

SINDH FLOOD HOUSING RECONSTRUCTION PROJECT



LABOUR MANAGEMENT PROCEDURES

August 2023



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List of Abbreviations

CNIC	Computerized National Identity Card
CoC	Code of Conduct
EHS	Environmental Health & Safety
EPC	Engineering, Procurement and Construction
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESS	Environmental & Social Safeguard
GBV	Gender-Based Violence
GoP	Government of Pakistan
GoS	Government of Sindh
IA	Implementing Agency
ILO	International Labor Organization
IP	Implementation Partner
LMP	Labor Management Procedures
M&E	Monitoring & Evaluation
MoU	Memorandum of Understanding
NCOC	National Command and Operation Center
NFPA	National Fire Protection Association
NGO	Non-Governmental Organization
OSH	Occupational, Safety and Health
PPE	Personal Protective Equipment
SEA	Sexual Exploitation and Abuse
SEPA	Sindh Environmental Protection Agency
SFEHRP	Sindh Floods Emergency Housing Reconstruction Project
SH	Sexual Harassment
SOP	Standard Operating Procedure
SPHF	Sindh Peoples Housing for Flood Affectees
ToP	Terms of Partnership
UN	United Nations
VAC	Violence Against Children
VPP	Voluntary Protection Program
WB	World Bank

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1. INTRODUCTION

This Labor Management Procedures (LMP) have been prepared for Sindh Flood Emergency Housing Re-construction Project (SFEHRP) to ensure compliance of Sindh Provincial labor laws and with Environmental and Social Standard on Labor and Working Conditions (ESS2) and Community Safety and Health (ESS4). The project is categorized having risk rating as “substantial”. Accordingly, the purpose of this LMP is to facilitate and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues.

1.1. Project Description

This project aims to support beneficiary -driven reconstruction of damaged houses from the 2022 floods. The basic features of the project are but not limited to:

- i. Beneficiary-driven rebuilding with financial assistance through cash grants as housing subsidy for constructing a core unit – a mode well suited to large scale post-disaster emergency reconstruction.
- ii. Provide technical assistance and training for rebuilding to multi-hazard resilient standards.
- iii. Housing cash grants to replace/restore damaged houses with a new core unit built to multi-hazard resilient standards. The extensive damage in the housing sector was largely due to poor quality of construction. The reconstruction effort needs to ensure focus on resilient materials and construction techniques to provide protection from future disasters.
- iv. Rebuild in-situ as far as possible to minimize relocation, and the need to ensure provision of livelihood opportunities in new locations including provisions of physical and social infrastructure.
- v. Relocate settlements only when it becomes necessary due to its location in the river bed or any other hazardous location.

1.2. Project justification

- i. Hazards remain substantial due to the type of project nature, soil conditions, and other environmental and risk factors.
- ii. **Rebuild with easily accessible materials and familiar methods** reflecting cultural preferences. The multi-hazard resilient standards and designs must relate to use of economical and readily available materials, familiar modes of construction, and cultural preferences in design for sustainability.
- iii. **Offer an equitable assistance** package for a **core unit** that is not compensation-based. Compensating households proportionate to the replacement value of their loss would increase the government’s liability significantly and encourage litigation.



The project has three main components:

Component 1 – Housing Reconstruction Grants (US\$ 470 million)

Component 2 – Institutional Strengthening and Technical Assistance (US\$ 20 million)

Subcomponent 2.1: Detailed Damage Assessment & Eligibility Verification Survey (US\$ 5 million).

Subcomponent 2.2: Technical Assistance for Reconstruction Program (US\$ 7 million).

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Subcomponent 2.3: Implementation Support through Partner Organizations (US\$ 8 million). I

Component 3 – Project Management and Implementation Support (US\$ 10 million)

Details of the component are provided in the Environmental and Social Management Framework (ESMF)

1.3. The Labor Management Procedures

The primary objective of ESS2 on ‘Labor and Working Conditions’ is to promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly while also providing them with safe and healthy working conditions. Accordingly, the purpose of this Labor Management Procedure (LMP) is to facilitate the planning and implementation of the project by identifying the main labor requirements and the associated risks and determining the resources necessary to address the project-related labor issues.

This LMP is developed to meet the requirement of Environmental Social Standard 2 (ESS2) Labour and Working Conditions of the World Banks Environmental and Social Framework. The main objective of this ESS2 are as follows:



- To promote safety and health at work.
- To promote the fair treatment, nondiscrimination and equal opportunity of project workers.
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate.
- To prevent the use of all forms of forced labor 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 project workers with accessible means to raise workplace concerns.

As per paragraph 09 of ESS2, borrowers are required to develop and implement Labour Management Procedures (LMP). The LMP identifies the labour requirements and risks associated with the project. It is expected that the LMP and the procurement documents will inform each other and key aspects of the LMP will be incorporated as contractual obligations of all entities involved in the project.

1.4. Project Approach to Labor and Working Conditions

(SFEHRP) is a beneficiary driven project and will not involve the mobilization and recruitment of a large number of labors at any specific site at one point in time. The LMP represents an instrument that guides the Labour, regarding their compliance with the Local and World Bank standards.

- i. Respect labour and working conditions.
- ii. Respect social and environmental conditions on sites and on work front;
- iii. Promote labor conditions and rules for health, safety and security;
- iv. Freedom from child and forced labour; and
- v. Grievance mechanisms whereby an appropriate procedure must be in place.
- vi. Within the limits of their responsibilities, beneficiary/workers should do everything in their power to maintain their and their workmates health and safety.

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- vii. Before beginning work beneficiary/workers should examine their workplaces and the equipment that they are to use and should forthwith report to the VRC committee of any dangerous defect that they may discover in them.
- viii. Workers/beneficiaries should make proper use of all safeguards, safety devices and other appliances furnished for their protection or the protection of others.
- ix. Except in an emergency, no worker, unless duly authorised, should interfere with, remove, alter, or displace any safety device or other appliance furnished for his protection or the protection of others, or interfere with any method or process adopted with a view to avoiding accidents and injuries to health,
- x. Workers/beneficiaries should not interfere with equipment such as machines and appliances that they have not been duly authorized to operate, maintain or use.
- xi. Workers should make themselves acquainted with and obey all safety and health instructions pertaining to their work.
- xii. Workers/beneficiaries should refrain from careless or reckless practices or actions that are likely to result in accidents or injuries to health to themselves or others.
- xiii. Workers/beneficiaries should wear protective equipment and clothing suited to their duties and to the weather conditions.
- xiv. Workers/beneficiaries should practice good housekeeping.

2. OVERVIEW OF LABOR USE IN THE PROJECT



The World Bank Environmental and Social Framework is applicable to all projects funded by the World Bank. This LMP has been developed to manage labor risks during the implementation of SFEHRP. The proposed project will involve direct workers (Individuals employed under SPHF, Specialists/ Consultants engaged from the market); contracted workers engaged in consultancy services for the project (e.g., for preparation of E&S documents, housing design, etc.), primary supply workers (e.g., for equipment and material required for the project), and any community workers (project beneficiaries).

2.1. Labor Requirement

ESS 2 divides workers into four categories: direct workers, contracted workers, community workers, and primary supply workers. The workers are further categorized as follows:

Direct workers¹: Direct employees of SFEHRP are individuals who are hired by SPHF to perform work that is explicitly related to the execution and implementation works of the project. For the purpose of carrying out a variety of project operations, direct workers will include the project-based staff and the permanent staff at SPHF. The Chief Executive Officer (CEO) will serve as the company's leader, and it will consist of multiple senior and junior professionals qualified in different aspects related to the project. Additionally, SPHF will include experts in financial, procurement, environmental, and social management. To form part of the company, SPHF may also additionally hire consultants and support personnel who will be paid on a contract basis. The national and provincial labor regulations will serve as the basis for these consultants' terms and conditions. SPHF may also employ consultants to carry out as many short-term tasks

¹ A "direct worker" is a worker with whom the project has a directly contracted employment relationship and specific control over the work, working conditions, and treatment of the project worker. 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.

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as are required. Any civil officials who are seconded to assist with project implementation must adhere to the occupational health and safety criteria outlined in this LMP.

SPHF will be tasked with:

- General project responsibilities for project management, financial management, procurement, monitoring and evaluation, and environmental, social, resettlement if happens and safety management;
- Technical responsibilities to help divisions working on the project; and
- Support services (office manager, assistants, driver, others).

SPHF staff, except the CEO will be hired for the implementation of SFEHRP including technical and non-technical staff. Where possible, individuals from within the Sindh Government may also be transferred to SPHF for project execution also.

Contracted Workers: For the purpose of carrying out document preparation, and project related works, SPHF will hire a number of consultants and companies. These companies, and their employees who are employed by SPHF may include consultants who are creating the environmental and social assessment studies. Below is a description of the many categories of projected contracted employees:

- i. **Implementing Partners:** Implementing Partners contracted to work with SPHF and implement the project, along with all persons employed by these IPs will form part of contracted workers under the project. These include parties that will check and monitor the progress of the overall project along with parties that will aid in implementation (legal, financial advisors).
- ii. **Independent Monitoring Consultants (or Monitoring and Evaluation (M&E) Consultants):** SPHF may hire independent monitoring consultants. Independent monitoring experts are in charge of ensuring adherence to approved project-related plans and programmes, including the environmental and social concerns. The independent monitoring consultants may be hired at the start of the implementation phase, where their task will be to monitor and document the compliance of works throughout the project lifecycle.

Community Workers: Given the setup of the project, the highest number of workers expected will be community workers, where individuals affected by the floods will be compensated under SFEHRP for beneficiary driven reconstruction of the damaged and destroyed houses.

Primary Supply Workers: Vendors who will be approached by beneficiaries for construction material, will hire a range of skilled and unskilled labor to ensure continuous supply of demanded items e.g., cement, masonry blocks, etc.

2.2. Number of Project Workers

Currently, the number of project workers cannot be estimated as the project will involve payment directly to affectees, where they are free to either reconstruct the houses by themselves or employ workers to aid them.

2.3. Workforce Characteristics

Given the nature of the project workforce (mostly unskilled and semiskilled construction labor), coupled with the characteristics of the labor force market in Pakistan, it is expected that the workforce, especially the lower-skilled employees, will be largely male. Female workers on the project will mostly be limited to the skilled workers sections, where a large number of female unskilled laborers are not expected on the project due to lack of skills.

3. ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

Mitigation measures are defined on the basis of World Bank ESS2 Labor and Working Conditions as well as other applicable Standards and Good International Industry Practices with respect to labor management. The beneficiary, VRCs and IPs are required to implement and comply with the following mitigations to avoid, minimize and control impacts and risks with regard to labor and working conditions.

Some of the key risks are identified below but not limited to the following

3.1. OCCUPATIONAL HEALTH AND SAFETY (OHS)

The activities involved in the reconstruction of resilient housing involves risks related to injuries due to shifting of material, injuries from constructions tools, slip and trip related risks, ergonomics issues, lack of experience using construction tools, falling objects, lack and inappropriate use of PPEs etc.

In order to reduce the OHS risks, identifying the risks and hazards is crucially important. It is expected that taking a proactive approach to risk management will lead to overall safer and better working conditions for all involved.

Labor related risks will be minimized by adhering to the mitigation hierarchy, which dictates:

- i. Hazard Elimination
- ii. Substitution of process, substance, or tools
- iii. Prevention of contact with risky object i.e., create barriers, install guards, etc.
- iv. Use of appropriate personal protective equipment (PPE)

To ensure a safe and healthy workplace, SPHF along with its consultants and IPs will take reasonable care to identify all foreseeable health and safety hazards, which hold the potential to harm beneficiaries during the reconstruction process. Hazards may arise from the work process, the equipment and materials in use, the work environment and/or other people involved.

The project and all associated people involved will follow occupational health and safety regulations. All IPs must include a description of their occupational health and safety management of the factors that SPHF will consider when choosing the IPs is the applicability of these safety provisions and their previous track record in doing so. All IPs must make sure that beneficiaries engage in safe work and take other preventative measures as specified in the WB OHS Guidelines and in a setting that complies with ESS2 criteria.



The following table provides a summary of the major OHS risks related to the project's activities.

Table 3.1 - Key Potential Occupational Hazards & Control Measures

Key Potential Occupational Hazards/Risks and Control Measures		
Item	Hazards / Risks Involved	Mitigation/Control Measures
Shifting of material at site and manual handling and debris management.	<ul style="list-style-type: none"> • Ergonomic distress • Slip, trip, and fall 	<ul style="list-style-type: none"> • Beneficiaries to be trained in good housekeeping and working practices to be implemented during

	<ul style="list-style-type: none"> Injuries e.g. Musculoskeletal Disorders 	<p>the reconstruction process that would aid them in the process.</p> <ul style="list-style-type: none"> Pathways to be kept free of debris and hazards at all times. Avoid inclement weather and only work during the day, when it is not too hot or raining. Metal scraps and empty cement bags need to be collected safely and sold to scrap dealers The 3R principle (Reduce, Recycle and Reuse) should be applied to reduce additional demand pressures on reconstruction raw materials While selecting space for storage of debris materials floodways, natural drainage paths, water bodies, and farmlands should be avoided Spoil generated from the excavation of foundations should use for filling or reclamation of shallow areas.
<p>Untrained persons performing tasks or not permitted individuals entering the work area (children)</p>	<ul style="list-style-type: none"> All the risks listed in this table apply to unskilled persons and workers and are therefore relevant to all activities. Possibility of allowing incompetent staff to engage in activities that they are not trained in 	<ul style="list-style-type: none"> Only physically fit, qualified, and competent people should engage in tasks. The area should be completely cordoned off in order for the children or irrelevant personnel to enter the construction site/house. All relevant staff involved in construction will be provided with basic training & PPEs.
<p>Means of Access and Egress</p>	<ul style="list-style-type: none"> Unclear passage may lead to trip fall hazards 	<ul style="list-style-type: none"> Means of access and egress should be maintained in a safe condition. Where special safe means of access to or egress from workplaces are provided, workers should always use them for going to and from the workplaces.
<p>Housekeeping</p>	<ul style="list-style-type: none"> Improper housekeeping may result dangerously to 	<ul style="list-style-type: none"> All projecting nails should be removed or bent over to prevent injury.

	obstruct workplace and passageways	<ul style="list-style-type: none"> • Equipment, tools and small objects should not be left lying about where they could cause an accident either by falling or causing a person to trip. • Scrap, waste and rubbish should not be allowed to accumulate on the site. • Workplaces and passageways that are slippery or oily • or other causes should be cleaned up with sand. • Portable equipment should be returned after use to its designated storage place.
Collapses	<ul style="list-style-type: none"> • Falling into excavation • Work area becoming unstable after adding loads • Falling materials 	<ul style="list-style-type: none"> • Regular inspections by IPs to ensure all work is being done as per the minimum construction guidelines developed by SPHF and approved by the Works & Services Department of Sindh. Excavated area to be barricaded properly during reconstruction activity
Use of Asbestos Lead construction material	<ul style="list-style-type: none"> • Long term effects on respiratory health 	<ul style="list-style-type: none"> • IPs & VRCs to ensure construction material being used by the beneficiaries that it does not contain asbestos
Equipment	<ul style="list-style-type: none"> • Accidents can occur when untrained workers are using equipment or workers using equipment without wearing PPEs 	<ul style="list-style-type: none"> • To operate with and to work with the equipment to be used, workers must have the necessary training and competence. • All unauthorized individuals and non-essential workers must stay outside of the reconstruction areas • Installation of reverse alarms and warning lights in all vehicles used to transport construction material or any other purpose for construction related activity.
Other activities	<ul style="list-style-type: none"> • Working under Adverse Weather Conditions 	<ul style="list-style-type: none"> • Other than during emergency situations, where the greatest efforts must be taken to prevent any mishaps, work shall not be performed during high wind, thunderstorms, or unfavorable weather conditions that would make working conditions hazardous.

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3.2. Child/Forced Labor



People under the age of eighteen² will not be employed on aspects that involve heavy work, except possibly in offices or jobs other than construction (where adolescents under the age of 14-18 shall not be employed under any circumstances). IPs during their monitoring will ensure that no children are working on the project. However, to curtail the chances of other labor related risks arising during the project, SPHF will develop procedures to prevent other impacts, where this will include awareness raising sessions, conducted regularly to the communities to sensitize on prohibition and negative impacts of child and forced labor.

Forced labor, however, is not expected to be a serious issue given that the project is beneficiary driven and disbursements are given directly to beneficiaries in their bank accounts. The social impact pertaining to child labor is estimated to be substantial because the beneficiary driven reconstruction will involve beneficiaries being paid to reconstruct their houses, where they will want to conserve the capital as much as possible, leading to them potentially involving younger members of the family to also work in the process which can greatly be mitigated through following actions:

- Awareness raising sessions, conducted regularly to the communities to sensitize on prohibition and negative impacts of child and forced labor. Capacity building and training programs for project staff, including community mobilizers, VRC members, and implementing partners, on child rights, labor laws, and the importance of safeguarding children.
- Inclusion of clauses in Undertaking with beneficiaries and the Terms of Partnership (ToP) with VRCs regarding strict intolerance on child labor (Added in Annex II & III).
- Establishment of different levels of monitoring, starting with the individual level, then the VRC level, then the IP level, and lastly by third party monitoring consultant.
- Child protection committees comprising representatives from the community, local authorities, and project stakeholders. These committees can play a crucial role in monitoring and addressing child labor issues by conducting regular inspections, receiving and responding to complaints, and working closely with project implementing partners.
 - Grievance redress mechanisms to allow individuals to report instances of child labor or any other violations of labor rights. Ensure that these mechanisms protect the anonymity and confidentiality of complainants and provide clear procedures for investigation, follow-up, and resolution of grievances.
 - Community-based social mobilization campaigns to be engaged with the emphasize on the value of education, highlight the risks and consequences of child labor, and promote positive social norms that prioritize children's well-being and development. These campaigns can use various mediums such as community meetings, radio programs, posters, and educational materials to reach a wider audience and foster a supportive environment for child rights.
 - Regular evaluation and learning to be conducted by the project/IPs to identify areas of improvement.

In order to align with provincial laws, strict regulations to be implemented to ensure that individuals under the age of eighteen are not engaged in any form of heavy work, regardless of

² The Sindh Prohibition of Employment of Children Act 2017

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the setting, including offices or non-construction jobs. The prohibition of employing adolescents under the age of 14 should be absolute and without exceptions.

It is crucial for IPs responsible for monitoring the project to enforce comprehensive measures to prevent the involvement of children in any labor-related activities. This responsibility extends beyond simply ensuring that no children are working directly on the project, requiring thorough oversight and effective enforcement mechanisms.

Although addressing child labor is essential, it is equally important to address other labor-related risks that may arise during the project.

3.3. Labor Disputes over Terms and Conditions of Employment

Given that beneficiaries will themselves choose to whether employ further labor or not, there are chances for issues to arise such as labor wage rate disagreements and payment delays; disagreement over working conditions; and health and safety concerns in the workplace.

However, through the implementation of the project policy on fair labor treatment in accordance with ESS2, beneficiaries who engage laborers will be trained on fair working practices, terms, and conditions of employment, and dealing with labor issues. Trainings/ awareness raising sessions will be conducted through the IPs by SPHF Monitoring the compliance of implementation of the terms of work conditions that have been agreed for both parties and implementing the Grievance Redress Mechanism (GRM) will be effective mitigation measures to address any potential labor disputes that may arise during implementation. VRCs will also play a role here, along with the IPs to effectively resolve any grievances related to labor that may arise.

3.4. Sexual Exploitation and Abuse (SEA) / Sexual Harassment (SH)

Skilled labor from outside the community may be hired for reconstruction purposes. Furthermore, given the vulnerability of various populations throughout the affected areas, vulnerable communities such as women and children may face disproportionate impacts from skilled workers/ masons and others in the community. This may result in undesirable and/or unlawful behavior, such as unwelcome sexual advances against women and children and SEA/SH. IPs will be trained by SPHF and the same training will be given by IPs to the VRCs which will then sensitize/orient women beneficiaries on the issues related to gender safeguards, Gender based violence (GBV), sexual exploitation and harassment, and child sexual abuse as well as the beneficiary/labour will also sign a code of conduct as part of the project where they will agree to abide by the conditions stated. Code of Conduct on GBV, SEA/SH is attached as **Annex-III**. The training will emphasize the importance of creating a safe and inclusive environment for all, provide guidelines for appropriate conduct, information on GRM which responds to grievances on SEAH/SH and raise awareness about the consequences of misconduct.

3.5. Summary of Labor Risks & Impacts

The table below presents a summary of the potential risks and impacts related to labor and working conditions, together with mitigation measures to avoid, eliminate, or reduce associated impacts.

Table 3.2 - Summary of Labor Risks & Impacts

Category	Worker Impacts/ Risks	Project Impacts/ Risks	Mitigation Measures	Responsibility
Labor communication mechanisms & protocols	<ul style="list-style-type: none"> Workers are not informed about activities or events that affect them Rumors/ misinformation spreading 	<ul style="list-style-type: none"> Inadvertent actions due to rumors or incorrect perceptions 	<ul style="list-style-type: none"> Effective communication mechanisms including: <ul style="list-style-type: none"> Regular written communication for all workers about the project activities and operations Village Reconstruction Committee (VRCs) Use of notice boards/ toolbox 	SPHF E&S specialists and IPs E&S and M&E Focal person
Child Labor	Recruitment of individuals, who by virtue of age, would be exposed to unfavorable situations and be subject to impaired social development	Increased health & safety risk to workforce, potential non-compliance with provincial labor laws, and reputational risk to the project	<ul style="list-style-type: none"> Undertaking signed with the beneficiaries and Terms of Partnership (ToP) SIGNED with VRCs specifically prohibits child/forced labor Regular training will be provided and monitoring will be done throughout the project life cycle to prevent child labor 	SPHF E&S specialists and IPs E&S and M&E Focal person and VRCs
SEA/SH aspects	SEA/ SH risks for the communities as well as for workers	-Lack of awareness regarding rights related to SEA/SH related violations or know how on	<ul style="list-style-type: none"> Routes/ places use by women will be avoided as far as possible. If unavoidable, alternate routes will be identified for communities, if required, especially 	SPHF Gender specialists (Gender Specialist) and



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		<p>channels to seek justice and redress</p>	<p>along routes frequented by women such as routes to local water wells</p> <p>identifying hotspot in project areas where women, children and men occasionally are prone to GBV/SEA/SH.</p> <ul style="list-style-type: none"> • Sensitization and awareness of Gender concepts, SEA/SH, Violence against children (VAC), and gender-based violence (GBV), as well as the national laws on SEA/SH and GBV to all project workers. • Sensitization on child sexual abuse and exploitations • Communities will be informed and consulted before commencing works inside or near the communities • Awareness raising among communities will be carried out for SEA/SH risks • Develop a code of conduct (CoC) as part of workers' contracts with specific social sanctions in case of violation. Prior to signing the CoC, it is mandatory for each worker to receive orientation on it. Local norms will be respected • Provision related to SEA/SH will be incorporated in the bidding documents • Access and awareness of Project GRM to all beneficiaries 	<p>IPs Gender focal person</p>
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4. OVERVIEW OF LABOR LEGISLATIONS-Labour Rights

This chapter presents an overview of the labor legislation in the country relevant to the SFEHRP project, along with relevant World Bank requirements related to workers and working conditions.

4.1. Overview

There are a number of labor laws in Pakistan, where most of the labor legislations are based on the inherited legal framework of Britain. Many of the legislations were derived from colonial acts and amendments, which were enacted from 1850 to 1947 and still exist as a part of the country's labor legislation which has been enacted either at the Federal or Provincial level. These labor laws are broad and contain several ordinances, acts, rules and regulations and other statutes relating to industrial, commercial, and labor establishments. These laws compliment the smooth running of the business with regard to matters relating to employers and employees in order to achieve the target of higher productivity, reasonable profits, better wages and reduction in unjust practices or discrimination. Many of these laws pertain to the implementation of the international labor conventions that Pakistan has ratified.

4.2. Labor Rights in the Constitution of Pakistan (1973)



The Constitution of Pakistan 1973 provides a framework of rights for labor force and contains provisions for the economic and social well-being of the people and for the promotion of social justice. The Constitution of Pakistan contains a range of provisions with regards to labor rights found in Part II: Fundamental Rights and Principles of Policy. Fundamental rights, such as security of livelihood, prohibition of bonded labor, eradication of slavery, and the right of association have been incorporated in the constitution in Part II. Thus, the constitution affirms the progress of labor legislation, which is conducive to change and to benefit the working class in the following articles:

- Article 11 of the constitution prohibits all forms of slavery, forced labor, and child labor
- Article 17 provides for a fundamental right to exercise the freedom of association and the right to form unions
- Article 18 proscribes the right of its citizens to enter upon any lawful profession or occupation and to conduct any lawful trade or business
- Article 25 lays down the right to equality before the law and prohibition of discrimination on the grounds of sex alone
- Article 37(e) makes provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuitable for their age or sex, and for maternity benefits for women in employment

4.3. International Labor Standards Applicable in Pakistan

Pakistan has various obligations under international law pertaining to labor rights. It is a signatory to the Universal Declaration of Human Rights 1948 which provides the right to work; to free choice of employment in just and favorable conditions of work, and to protect against unemployment. It also includes the right to equal pay for equal work; the right to just and favorable remuneration ensuring an existence worthy of human dignity; and the right to form and join trade unions.

The International Covenant on Economic, Social and Cultural Rights 1966 under Articles 6-8 further articulates these rights by placing obligations on the State to protect the right to work as well as working towards fully realizing the right through provision of fair wages with equal pay for

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equal work which is sufficient to provide a decent living for themselves and their family; the requirement for safe and healthy working conditions; equal opportunity for promotions; rest, leisure, holidays, limited working hours, etc. It also recognizes the right to join and form trade unions and all acts ancillary to it. The International Covenant on Civil and Political Rights 1966 protects civil rights and the right to join trade unions. All of the above, along with Convention for the Elimination of all Forms of Discrimination Against Women 1979, protect against discrimination, including specific mention of discrimination on the basis of sex. Pakistan is also a signatory to the 1998 Declaration of Fundamental Rights at Work which reaffirms the constitutional principle of the elimination of discrimination in respect of employment and the Protection Against Harassment of Women at the Workplace Act, 2010.

4.4. International Labor Organization (ILO) Labor Conventions – Ratifications from Pakistan

The government of Pakistan has ratified 36 ILO Conventions, including eight fundamental conventions as of now. In the South Asia region, Pakistan is the second country that has ratified all eight fundamental conventions as enshrined in the ILO Declaration on Fundamental Principles and Rights at Work. The ILO works in close collaboration with its tripartite constituents towards achieving Pakistan’s decent work objectives.

The ILO Governing Body has identified eight “fundamental” Conventions, covering subjects that are considered to be fundamental principles and rights at work, which are listed below:

- Forced Labor Convention, 1930 (No. 29) (and its 2014 protocol)
- Abolition of Forced Labor Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labor Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)

4.5. Provincial Labor Laws

In 2010, subjects of labor and employment were devolved to provinces under the 18th Amendment to the Constitution of Pakistan.

After the Eighteenth Amendment, Sindh adopted various laws which comprised of labor laws, welfare and industrial relations laws. The applicable labor laws are discussed below and the same will be strictly adhered to during the entire project life:



4.5.1. The Sindh Minimum Wages Act 2015

The Sindh Minimum Wages Act 2015 outlines the details with respect to payment of minimum wages to workers of different categories as per gazette notification by the Government of Sindh. The minimum wages to be paid shall be reviewed periodically and minimum wages notified. The current minimum wage, as announced in July 2023, is to be Rs. 35,500 per month in Sindh.

4.5.2. The Sindh Terms of Employment (Standing Orders) Act ,2015

The Act outlines the classification of workers into:

- i) permanent;
- ii) probationer;
- iii) badly;

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- iv) temporary;
- v) apprentice;
- vi) contract worker.

The terms and conditions of employment shall be provided to the worker in writing, holidays and leave with pay shall be provided. Rules for termination of services are defined in the Act. The Act outlines special provision for construction workers employment and termination at the end of the project.

4.5.3. The Sindh Payment of Wages Act 2015

The Payment of Wages Act 2015 outlines the responsible person for payment of wages and method of payment of wages to workers. Procedure for fines and deductions is defined. Penalties have been fixed on the employer for non-payment of wages or illegal deductions.

4.5.4. Sindh Bonded Labor (Abolition) Act 2015

This act is applicable as the proposed project may involve the numbers of staff/worker having different religion, political affiliation, sect, color, caste, creed, ethnic background.

The Act is gender sensitive, where an anti-discrimination clause is added in accordance with ILO requirement viz: “No discrimination shall be made on the basis of sex, religion, political affiliation, sect, color, caste, creed, ethnic background in considering and disposing of issues relating to the enforcement of this Act”.

4.5.5. The Sindh Prohibition of Employment of Children Act 2017

The Sindh Prohibition of Employment Act 2017 provides definitions for child and adolescent. A child is a person who is below fourteen years of age and an adolescent is a person who is over fourteen years of age and below eighteen years of age.



The Act outlines that no child labor shall be employed and no adolescent shall be employed to conduct hazardous work as defined in the Schedule.

The Act has fixed penalties in case of employment of child labor. All other labor laws are applicable in case of employment of children.

4.5.6. The Protection against Harassment of Women at the Workplace (Amendment) Act 2022

1. The Protection against Harassment of Women at the Workplace Act, 2022 introduced amendments in the previous Act of 2010, and has further broadened its scope. The Act defines harassment as (a) “any unwelcome sexual advance, request for sexual favors, stalking or cyber stalking, or other verbal, visual or written communication or physical conduct of a sexual nature, or sexually demeaning attitudes, including any gestures or expression conveying derogatory connotation causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment”; and (b) “discrimination on the basis of gender which may or may not be sexual in nature, but which may embody discriminatory and pre-judicial mind-set or notion, resulting in discriminatory behavior on basis of gender against the complainant”.

The Protection against harassment of Women at the Workplace Act provides legal protection to women against harassment at the workplace, and reforms the existing legislation regarding women’s right to work in Pakistan. It focuses on sexual harassment experienced at the

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workplace by employees and facilitates the transformation of the work environment, so that it is free of sexual harassment, intimidation, and abuse. The law makes it a special crime to use force against a woman, or even threaten to use force, if the intention is to “disturb her modesty”. It is an offence only when the accused intended or knew it to be likely that the acts in question would lead to an outrage of the victim’s modesty.

4.5.7. The Sindh Differently Abled Persons (Employment, Rehabilitation, and Welfare) Act, 2017

The Act provides for the employment, rehabilitation, and welfare of differently able persons. The definition of "differently able" is any persons who on account of injury, disease, or congenital deformity, is challenged for undertaking any gainful profession or employment in order to earn his livelihood and includes a person who is blind, deaf, physically challenged or mentally challenged.

4.5.8. The Sindh Employees’ Social Security Act, 2016

The Act notifies of the establishment of the Sindh Employees Social Security Institution (SESSI), where SESSI will be an autonomous institution overlooking the Social Security of workers defined in the Act. Medical Care occupies the most significant place in the services of SESSI more than 70% of its budget is spent on providing medical care facilities to the secured workers and their dependents. Under Social Security Scheme secured workers are entitled to cash sickness benefit, injury benefit, maternity benefit, iddat benefit, disablement gratuity, disablement pension, ex-gratia grant and dependents get survivors' pension and death grant.

4.6. Compliance with Labour Laws



SPHF and its IPs are bound to abide by the terms and conditions of the above Acts. No child labor shall be employed at the project site(s). The worker shall be paid compensation as per the Sindh Workers Compensation Act 2015 in case he /she suffers from accident-causing injury during work at the project site(s) involving all Direct, contracted, primary and community workers.

Minimum wages shall be fixed as per the Sindh Minimum Wages Act 2015 (Sindh Act No. VIII of 2016, adopted on 2016-01-25) and any further notifications that may have been issued under the Act. All deductions, benefits shall be in accordance with those defined in the Payment of Wages Act 2015 and terms of Employment (Standing Orders) Act 2015.

4.7. The World Bank Environmental & Social Standards (ESS): ESS 2 on Labor & working Conditions

The World Bank’s stipulations related to Labor are outlined in its ESS2, where key objectives dictate:

- Promote the fair treatment, non-discrimination and equal opportunity of people working on the project;
- Secure protection of people working on the project, including vulnerable groups such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrants, contracted workers, community workers, and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labor and child labor;

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- Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with provincial and national law;
- Provide people working on the project with accessible means to raise workplace concerns; and
- Promote safety and health at work



ESS2 applies to people working on the project including direct, contracted, primary supply, and community workers/ beneficiaries. 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/ 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.

People working on the project will be provided with information and documentation that is clear and understandable regarding their role and responsibilities in the project. The information and documentation will set out their rights under provincial and national labor law and ESS requirements (which will include collective agreements), including their rights related to hours of work, wages, overtime, compensation, and benefits. This information will be provided at the beginning of the working relationship and when any material changes occur.

The Table below provides the conformance of the National Labor Act with the key elements of the World Bank ESS 2.

Table 4.1 - Conformance of the Pakistan National Labor Act with Key Elements of ESS2

Conformance of the Pakistan National Labor Act with Key Elements of ESS2	
Key Elements of ESS2	Provisions in Sindh & Pakistan Labor Laws
Equal opportunity and non-discrimination	The law contains important provisions prohibiting discrimination based on sex and disability, including equal wages for equal work.
Timely payment	<ul style="list-style-type: none"> • Wages must be paid before the expiry of the 7th working day after the last day of the wage period • Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him shall be paid before the expiry of the second working day from the day on which his employment is terminated.
Minimum wage	The minimum wage as fixed by provinces in each year
Work hours	<ul style="list-style-type: none"> • Under the Factories Act 1934, no adult employee can be required or permitted to work in any establishment in excess of nine hours a day and 48 hours a week • Section 8 of the West Pakistan Shops and Establishments Ordinance, 1969 likewise, restricts weekly work hours at 48 hours that includes rest and prayer times
Worker rights	Regular leaves and benefits. The employer must provide reasons for termination.

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Prevents use of all forms of forced and child labor	The national and provincial labor laws prohibit use of all forms of forced labor and child labor.
Protection of workers	The labor laws encompass a large array of rights to protect workers including the right to decent work and freedom of association to equal opportunity and protection against discrimination. Specific rights related to the workplace include health and safety in the workplace and the right to privacy at work, amongst many others.
Occupational Health & Safety	This law provides for comprehensive OHS and empowers the Department of Labor to conduct inspections of establishments and to impose penalties for violations of non-compliance.
Working Age of Workers	Under the Factories act 1934, no child who has not completed his fourteenth year shall be allowed to work in any factory.
Women	Under the Ordinance of 1958, women with at least four months employment in an establishment immediately preceding the day of delivery are eligible to get a total of twelve weeks of maternity leave, six weeks before and six weeks after the childbirth.
Persons with Disabilities (PWD)	Persons with Disabilities Rights and Protection Act 2013 provides for rights to discrimination free employment opportunities
Migrant Workers	No special provisions for migrant workers
Contract Workers	In the case where the wages of a worker employed by a contractor are not paid by the contractor, the wages must be paid by the employer of the establishment.
Community Workers	The labor law does not recognize community workers as defined in the ESS2 and hence does not provide any special consideration for such contracting arrangements. The law requires that all labor supply contracting agency will have to be formally registered, and workers should first be the responsibility of the contracting agency.
Primary Supply Workers	The law does not assign any responsibility to the project on the supplier's laborers and their working conditions. Workers of suppliers will have to be the responsibility of the suppliers.
Access to a grievance redress mechanism	Workers can seek direct civil law redress from the Labor courts for complaints regarding terms and conditions employment and wages, health and safety, maternity welfare, and child labor offences are subject to criminal prosecution.

5. OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

This chapter discusses the labour legislation in terms of OHS aspects. Also discussed in the chapter are the WB guidelines on these aspects.

5.1. Occupational Health and Safety (OHS) Gaps

The project will observe and ensure the protection against OHS risks to the workers embodied in various international laws, national, and provincial laws and administrative issuances governing the public sector. Observing and enforcing OHS protection should aim at: the promotion and maintenance of the highest degree of physical, mental, and social well-being of workers in all occupations; the prevention amongst workers of departures from health and safety caused by their working conditions; the protection of workers in their employment from risks resulting from factors adverse to health; and placing and maintenance of the workers in an occupational environment adapted to his/her physiological and psychological capabilities.

The table below, describes the main gaps of the government system with respect to the WB ESF Standards:

Table 5.1 - Main Gaps of Government System with respect to WB ESF Standards

Main Gaps of Government System with respect to WB ESF Standards		
WB ES Standard	Legislation	Gaps
ESS2: Labor and Working Conditions	Sindh Factories Act 2015 Sindh Occupational Health & Safety Act 2018	Working Conditions: <ul style="list-style-type: none"> • The Act does not specifically require that development be assessed and reviewed in terms of labor and working conditions including OHS requirements before approval. • The Labor Act does not require development projects to prepare Labor Management Procedures/ Plans or OHS plans. •



5.2. International Conventions

5.2.1. ILO Conventions

ILO has formulated more than forty regulations, particularly concerning with the OHS issues. It has several major regulations as follows:

ILO Technical Convention: C187 – Promotional Framework for Occupational Safety and Health Convention. This Convention stresses:

- i. A safe and healthy working environment by formulating a national policy

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- ii. Each member shall promote and advance, at all relevant levels, the right of workers to a safe and healthy working environment
- iii. In formulating its national policy, each Member, in light of national conditions and practice in consultation with the most representative organizations of employers and workers, shall promote basic principles such as assessing occupational risks or hazards; combatting occupational risks or hazards at source; and developing a national preventative safety and health culture that includes information, consultation and training.

5.2.2. Safety and Health in Construction (1992)

The objective of this code is to provide practical guidance on a legal, administrative, technical and educational framework for safety and health in construction with a view to: preventing accidents and diseases and harmful effects on the health of workers arising from employment in construction: ensuring appropriate design and implementation of construction projects: providing means of analyzing from the point of view of safety, health and working conditions, construction processes, activities, technologies and operations, and of taking appropriate measures of planning, control and enforcement.

5.2.3. Safety and Health in Building and Civil Engineering Works (1972)

Code of practice relating to occupational safety and occupational health in civil engineering and the construction industry, includes provisions concerning the work environment and equipment, fire protection, noise, machinery (including building machinery and electrical machinery, ionizing radiations, explosives, handling, occupational health, welfare, and healthcare services).

This code of practice covers 42 topics related to safety and health in building and civil engineering. The topics relevant to the project include workplaces and equipment, scaffolds, ladders and stairs, lifting appliances; construction equipment; electricity, concrete work, excavations, , work clothes, and personal protective equipment; hygiene and welfare; medical supervision.



5.3. Provincial Legislation on OHS

5.3.1. The Occupational Health and Safety Act 2017

The act is the applicable local legislation as this Act applies to all Workplaces. Details of each chapter are described below:

Chapter I identifies the duties of the employer as follows:

1. Undertake practical measures for Safety & Health and Welfare;
2. Identify, assess and address existing & new hazards;
3. Report and investigate incidents;
4. Provide and apply Safe Systems of Work, Safe tools & equipment & appliances
5. Safe use, handling, storage, disposal and transport of materials and substances;
6. Control physical, chemical, biological, ergonomic, psychosocial or other hazards, affecting workers and others;
7. Provide Information, Instruction and Training to ensure Safety & Health at Work;
8. Maintain workplace in safe, clean, orderly and risk-free condition with safe means of access;

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9. Inform workers regarding work hazards, risks involved and preventive and protective measures;
10. Provide adequate PPE to prevent risk from injury and ill health;
11. Maintain records of all accidents at workplace;
12. Provide first aid arrangements and emergency provisions;
13. Take measures to prevent fires & measures in the event of fire; and
14. Collaborate in the case of simultaneous operations or joint premises

The duties of workers and volunteers are identified as follows:

1. Ensure safety & health of others who may be affected by his acts & omissions & not willfully do anything to endanger himself or others;
2. Use & take care of PPE provided by the employer;
3. Do not willfully interfere or misuse any appliance or equipment or convenience provided for safety & health of persons at workplace;
4. Resolve any situation being unsafe posing immediate threat with the employer or cease work until the dispute is resolved
5. Until the dispute is resolved, employer may assign the affected workers some temporary alternative work; and
6. Worker shall report any occupational accident, occupational Disease, dangerous occurrences, or commuting accident as per company OSH Policy.

Chapter II states rules that that Government has made for the safety and health of workers in any establishment by notification in official gazette.

The rules include the following matters:



1. Cleanliness and maintenance of building;
2. Disposal of wastes and effluents;
3. Personal protective equipment;
4. Excessive weights;
5. Scaffolding and work at heights; and

Whereas, The Sindh Occupational Health & Safety Act calls for:

6. Written Statement of Policy;
7. Consultation – formation of OHS Committee with worker representation; appointment of OHS officer;
8. Training of Health & Safety Representative;
9. Precautions against Contagious & Infectious Disease at Workplace; and
10. Compulsory Vaccination and Inoculation

Chapter III details enforcement measures and requires:

- Registration of workplaces and approval of site, buildings and other constructions to be used

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as workplaces; and

- Notification and investigation of accidents, dangerous occurrences and occupational illnesses

Chapter IV details the formation of Occupational Health and Safety Council headed by the Secretary Labor having members from industry, representatives from employers, representatives of workers, professionals, members from civil society and member from the Labor Directorate.

The Act has also fixed penalties and offences in case of non-compliance with the provisions of the Act. The maximum penalty for non-compliance is Rs.250,000/-

The IPs need to formulate OHS Policy which is the requirement of the Act. The contractors and suppliers shall comply with the provisions of the Act.



5.3.2. The Sindh Workers Compensation Act 2015

This act outlines the details regarding compensation to be paid to workers in case of fatality, loss of hearing, eye sight, limbs during the conduct of work activities. It also outlines the Occupational diseases according to the nature of work and compensation to be paid to the workers in case it proved that the worker suffered from the disease due to workplace exposure.

5.4.WBG EHS Guidelines

The World Bank Group (WBG) has guidelines for Environment, Health, & Safety (EHS) that serve as useful references for general issues as well as sector specific activities. Projects financed by the WBG are expected to comply with this guideline as required by the policies and the standards. The EHS Guidelines are mainly on occupational health and safety, community health and safety as well as on construction and decommissioning. It contains guidelines cross cutting on environmental (waste management, ambient air quality, noise, and water pollution), occupational health and safety issues amongst others, applicable to all the industry sectors³.

³ https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/policies-standards/ehs-guidelines

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6. Roles and Responsibilities for LMP Implementation

6.1. Sindh Peoples Housing for Flood Affectees (SPHF)

The overall management of the Project is the responsibility of the SPHF, who will also oversee the LMP's implementation through the IPs. The LMP must be followed in all aspects of the procurement process. IPs and further sub-contracted companies shall be hired in a transparent manner based on their experience and competency. The IPs must ensure that all LMP requirements for labor, protection, and facilities are met, and this must be included in the written agreement.

As follows, the E&S team at SPHF, with the aid of the IPs, will implement and monitor the provision of this LMP:

- Ensure that the workers are in accordance with the E&S regulations, including the LMP and OHS provisions;
- Confirm that the duties owed to the direct workforce are carried out as outlined in this LMP and other pertinent procurement papers;
- Track the project workers' training;
- When conducting activities, keep an eye out for any potential dangers of significant safety issues;
- Create and put into action a grievance procedure for direct employees that includes tracking the progress of complaints and their outcomes as well as ensuring that complaints received from employees are quickly addressed.
- Ascertain that the project's workers are aware of the grievance procedure;
- Keep records of the hiring process, including age and gender verification, as well as the hiring of the hired staff. Orient new hires to environmental, social, and occupational health and safety issues and provide ongoing training for these personnel.
- Report any incidents or accidents involving project personnel and information about labor and occupational health and safety performance to the World Bank.
- Formulation and implementation of employment policies.



Verify equipment's and machineries used are as per standards prescribed by SPHF.

6.2. Engagement and management of SPHF and Implementing Partners

The IPs would designate specialized and responsible staff (including OHS, ES, and Gender/GBV/SEA safeguard staff) who are responsible on management of implementing, monitoring, and reporting periodically on the LMP and ESS.

IPs staff will be responsible for the compliances by beneficiaries/labors. The field staff (STAT) teams are assisted by supervisor and technical engineer, safeguards focal point in branch for the management of labors, ensuring compliance and monitoring of activities and providing labor instructions on safety and other relevant issues as mentioned in the LMP.

The project will supervise and support the implementing partners to carry-out project specific tasks. The implementing partners management is responsible to ensure that all preventive

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measures as defined in the document are being complied where sub-project activities are implemented which includes but not limited to:

- Monitor that compliance related to construction OHS are met at workplaces in line with World Bank’s National and international occupational health and safety legislation. The OHS risks include Slip trip hazard, hazards related use of material without proper training, falling objects, ergonomics issues.
- Capacity building of the project beneficiaries on OHS,
- Implement grievance mechanism and address the grievance received from the direct, contracted, and primary supply workers, and beneficiary.

Labor and Working Conditions: IPs shall maintain records in compliance with the procedures set forth in this LMP. SPHF may at any point request records in order to verify that labor rules are being observed. The company will compare records to actuals at least once every month and, if required, may mandate rapid corrective action. A summary of issues and solutions will be delivered in quarterly reports to the World Bank.

Worker Grievances: SPHF has developed its own GRM that will be available to the Project staff, where, given the nature of the project, and how the beneficiaries will be the main workers for the reconstruction process, no separate GRM will be made for workers as required under ESS 2.

Additional Training: Each IP is required to, at all times, have a qualified safety officer on board. If training is required, this will be the IPs responsibility. The safety officer will provide instructions to further field staff. SPHF will also arrange training to address risks associated with labor and OHS issues and will also provide a schedule for training required. The IP will be obligated to make staff available for this training, as well as any additional mandatory trainings required by the IP, as specified by the contract.



The staff will receive training on the prevention of SEA/SH, codes of conduct, as well as on gender and GBV in general. SPHF will be responsible for (i) training, (ii) implementation, and (iii) supervision of OHS aspects.

Various government agencies like the National Institute of Labor Administration and Training, Directorate of Workers Education provide training to workers on these issues. The Center for Improving Working Conditions and Environment is a pioneering institution of Pakistan which provides training, information, and research facilities for promotion of safety, health, and better work environment in the industries and businesses. Training materials, safety posters, and different safety signs are available from this Center.

6.3. Training of workers:

IPs under the supervision of SPHF will ensure to provide training to all their workers, prior to any site work. The following trainings will be conducted with the IPs which will be further given to the beneficiaries by the IPs:



- Environment & Social Management Framework
- Labor Management Procedures
- Stakeholder's Engagement Plan
- Occupational & Community Health & Safety
- Waste Management

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- Disaster Risk Reduction, Response and Management and Pollution Prevention and control
- Resettlement Policy Framework
- Environmental & Safety Code of Practices
- E&S Screening
- Gender Action Plan
- Grievance Redress Mechanism/ Grievance Redress System
- Gender Based Violence/SEA/SH

Site specific ESMPs shall include weekly toolbox meetings at the work sites with a focus on the following themes: child labor; forced labor; gender-based violence, including the mechanism for submitting GBV/SEA complaints; health and safety; compliance with codes of conduct; etc.

STAT will provide a weekly or ad-hoc (if and when required) toolbox talks and/or meetings with the construction workers on ESHS risks associated with the construction activities, which have been executed during the past week and for those which are planned or foreseen to be carried out during the following week.

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7. PRIMARY SUPPLY WORKERS

The number and type of primary suppliers will be defined once the amount of construction material required is finalized. The construction work under the Project will require the involvement of primary supplies including construction materials essential for the functions of the proposed infrastructure, such as cement, aggregates, sand etc.



As discussed in Chapter 2 (Key Labor Risks), the OHS risks are also deemed to be moderately significant in the construction sector including quarry sites. To address these potential risks, the following measures will be taken:

Selection of primary suppliers: When sourcing for primary suppliers, the project through IPs will identify the risk of child labor/ forced labor and serious safety risks associated with the primary supply chain. Where appropriate, the Project will be required to include specific requirements on child labor/ forced labor and work safety issues with primary suppliers.

Remedial Process: If child labor/ forced labor and/or serious safety risks are identified, SPHF and the IPs will require the primary supplier to take the appropriate steps to rectify them. Such mitigation measures will be monitored periodically to assess their effectiveness. Where the mitigation measures are found to be ineffective, SPHF and the IPs will, within reasonable period, shift the project's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements.

Where there is a significant risk of child labor or forced labor related to primary supply workers, the Project Team will require the primary supplier to identify those risks in relation use of child labor, forced labor. The labor management procedures will set out roles and responsibilities for monitoring primary suppliers.

Where there is a significant risk of serious safety issues related to primary supply workers, the Project Team shall require the relevant primary supplier to introduce procedures and mitigation measures to address such safety issues. These procedures and mitigation measures will be reviewed periodically to check their effectiveness. In case the Project Team is unable to control the primary suppliers with respect to their failure to address the safety issues with respect to child labor or forced labor, it may hire those suppliers who comply with requirements of ESS2 and address the risks regarding use of labor or forced labor.

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8. Policies & procedures

This section outlines main policies and procedures to be followed during the reconstruction of the resilient housing according to Provincial Labor Laws and with Environmental and Social Standard on Labor and Working Conditions (ESS2) and Community Safety and Health (ESS4). All project staff must be informed of the project management policies and processes (s). Contracts must be drafted in conformity with ESS 2 principles and Sindh Labor Laws, and all recruitment processes must be open. Copies must be in Sindhi or Urdu to the greatest extent practicable. Urdu and Sindhi must be used for training sessions and procedure writing.

These policies and procedures will be updated and modified, if necessary, after the allocation of the contracts of the different positions within SPHF. 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 followed by IPs and monitored by SPHF with support from Human Resource Department to ensure fair treatment of all beneficiaries and people involved:

- Recruitment procedures will be transparent, public, non-discriminatory, and open with respect to ethnicity, religion, sexual orientation, disability or gender
- Applications for employment will only be considered if submitted via the official application procedures established by SPHF and IPs
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post
- Employees will be informed at least two months before their expected release date of the coming termination.
- The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer.
- Depending on the origin of the employer and the employee, employment terms and conditions will be communicated in two languages, in the local language and the language that is understandable to both parties
- In addition to the written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.
- It is noted that language related problems are not expected, but if they are, interpretation will be provided for workers as necessary.
- Normal working time should not exceed 40 hours per week. With a five-day working week, the duration of daily work is limited by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration.

SPHF will inform the World Bank of any significant event (social issues) as soon as possible, but no later than five working days, after the occurrence of the event. Such events include strikes or other workers' demonstrations. SPHF will prepare a report on the event and the corrective measures and subsequently submit it to the World Bank within 30 days of the event.

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8.1. Occupational health and safety (OHS)

SPHF is committed to comply with the legislation that relates to the occupational health and safety requirements as stipulated in the main law governing OHS and Sindh Factories Act 2015 Chapter 3 in Sindh as well as other provincial and federal OHS Acts. The Sindh Hazardous Substance Rules of 2014 regulate certain occupations as hazardous and contain special provisions to regulate the working conditions in those occupations. In addition, there are other laws to be complied with dealing with OHS including The Mines Act 1923; Social Security Ordinance 1965; Workmen’s Compensation Act 1923; Shop and Establishment Ordinance 1969 and Dock Laborer Act 1934 as well as WB ESS2 and ESS 4. These laws and standards will enable OHS hazards identification and risk elimination through promotion of appropriate skills, knowledge, and attitudes towards hazards.

SPHF will have a designated OHS/Environmental Specialist with experience in Occupational Health & Safety for an agreed period. This specialist must have a minimum bachelor’s degree in civil/environmental engineering/environmental sciences and certificate course in OHS as OHS professional in construction of infrastructure projects. Extensive knowledge of all OHS legislation, OHS guidelines and standards are required.

It is important that all staff must be given induction training so that they are aware of the hazards specific to the project and its activities.

SPHF and IPs must also ensure appropriate demarcation of workplace and notices for hazardous area where applicable; accident reporting, notification and investigation practices at each workplace required; safety sign and symbols displayed at workplace and ensure availability of first aid box; also identify and service agreement done with specialized hospitals for complicated accidental and health problems.

8.2. Labour related SEA/SH



All project workers will undergo relevant training to prevent and mitigate potential risks of SEA/SH due to labor influx. Project workers particularly those coming from other communities will be briefed on the culture and history of the area, allowing them to adapt to the community values and to avoid any conflicts due to the dissimilarities of their cultural backgrounds.

8.2.1. Discrimination and exclusion of Vulnerable groups

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, terms of employment (including wages and benefits), termination and access to training. This project shall comply with the provincial, and national labor laws on gender equality in the workplace, which will include provision of maternity leave and nursing breaks and sufficient and suitable toilet and washing facilities, separate for men and women workers.

Development of a SEA/SH Action Plan and Mitigation Measures According to the Note on Good practices to combat SEA/SH in the Framework of Financing Investment Projects involving major civil engineering works, all projects, whatever their risk level, should guarantee the minimum actions recommendations for addressing the risks of SEA/SH related issues.

The project will be particularly sensitive to GBV and SEA/SH issues given that its key stakeholders include marginalized communities, whose women and children are particularly vulnerable to abuse.

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For SEA/SH and GBV-related matters, the SPHF will also sensitize and provide awareness to beneficiaries and share the mapping along with the name and contact details of GBV and SEA/SH service providers to women beneficiaries and the designated focal persons of IPs will share the lists with them.

The initial SEA/SH mitigation measures have been developed and included in the separate Gender Action Plan prepared.

8.3. Labor GRM

Fair, reasonable, and lawful terms and conditions shall be applied in the contractual provisions of all project workers to prevent labor disputes.

As SFEHR Project focus on in-situ construction which is being carried out at a vast area and does not involve a bulk reconstruction in same area at a time, therefore, a separate GRM would not be necessitated as required for other huge construction projects. Therefore, SPHF will follow the overall GRM in which the workers, community (project beneficiaries and non-beneficiaries), and staff are already covered in section 1.1 Stakeholder Types. Following Labour GRM are described in the overall GRM:

1. S0803: Construction Labour
2. G0806: Labour Charges not Paid or Received
3. G1004: Required Labour Unavailable or too Expensive

The overall GRM covers all types of grievances including the typical grievances that may arise in the workplaces include demand for employment, labor wage rates, delays in payment, discontentment with working conditions, SEA/SH issues, and overall health and safety conditions of the work environment.

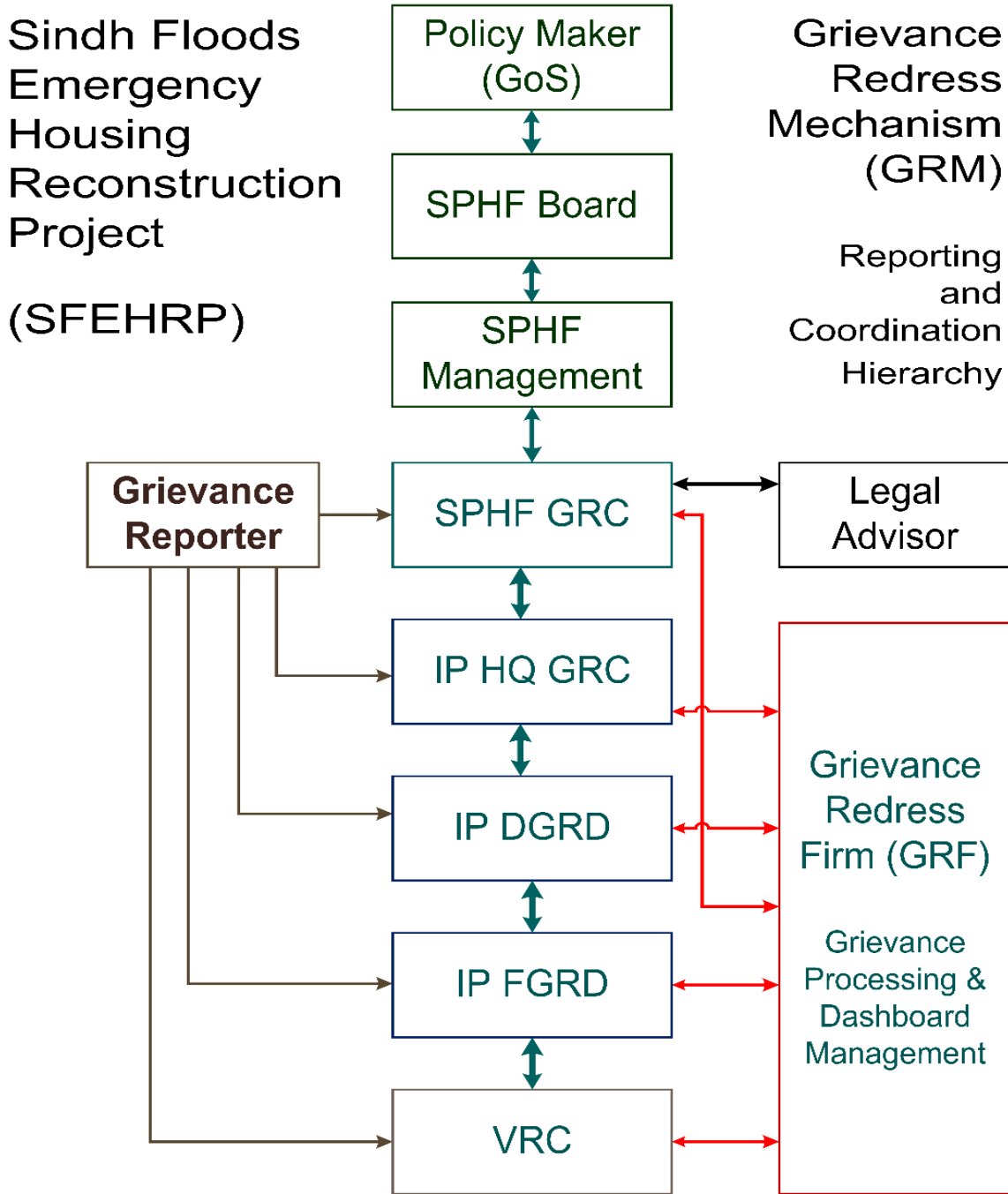
The overall GRM will also cover the anonymous complaints to be raised and addressed. Individuals who submit their complaints or grievances may request that their names be kept confidential, and this should be respected. Any worker who has any complaint or grievance has the right to present it and eventually receive a proper response against it.

The overall GRM will also provide the details of the Grievance handling in a transparent manner, where aggrieved workers will also be informed of their grievance application, either with a respective solution or with a request of extension.



The aggrieved worker will have the option to refer to a grievance log with key information that will be established by the GRS Firm and reported as per the time lines set in the flow chart of the Grievance Management in the overall GRM.

The SPHF and IP staff responsible for receiving complaints will be provided training on handling complaints regarding GBV, VAC and SEA/SH from a certified and reputable organization/firm focusing on issues of GBV, SEA/SH and VAC. The project will also draw up a list of established service providers who can provide support to GBV, SEA/SH and VAC survivors and all relevant cases will be referred accordingly.

In case of any such incident, the following hierarchy of reporting will be followed:



Implementing Partner	IP	Grievance Redress Department	GRD
Head Quarters	HQ	District Grievance Redress Department	DGRD
Grievance Redress Firm	GRF	Field Grievance Redress Department	FGRD
Grievance Redress Committee	GRC	Village Reconstruction Committee	VRC
		Government of Sindh	GoS

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All the IPs who will be engaged for the project will be required to adopt this grievance procedure as a requirement for tender which at a minimum comply with these requirements. In addition, good international practice recommends that the procedures be transparent, is confidential, adheres to non-retribution practices and includes right to representation. After they are engaged, they will be required to produce proof that each worker has been inducted and signed that they have been inducted on the procedure.

8.4. Monitoring and Reporting

General Monitoring Activities: Processes for monitoring, assessment and audit will be developed to:

- Document the implementation and effectiveness of management and mitigation measures;
- Assess actual impacts against predicted impacts; and
- Demonstrate compliance with applicable legal and other requirements.

Monitoring will be undertaken for both direct hires (including casual labor) and contract workers.

Assessments: The Resident Engineer or Site Supervisor will take a lead in undertaking periodic assessments to determine the degree to which, the commitments outlined in this LMP are being met. This will include camp inspections and monitoring of grievances.

Audits: It is envisaged that, the site supervisor or resident engineer may, at its discretion, audit the work or suppliers to determine their compliance with this LMP. In addition, they may also, at its discretion, undertake audits of other third-party facilities and providers, as relevant to the Environmental and Social Management Plan. The Independent Environmental and Social Consultant, on behalf of SPHF may also be engaged to conduct periodic monitoring reviews of the Project, largely based on the social and environmental controls set out in the Environmental and Social Management Plan.



Performance indicators: Performance indicators are used to measure and track performance against the effectiveness of mitigation and control measures described in this LMP. Indicators can be divided into two groups: leading indicators and lagging indicators. Leading indicators predict actions to be taken to prevent a risk from escalating. An example of a lagging indicator would be a work stoppage over work conditions. General performance indicators may also be relevant, such as training and awareness numbers. Performance indicators must be measurable against a specified target.

Non-conformance and corrective action: The provisions in this LMP will be all used for tracking and stewardship of non-conformances identified as part of assessment and audit activities described in this LMP.

Training and Awareness: Before the development of a training and awareness program, a needs analysis will be conducted. The needs analysis will be based on requirements of this LMP. It involves a basic assessment of the knowledge and skills of the people involved in training implementation.

Internal Reporting: A periodic report will be compiled to address the labor and working conditions aspects contained in this Plan, including the following for both Monitoring Consultant and the IPs:

Workplace:

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- Grievances lodged by type and number, illustrated with graphs. Open grievances by type and number;
- Disciplinary action by type and number;
- Induction training numbers, queries and comments;
- Issues raised by workers' committees and action taken;
- Workforce numbers by local and foreign workers - actual against planned;
- Actual demobilization numbers against planned targets. Incidents around demobilization;
- Industrial relations incidents - stoppages go slows, threats, damage to property, violence;
- Lost hours by category; and
- Absenteeism, sick leave and late arrivals.

External Reporting: Monitoring Consultant and the IPs will meet all statutory notification and reporting requirements.

Disclosure: Disclosure will be done to enable workers understand information regarding safeguards in the workplace. This will be done during the induction period of the worker. Various tools will be used including Information, education, and communication (IEC) materials and Meetings, Induction toolkit (Sexual and gender-based violence, EHS company policies, safety, code of conduct, child protection etc.)

8.5. Fatality, Incident and Accident

In the event of an occupational fatality or serious injury, SPHF shall report to the Bank as soon as becoming aware of such incident and inform the government authorities. (where available) in accordance with provincial, national, and Bank reporting requirements. Corrective actions shall be implemented in response to project-related incidents or accidents. SPHF, through the IPs with the help of the VRCs, may conduct a root cause analysis for designing and implementing further corrective actions.



To prevent any such incidents to the extent possible, each site must be equipped with first aid facilities, including, first aid kit. Furthermore, all IPs and VRCs must be aware of the nearest hospitals and medical aid centers along with the shortest routes from the different project sites

The project has developed Undertaking and ToP which is being implemented through IPs. The Code of Conduct reflects the company's core values and overall working culture. The Code of Conduct will also include provisions relating to GBV. A Code of Conduct Template is attached as Annex-IV

8.6. Non-Discrimination & Equal Work Opportunities

Article 19-A of the Constitution imparts the State's obligations aimed at achieving equality in the form of securing the well-being of the people, regardless of sex, caste, creed, or race, by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees.

SPHF is committed to equal opportunities for all its employees and potential employees where everyone is treated with respect and dignity, where there is equal opportunity for all. All employees

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under SPHF, regardless of their affiliation, will be treated fairly and with respect. Selection for employment, promotion, training, or any other benefits will be on the basis of aptitude and ability. Decisions about pay and benefits, terms and conditions of employment, appraisals, dismissal, or redundancy will be made objectively and without unlawful discrimination. All employees will be helped and encouraged to develop their full potential, and the talents and resources of the workforce will be fully utilized to maximize the efficiency of the organization.

SPHF will ensure that:

- Equality and non-discriminatory policy are adhered to within its own area of responsibility;
- Spread awareness on the equality in employment policy to the attention of the team members;
- Ensure that information on the equality of opportunity is included in all indication processes; and
- Ensure that the team members are available to attend relevant quality training programs (if any)

SPHF is responsible for assuring that equality in employment is effectively communicated to all employees and all those involved with the organization at whatever level of position and for providing guidance where appropriate. It will also, in particular, provide full text and induction on equal opportunities to all new employees; translate this policy into Urdu and any other traditionally spoken languages and send to all relevant involved parties. In addition, upon any significant update, this policy will be presented to all members of staff or at department/ office meetings and re-translated to all relevant involved parties.

Each member of staff has a responsibility to:

- Follow any measures introduced to ensure equality of opportunity and prevent discrimination, harassment, or bullying
- Report any discriminatory acts
- Treat others fairly without prejudice
- Promote a work environment where an individual can feel valued and realize their potential whilst encouraging others to do so.

9. ANNEX – 1: Undertaking to be signed with beneficiaries

Sindh Floods Emergency Housing Reconstruction Project (SFEHRP)

Undertaking with the Beneficiaries

This Undertaking is provided by [NAME] having CNIC No. _____ (herein after referred as beneficiary) resident of [Name of Village and settlement] [Union Council]/[Municipal/Town Committee] [District]

1. The house of beneficiary has been validated/assessed by SPHF through its Implementing Partner and the damage of the house due to 2022 floods is categorized as fully destroyed as per damage assessment form No./Assessment No. _____ and is eligible for support/payment as per policy approved by Govt. of Sindh for housing reconstruction.
2. That the beneficiary will follow the guidelines and designs of housing reconstruction as provided by SPHF / IP and that he/she has been given the orientation/documents related to reconstruction guidelines by the SPHF/IP and that he/she confirms to be trained on resilient reconstruction by SPHF/IP..
3. That the beneficiary will only use the reconstruction grant for multi hazard resilient housing reconstruction and not for any other purpose. In case if the amount is not used for the intended purpose, SPHF/IP and GoS reserves the right for the recovery of the disbursed amount.
4. The instalments for the reconstruction of each house will be released to the beneficiary in the following manner:

S. No.	Instalment Number	Stage of Instalment Release
a.	1st Instalment	After the approval by competent for a
b.	2nd Instalment	Completion of work as compliant at Plinth Level
c.	3rd Instalment	Completion of work as compliant at Lintel Level
d.	4th Instalment	Completion of work as compliant at Roof Level

- 1.
5. That the beneficiary agrees to be responsible for any future damage to the property (during and/or post reconstruction) for which the support is extended along with giving true information about land titleship, tenancy and any other matter along with indemnification of SPHF/Implementing Partner(s) from any legal proceeds due to any reason (evidential or not). Furthermore, beneficiary do not have any liability in terms of land acquisition (Paid/Unpaid, etc.) and/or to pay any kind of compensation for the land acquired by the beneficiary.
6. That the beneficiary confirms that he/she have not received any support from anyone for housing reconstruction
7. That the beneficiary will not make SPHF or its IP responsible for any damage due to any reason to the reconstructed house in future even if it inspected by SPHF or its IP.
8. That the beneficiary will ensure within its capacity to undertake maximum safety/protection measures during the reconstruction of his/her house along with assuring and that the SPHF and its IP will not be held responsible for any accident that may occur on the project site during reconstruction work.



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9. That the beneficiary will not use any kind of child skilled/unskilled labor (of age less than/equal to 14 years) for the reconstruction activity.
10. In case of tenant NOC by Owner of Land to tenant for housing reconstruction will be collected and attached with the undertaking.
11. That the beneficiary has no objection to take photographs of his/her family including various stages of reconstruction of house. Further the beneficiary grants permission for these photographs to be used and published by SPHF and its implementing partners for the monitoring and promotional purposes, exclusively for non-commercial basis as and when required.
12. It is hereby confirmed by beneficiary that all the details are readout to him and agrees with all the mentioned/articulated clause of the said undertaking.

Signature and Thumb
Impression of Beneficiary

CNIC:

Add 2 witnesses

10. ANNEX – II: Terms of Partnership (ToP) to be signed with VRC

Sindh Floods Emergency Housing Reconstruction Project (SFEHRP)

Terms of Partnership with VRCs

Name of VRC	Date of Signing of ToP	District
Taluka	Union Council	Deh
Village/Settlement	Total Households	No. of Houses to be Reconstructed

This terms of partnership is signed between(IP) and VRC Dated with as per terms and conditions detailed below:

1. Whereas, Village Reconstruction Committee has been formed with total members of, with(Name of President) as the president of the committee. List of members along with designated titles as per the requirements of VRC are detailed in **Table-A** of the said ToP.
2. The VRC is established to support/facilitate reconstruction of damaged/destroyed houses due to floods in 2022 along with other efforts/activities aim towards rehabilitation and development of respective village/settlement.
3. During reconstruction phase the VRC will overall facilitate socio-technical and assessment teams for data collection and necessary verifications during the project implementation phase.
4. Extend facilitation and assistance to beneficiaries of housing reconstruction grant for reconstruction of multi hazard resilient houses as per guidelines provided by SPHF.
5. Where ever possible carry out bulk procurements for economies of scale and support availability of material for project beneficiaries with special focus on vulnerable and all people with limited capacities for reconstruction of his/her house.
6. To extend support and ensure reconstruction of houses of vulnerable beneficiaries including but not limited to women, children, persons with special needs, and elderly persons.
7. Facilitate in resolving issues/disputes at local level related to matters having direct link with



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project scope.

8. Engage with the project beneficiaries while ensuring that their genuine needs and concerns are taken into account with active involvement in planning, decision making, implementation and monitoring of project activities in respective area.
9. Support and facilitate housing reconstruction activities in respective village/settlement for completion at the earliest.
10. Discourage child skilled/unskilled labour and ensure that any person of age less than/equal to 14 years is not involved/forced/hired for any physical work for activities under the project.
11. Ensure proper storage of construction materials along with necessary precautionary measures during movement/transportation/handling of the material.
12. Support/facilitate STAT team in identification of potential environmental and social risks with carrying out necessary mitigation measures as per the capacity of VRC.
13. Record and maintain information at VRC level as per required formats provided by(IP)

Table-A: Details of Village Reconstruction Committee (VRC) members who were present during the signing of ToP and agree with the terms and conditions signed for the reconstruction of the damaged houses under SFEHRP in their Village/Settlement

S. No.	Name of VRC Member with Spouse Name / Parentage	Gender	Title in VRC	Signature / Thumb Impression
1.	Cell No. CNIC:			
2.	Cell No. CNIC:			
3.	Cell No. CNIC:			
4.	Cell No. CNIC:			
5.	Cell No. CNIC:			
6.	Cell No. CNIC:			



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7.	Cell No. CNIC:			
8.	Cell No. CNIC:			
9.	Cell No. CNIC:			

11. Annex III: Code of Conduct

1. This Code of Conduct applies to all staff, consultants, Implementing Partners, & Partner Organizations, associated with the Sindh Floods Emergency Housing Reconstruction Project (SFEHRP) and the Sindh Peoples Housing for Flood Affectees (SPHF). It defines standards of behavior expected by the management of SPHF to prevent SEA/SH.
2. Individual Code of Conduct: Preventing Sexual Exploitation and Abuse, Sexual Harassment
3. I, [full name of labor], acknowledge that preventing Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) is important. SEA/SH activities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties, or potential termination of employment. All forms of SEA/SH are unacceptable, be it on the work site, the work site surroundings, or at workers' camps. Prosecution of those who commit SEA/SH may be pursued if needed.

I agree that while working on the project, I will:

- i. Treat women, men, and children (persons under 18 years of age) with respect and not discriminate on the basis of sex, age, disability, race, ethnic origin, language, religion, or political opinion.
- ii. Not use language or behavior towards women, men, or children that is inappropriate, harassing, physically or sexually abusive, sexually provocative, demeaning, or culturally inappropriate.
- iii. Not engage in sexual relationships with members of project-affected communities, either during or after working hours.
- iv. Not make unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature towards work personnel or staff. This includes looking somebody up and down; touching someone inappropriately; howling or smacking sounds; hanging around somebody; whistling and catcalling; sending inappropriate text messages or images, and sometimes giving personal gifts.
- v. Not take pictures or make videos of anyone, especially women and children without their consent (see also 'use of children's images for work-related purposes', below).
- vi. Not engage in sexual favors, for example making promises of favorable treatment (such as the promise of employment or promotion) threats of unfavorable treatment (loss of job) or payments in kind or in cash, dependent on sexual acts, or other forms of humiliating, degrading or exploitative behavior.
- vii. Not accept, solicit or engage in the "buying" of or profiting from sexual services. This is applicable both within and outside of working hours.

With regard to children under the age of 18:

- viii. Wherever possible, ensure that another adult is present when working in the proximity of children. Where circumstances require a one-on-one interaction ensure that such interaction is visible by at least one other adult at all times.
- ix. Not use language or behavior towards children that are inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

- x. Never engage in any sexual activity with children (persons under the age of 18) regardless of the age of majority or age of marital consent locally. Sexual activity with children is prohibited (including by way of contracting marriage unless there is a pre-existing marriage). Mistaken belief in the age of a child is not a defense.
- xi. Not invite unaccompanied children into my camp/home, unless they are at immediate risk of injury or in physical danger.
- xii. Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present, if possible.
- xiii. Use any computers, mobile phones, or video and digital cameras appropriately, and never exploit or harass children or access child exploitation material through any medium (see also 'use of children's images for work-related purposes', below).
- xiv. Do Not use physical punishment on children.

When photographing or filming a child or using children's images for work-related purposes, I must:

- xv. Assess and endeavor to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child.
- xvi. Actively endeavor to obtain informed consent from the child and a parent or guardian of the child, or a release form before publishing a photograph or film of a child. As part of this, I must explain how the photograph or film will be used.
- xvii. Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- xviii. Ensure images are honest representations of the context and the facts.
- xix. Ensure the file labels or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

With respect to training and reporting

- xx. Attend and actively partake in training courses related to SEA/SH as mandated by my employer.
- xxi. Report through the Grievance Redress Mechanism or to my supervisor/manager any suspected or actual SEA/SH by a fellow worker on this project, whether employed by my company or not, or any breaches of this Code of Conduct.
- xxii. Not retaliate against workers who report violations of the Code, if that report is made in good faith.

Sanctions

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action, which could include:

- Informal warning
- Formal warning
- Loss of up to one week's salary
- Suspension of employment (without payment of salary), for a minimum period of one month up to a maximum of six months
- Termination of employment



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- Report to the police, if deemed necessary

2.

I hereby acknowledge that I have received and read the contents of the above Individual Code of Conduct: Preventing SEA/SH, and a failure to comply may lead to disciplinary action, legal action, or criminal investigation and prosecution.

3. Signature: _____
4. Printed Name: _____
5. Title: _____
6. Date: _____

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12. Annex IV: Code of Conduct Templet

This Code of Conduct applies to SPHF, all staff, consultants, suppliers, Implementing Partners associated with the Sindh Floods Emergency Housing Reconstruction Project (SFEHRP). It defines standards of behavior expected by the management of SPHF to prevent GBV, SEA/SH and VAC and to promote overall workers welfare during the implementation of the project.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, labourers and other employees at the Works Site or other places where the Works are being carried out. It also applies to the personnel of each IP and any other personnel assisting us in the execution of the Works. All such persons are referred to as “Workers” and are subject to this Code of Conduct.



This Code of Conduct identifies the behavior that we require from all personnel associated with the project.

Our workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

REQUIRED CONDUCT

All personnel associated with the project shall:

1. carry out his/her duties competently and diligently;
2. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of workers and any other person;
3. maintain a safe working environment including by:
 - a. ensuring that workplaces, equipment and processes under each person’s control are safe and without risk to health;
 - b. wearing required personal protective equipment;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. following applicable emergency operating procedures.
4. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
5. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
6. not engage in any form of Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with personnel associated with the project;

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7. not engage in Sexual Exploitation, which means any actual or attempted abuse of 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;
8. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
9. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
10. complete relevant training courses that will be provided related to the environmental and social aspects of the Project, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SEA);
11. report violations of this Code of Conduct; and
12. not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of the grievance mechanism for project personnel or the project's Grievance Redress Mechanism.

7. RAISING CONCERNS

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

1. Contact [*enter name of the project Social Development Specialist/Gender Specialist with relevant experience in handling GBV, sexual exploitation, sexual abuse and sexual harassment cases*] in writing at this address [] or by telephone at [] or in person at []; or
 2. Call [] to reach the Project's hotline (*if any*) and leave a message.
8. The person's identity will be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take appropriate action. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

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.



CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

Any violation of this Code of Conduct by Project's Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.

FOR PROJECT'S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [*Social Development Specialist/Gender Specialist*] requesting an explanation.

Name of Personnel: [insert name]

	Labor Management Procedures			
	Sindh Floods Emergency Housing Reconstruction Project			
	Doc. No.: SFEHRP/LMP/001	Rev.: 00	Labor Legislation	



Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Project:

Signature: _____

ATTACHMENT 1: Behaviors constituting GBV, Sexual Exploitation and Abuse (SEA) and behaviors constituting Sexual Harassment (SH)

	Labor Management Procedures			
	Sindh Floods Emergency Housing Reconstruction Project			
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ATTACHMENT 1 TO THE CODE OF CONDUCT FORM

BEHAVIORS CONSTITUTING GBV, SEXUAL EXPLOITATION AND ABUSE (SEA) AND BEHAVIORS CONSTITUTING SEXUAL HARASSMENT (SH)

The following non-exhaustive list is intended to illustrate types of prohibited behaviors.

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

- A Project's Personnel tells a member of the community that he/she can get them jobs related to the work site (e.g. cooking and cleaning) in exchange for sex.
- A Project's Personnel that is connecting electricity input to households says that he can connect women headed households to the grid in exchange for sex.
- A Project's Personnel rapes, or otherwise sexually assaults a member of the community.
- A Project's Personnel denies a person access to the Site unless he/she performs a sexual favor.
- A Project's Personnel tells a person applying for employment under the Contract that he/she will only hire him/her if he/she has sex with him/her.

(2) **Examples of sexual harassment in a work context**

- Project's Personnel comment on the appearance of another Project's Personnel (either positive or negative) and sexual desirability.
- When a Project's Personnel complains about comments made by another Project's Personnel on his/her appearance, the other Project's Personnel comment that he/she is "asking for it" because of how he/she dresses.
- Unwelcome touching of a Project's by another Project's Personnel.
- A Project's Personnel tells another Project's Personnel that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself.