensure that the requirements listed above are followed by all employers of Project workers. The responsible manager of the PCU will ensure effective methods are put in place for responding to identified hazards and risks, establishing priorities for taking action and evaluating outcomes.

A system for regular review of occupational safety and health performance and the working environment will be put in place and include identification of safety and health hazards and risks, implementation of effective methods for responding to identified hazards and risks, setting priorities for taking action, and evaluation of results.

Occupational health and safety risk for the construction of small scale infrastructure will be managed via the implementation of this LMP and the project ESCOP which includes standard mitigation and management measures to be implemented by the contractor.

## **6.5 Sexual Exploitation and Abuse and Sexual Harassment**

Papua New Guinea ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1995. By ratifying CEDAW, PNG has committed to ensuring that the principles for equality are adhered to and that discriminatory practices including sexual exploitation and abuse and sexual harassment are abolished.

Government agencies are required to implement the Papua New Guinea's [Public Service Gender Equality and Social Inclusion Policy \(GESI\) 2013](#). This Policy promotes equity and inclusiveness in the public sector and encourages respectful relations at the workplace. This is used as a guidance for this Project. GESI calls for the development of workplace gender violence plans which includes best practice responses from management, ways to respond to reports of workplace harassment, referral processes to support agencies, and appropriate discipline or legal actions against perpetrators. The Implementing Agencies will include provisions to prevent sexual exploitation and sexual harassment (SEA/SH) in the contracts, partnership and other forms of agreements with contractors and implementing partners.

Provisions to prevent sexual exploitation and abuse and sexual harassment will be included in Codes of Conduct (refer Annex A) for all direct workers (consultants) and contracted workers in line with relevant national laws and legislation and ESS2 requirements.

## **6.6 COVID-19 safety**

This section sets out the procedures which respond to the specific health and safety issues posed by COVID-19.

Due to the nature of this Project, Project workers will not be accommodated together and there will be no labour camps. Much of the work of Project workers, both direct and contracted, will take place in office environments where the advice of the PNG government and the WHO to make workplaces COVID-safe will be followed. Workers are particularly vulnerable to COVID-19 transmission outside of the office such as during community outreach activities and pre-departure sessions for prospective workers.

The Department of Treasury has published a guide, Treasury Niupela Pasin, outlining the Department of Treasury's approach to operating safely within an environment where COVID-19 is present under the Niupela Pasin. The guide outlines practices put in place by the Department of Treasury to continue to work and operate safely and maintain physical distancing wherever possible. Moreover, the risk of infection at the workplace will be minimised by following WHO's workplace-related advice (see [WHO guidance getting your workplace ready for COVID-19](#)).

The Project's SEP includes a COVID-19 Safety Protocol entailing principles and approaches to mitigate the risk of COVID-19 during the conduct of face-to-face consultation and engagement

activities during project implementation. The Protocol follows PNG national guidelines, and good international industry practice including WHO and World Bank guidelines. Project workers who are involved in community outreach and the delivery of services and the CN Grant will follow the measures introduced by the IAs and implementing partners to prevent or minimize exposure. National guidelines are outlined in the National Department of Health's [Papua New Guinea Emergency Preparedness and Response Plan Coronavirus Disease 2019](#) which is a live document. Project workers will also follow the procedures that are regularly updated by the Joint Agency Task Force under the National Control Centre for COVID-19 (see <https://covid19.info.gov.pg/>).

All Project workers will receive training on COVID-19 prevention, social distancing measures, hand hygiene, cough etiquette and community relations, and guidelines of what to do in case they or someone within their households feels sick or COVID-19 positive. These measures will follow the Project's COVID-19 Protocol (refer SEP) which has been developed based on the National Department of Health and WHO guidelines.

Sick leave provisions for direct workers – consultants and contracted workers will be enhanced in response to the risks associated with COVID-19. All of these workers will be entitled to paid sick leave from the start of their contracts instead of after six months of employment and the number of sick days will not be limited if they fall sick due to COVID-19 infections. Furthermore, if workers are required to self-isolate after arriving in PNG from abroad or after being in contact with an infected person, they will also be entitled to paid sick leave.

## 7 Contractor management

Contractors to be engaged to deliver the CNSP Project will include church organisations such as the Catholic and Christian Health Services, and potentially non government organisations, community based organisations and payment service providers. Their services will be retained and managed through subgrants issued through the responsible Implementing Agency for PNG CARES in Component 1 and the Child Nutrition Grant in Component 2 . They should follow the requirements of the national legislation and measures described in this document concerning labour management.

The responsible manager of the Implementing Agency will make reasonable efforts to ascertain that the contracted workers are legitimate and reliable entities and have in place labour management procedures applicable to the project that will allow them to operate in accordance with the requirements of ESS2.

The responsible manager of the PCU in collaboration with the responsible manager of the IA's, will establish systems for managing and monitoring the performance of contractors in relation to the requirements of ESS2. Besides, the IA's will incorporate the requirements of this ESS2 into contractual agreements with such third parties, together with appropriate noncompliance remedies. In the case of subcontracting, the Borrower will require such third parties to include equivalent requirements and noncompliance remedies in their contractual agreements with subcontractors.

The relevant IA's will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by such third parties with their contractual agreements (obligations, representations, and warranties). This will include labour management records and reports compiled by contractors which include:

- a representative sample of employment contracts or arrangements between third parties and contracted workers;
- records relating to grievances received and their resolution;
- reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions;
- records relating to incidents of non-compliance with national law; and
- records of training provided for contracted workers to explain labour and working conditions and OHS for the Project.



## 8 Community Worker Management

Community workers to be engaged to assist in the delivery of the CNSP Project will include Village Health Volunteers (VHVs) and Village Health Assistants (VHAs). Where VHVs and VHAs are not available other volunteers will be engaged. Community Workers will be managed through subgrants which have been established between the Implementing Agencies and contracted organisations. Provincial Health Authorities (PHAs) would also provide technical support and oversight of the implementation of sub-grants in Project provinces in keeping with their role as stewards of the health system at the province level.

The responsible manager of the Implementing Agency will make reasonable efforts to ascertain that contractors that engage community workers are legitimate and reliable entities and have in place labour management procedures applicable to the project that will allow them to operate in accordance with the requirements of ESS2.

The responsible Implementing Agency will establish systems for managing and monitoring the performance of contractors in relation to the requirements of ESS2. Besides, the IA's will incorporate the requirements of this ESS into contractual agreements with such third parties, together with appropriate noncompliance remedies. In the case of subcontracting, the Borrower will require such third parties to include equivalent requirements and noncompliance remedies in their contractual agreements with subcontractors.

The responsible IA's will manage and monitor the performance of contractors in relation to community workers, focusing on compliance by such third parties with their contractual agreements (obligations, representations, and warranties). This will include labour management records and reports compiled by contractors which include:

- a representative sample of agreements or arrangements between third parties and community workers;
- records relating to grievances received and their resolution;
- reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions;
- records relating to incidents of non-compliance with national law; and
- records of training provided for community workers to explain labour and working conditions and OHS for the Project.

## 9 Workers' Grievance Redress Mechanism

The GoPNG through the PNG Public Service Commission has established a complaints process for aggrieved Officers engaged by the public service to lodge grievances relating to the discipline, selection or terms and conditions of employment connected to the National Public Service of Papua New Guinea<sup>1</sup>. All public servants engaged within the scope of the project will be referred to the commission to lodge their grievances through this process.

In addition, each Implementing Agency will implement a Worker Grievance Redress Mechanism (WGRM) as provided in Section 9.1 for workers undertaking activities under their respective components. Contractors engaged by the IAs will also be required to implement WGRM and report to IAs. Contracted workers can also raise grievances directly with the IAs.

The WGRM is not an alternative or a substitute to accessing the legal system for receiving and handling grievances. Nevertheless, all workers at all times have the right to access judicial or administrative remedies that are available under the PNG law or through existing arbitration procedures. While all workers always have the right to access the legal system, the purpose of establishing a WGRM is to provide an accessible and practical means to mediate and seek appropriate solutions to labour-related grievances, without escalating to higher stages wherever possible.

### 9.1 Worker Grievance Redress Mechanism for direct workers (consultants)

Each Implementing Agency will allocate sufficient resources within the respective PCU and CMUs to implement the WGRM which will require:

1. The appointment of a PCU/CMU specialist to serve as a Grievance Focal Point (GFP) to file grievances of direct workers (consultants). The complainant may report their grievance in person, by phone, text message, mail or email (including anonymously if required). The GFP will be responsible to coordinate with relevant departments/organisations and persons to facilitate addressing these grievances. If the issue cannot be resolved at the level of the IA within seven working days, it will be escalated to the level of the PCU. The PCU will review the grievance records monthly and report on the grievances, response time and resolution status in a quarterly report to the World Bank.
2. Where the complaint is not resolved at the level of the PCU, or where the response is not satisfactory, the PCU GFP will refer the issue to the CNSP Project Steering Committee (CNSP PSC) for further action or resolution.
3. Where the complaint is not resolved by the CNSP PSC, the matter will be referred to the SLOS for resolution by the Manager of the PCU. The SLOS will aim to resolve the grievance in three weeks or less. The CMU Grievance Focal Point (GRP) will log details of the issue and resultant resolution status.

### 9.2 Worker Grievance Redress Mechanism for contracted workers

The WGRM for contracted workers will operate as follows:

1. The complainant may report their grievance in person, by phone, text message, mail or email (including anonymously if required) to the relevant contractor as the initial focal point for information and raising grievances. For complaints that are satisfactorily resolved at this stage, the incident and resultant resolution will be logged and reported to the relevant IA Grievance Focal Point (GRP).

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<sup>1</sup> Refer to <http://www.psc.gov.pg/~pscgovpg/legislation-policies/>

2. If the complainant is not satisfied, the contractor will refer the aggrieved party to the responsible IA GRP. The IA GFP endeavours to address and resolve the complaint and inform the complainant in two weeks or less. For complaints that are satisfactorily resolved by the responsible IA GFP, the incident and resultant resolution will be logged by the IA GFP.
3. Where the complaint is not resolved, or the response is not satisfactory, the responsible IA GFP will refer it to the PCU for further action or resolution. If there is a situation in which there is no response from the PCU level, the worker can directly approach the Project Steering Committee.
4. If the matter remains unresolved, or the complainant is not satisfied with the outcome, the Chair of the Project Steering Committee will refer the matter to the SLOS for resolution, which will aim to resolve the grievance in three weeks or less. The SLOS GRP will log details of the issue and resultant resolution status.

## **Annex A Guidance for Codes of Conduct for Direct Workers (consultants) and Contracted Workers**

A satisfactory code of conduct will contain obligations on all direct workers (consultants) and contracted works that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to particular concerns of the region, the location and the project sector or to specific project requirements. The code of conduct shall contain a statement that the term “child” / “children” means any person(s) under the age of 18 years.

The issues to be addressed include:

1. Compliance with applicable laws, rules, and regulations
2. Compliance with applicable health and safety requirements to protect the local community (including vulnerable and disadvantaged groups), the Employer’s and Project Manager’s personnel, and the Contractor’s personnel, including sub-contractors and day workers, (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment)
3. The use of illegal substances
4. Non-Discrimination in dealing with the local community (including vulnerable and disadvantaged groups), the Employer’s and Project Manager’s personnel, and the Contractor’s personnel, including sub-contractors and day workers (for example on the basis of family status, ethnicity, race, gender, religion, language, marital status, age, disability (physical and mental), sexual orientation, gender identity, political conviction or social, civic, or health status)
5. Interactions with the local community(ies), members of the local community (ies), and any affected person(s) (for example to convey an attitude of respect, including to their culture and traditions)
6. Sexual harassment (for example to prohibit use of language or behavior, in particular towards women and/or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate)
7. Violence including sexual and/or gender-based violence (for example acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and deprivation of liberty)
8. Exploitation including sexual exploitation and abuse (for example the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading behavior, exploitative behavior or abuse of power)
9. Protection of children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behavior towards children, limiting interactions with children, and ensuring their safety in project areas)
10. Sanitation requirements (for example, to ensure workers use specified sanitary facilities provided by their employer and not open areas)
11. Avoidance of conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection)
12. Respecting reasonable work instructions (including regarding environmental and social norms)
13. Protection and proper use of property (for example, to prohibit theft, carelessness or waste)
14. Duty to report violations of this Code

15. Non retaliation against workers who report violations of the Code, if that report is made in good faith.

The Code of Conduct should be written in plain language and signed by each worker to indicate that they have:

- received a copy of the code;
- had the code explained to them;
- acknowledged that adherence to this Code of Conduct is a condition of employment; and
- understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

A copy of the code shall be displayed in a location easily accessible to the community and project affected people. It shall be provided in languages comprehensible to the local community, Contractor's personnel (including sub-contractors and day workers), community workers, Employer's and Project Manager's personnel, and affected persons.

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<sup>i</sup> <https://documents1.worldbank.org/curated/en/296871597702295248/pdf/Labor-Management-Procedures-Yemen-COVID-19-Response-Project-P173862.pdf>