

Government of Saint Vincent and the Grenadines **Volcanic Eruption Emergency Project (VEEP)**



LABOR MANAGEMENT PROCEDURES

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Economic Planning Division
Ministry of Finance, Economic Planning, and Information Technology
Government of Saint Vincent and Grenadines

Abbreviations

CBOS	Community-based Organizations
CO	Communication Officer
EP&R	Emergency Preparedness and Response
ESMF	Environment and Social Management Framework
ESMP	Environment and Social Management Plan
ESS	Environment and Social Standards
GRM	Grievance Redress Mechanism
GOSVG	Government of Saint Vincent and the Grenadines
ILO	International Labor Organization
LITE	Labor-Intensive Temporary Employment
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
NGOs	Non-Government Organizations
PC	Project Coordinator
PO	Project Officer
PSIPMU	Public Sector Investment Program Management Unit
SET	Social and Environment Team
SSS	Social Safeguards Specialist
SVG	Saint Vincent and Grenadines
VEEP	Volcanic Eruption Emergency Project
WB	World Bank
WHO	World Health Organization

Executive Summary

The Labor Management Procedures (LMP) has been developed to manage risks and to ensure the health and safety of the project workers during the implementation of the Volcanic Eruption Emergency Project (VEEP) in Saint Vincent and the Grenadines (SVG). The LMP has set out the approaches and measures to meet both the national standards as well as the objectives of the World Bank's Environmental and Social Framework, more specifically, the objectives of Environmental and Social Standard 2: Labor and Working Conditions (ESS2), Environmental and Social Standard 2: Assessment and Management of Environmental and Social Risks and Impacts (ESS1) and Environmental and Social Standard 4: Community Health and Safety (ESS4).

The LMP is divided into twelve sections. It provides an overview of Labor used in the VEEP recovery and rehabilitation programs. The potential labor risks and occupational health and safety (OHS) issues are examined in view of the national legislation and ESS2 requirements. The labor policies and procedures are introduced, including terms and conditions and types of project workers/labors likely to be used in the VEEP: (i) Direct/Government (PSIPMU staff the Consultants), (ii) Contracted (or-sub contracted) project workers, and (iii) Community workers. The LMP has measures to deal with issues such as child and forced Labor, labour influx, gender-based violence, and trafficking in persons. The Project will follow the national legislation and ESS2. The National Legislation relevant to the project activities shall satisfy the requirement of ESS2. Measures for awareness raising and grievance redress have been adopted to ensure that the standards set in the LMP are followed and complied with.

Additionally, the COVID-19 risks have been considered. Should the COVID-19 pandemic continue, the project will ensure workers' safety and undertake all measures in accordance with WB COVID-19 Guidance Note, and establish protocols and communication strategies where workers can regularly receive COVID-19 related updates, including virtual sessions with contractors, workers and other stakeholders. The LMP will be updated as required during the implementation of the VEEP.

Table of Contents

1	BACKGROUND AND PROJECT DESCRIPTION.....	1-1
1.1	Background and Context	1-1
1.2	Project Descriptions.....	1-1
2	OBJECTIVES OF ESS2 AND LMP.....	2-1
2.1	Objectives.....	2-1
2.2	Methodology	2-2
3	LABOR USE ON THE PROJECT: AN OVERVIEW	3-2
3.1	Types of Projects	3-3
3.2	Characteristics of the Project Workers	3-3
3.3	Timing of Labor Requirements	3-7
4	ASSESSMENT OF POTENTIAL LABOR RISKS.....	4-1
4.1	Potential Labor Risks: A Brief Overview	4-1
4.2	COVID-19 Considerations	4-3
5	REVIEW OF LABOR LEGISLATIONS: TERMS AND CONDITIONS.....	5-1
5.1	SVG Labor Legislations.....	5-1
5.2	Gap Analysis and Measures	5-2
6	REVIEW OF OHS LEGISLATIONS AND PRACTICES.....	6-1
6.1	OHS Labor Legislations: An Overview	6-1
6.2	Gap Analysis and Measures	6-2
7	STAFF RESPONSIBLE FOR LMP IMPLEMENTATION	7-1
8	LABOR POLICIES AND PROCEDURES.....	8-1
8.1	Scope and Purpose	8-1
8.2	Policy, Measures and Procedures.....	8-1
8.3	Dissemination and Awareness.....	8-3
9	AGE OF EMPLOYMENT AND VERIFICATION PROCESSES.....	9-1
10	TERMS AND CONDITIONS.....	10-1
11	GRIEVANCE MECHANISM.....	11-1
11.1	Objectives of GM.....	11-1
11.2	Responsibility for Grievance Redresses.....	11-1
11.3	Grievance process, Outcomes, Records and reporting.....	11-1
11.4	Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH).....	11-4

12	LMP AND CONTRACT MANAGEMENT	12-1
13	COMMUNITY WORKERS.....	13-2
14	Primary Supply Workers.....	14-2
15	ANNEXES	15-1
	Annex 1 – Guidelines for Engaging Voluntary Labor	15-1
	Annex 2 – ESS2 Applicable Standards for Government Workers.....	15-2
	Annex 3 – Covid -19 Considerations	15-4
	Annex 4 – Accident Reporting Template	15-5
	Annex 5 – Draft Code of Conduct for Contractor's Personnel	15-6
	Annex 6 – Age Verification Template	15-8
	Annex 7: Grievance Registration Form	15-9
	Annex -8 GRC Meeting Record Form.....	15-10
	Annex -9 Grievances Closure Form.....	15-11
	Annex -10: Preliminary List of GBV Services.....	15-12
	Annex 11 – Written Particulars of Employment.....	15-13

Figure

Figure 11-1: Sample of GRC Notification	11-2
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Tables

Table 3-1: Overview of Labor Use on the Project*	3-4
Table 4-1 Types of Labor and Potential Risk.....	4-1
Table 4-2: Key Labor Risks and Mitigation Measures	4-2
Table 5-1: SVG Labor Legislations: Terms and Conditions.....	5-1
Table 6-1: SVG Legislations related to OHS	6-1
Table 7-1: Roles and Responsibilities in LMP Implementation.....	7-1
Table 7 Terms and Condition of Employment	10-2
Table 11-1: Contact information for submitting grievance	11-2
Table 11-2: Classification of Grievance	11-3
Table 11-3: GRM Timeframe	11-4

1 BACKGROUND AND PROJECT DESCRIPTION

1.1 Background and Context

Saint Vincent and the Grenadines (hereafter SVG) is a small island country in the Caribbean. The country consists of 32 islands covering a total of 389 sq km, with a population of approximately 110,784 persons. Saint Vincent is the northernmost and largest island, with a commercial and political center, where nearly 90 percent of the country's population resides. As an island country, SVG is highly vulnerable to various kinds of geophysical and natural hazards such as earthquakes, volcanic eruptions, and climate-change-induced impacts such as hurricanes, floods, drought, and landslides. The La Soufriere volcanic eruptions in December 2020 that continued through April 2021, prompted the mass evacuation of an estimated 20,000 people. Many critical infrastructures were damaged by the volcanic ashes, and the lahar flows. The eruptions covered the entire country in layers of ashes, with the heaviest concentration in the northwestern part of the island with the steep topography closest to the volcano. As a result, the movement of the accumulated materials to downstream settlements remains a risk, further threatening lives, livelihoods and infrastructure on the main island. On top of this disaster, SVG continues to be affected by the COVID-19 pandemic, which is further worsening the socio-economic, health and housing situations of the affected population.

To address the post-eruption crisis, the Government of Saint Vincent and the Grenadines (GoSVG), with an emergency loan from the World Bank (WB), has undertaken the Volcanic Eruption Emergency Project (VEEP). The objectives of the VEEP are to support SVG to (i) provide short-term income support, (ii) improve the capacity of the government to prepare for and respond to emergencies, and (iii) 'build back better' critical services in the wake of the volcanic disasters.

1.2 Project Descriptions

To achieve the objectives, the VEEP has three key components. These are (a) Early recovery income support; (b) Restoration and 'building back better' of the battered services and infrastructure, including capacity building for emergency responses and preparedness; and (c) Project management support.¹

The Early recovery and income support comprise three (3) subcomponents: temporary grants and support service program; support services for beneficiary households' resilient recovery; and labour-intensive temporary employment (LITE) program. Restoration and 'building back better' will focus on restoration and/or reconstruction of the critical infrastructure damaged by the eruptions and other climatic events and strengthening emergency preparedness and response (EP&R). The project management will support the administrative management of the project by the public sector investment program management unit (PSIPMU).

The VEEP was approved on 30th November 2021 and became effective on 10th December 2021.

2 OBJECTIVES OF ESS2 AND LMP

2.1 Objectives

This Labor Management Procedures (LMP) is developed by the PSIPMU as a requirement of the World Bank Environmental and Social Framework in support of the VEEP. The LMP seeks to ensure that

¹ Operations Manual- Saint Vincent and the Grenadines Volcanic Eruption Emergency Project, Ministry of Finance, Economic Planning and Information Technology (MFEPIT), GoSVG, Jan 2022. For more details, see Table 2 of this LMP.

measures are in place to manage and mitigate risks associated with employment under the project, particularly in the restoration and/or reconstruction of critical infrastructure projects. The LMP identifies the main labor risks and requirements under the project and establishes the parameters to ensure that these are undertaken and managed in accordance with the requirements of the Environmental and Social Standard2 (ESS2) – *Labor and Working Conditions and Occupational Health and Safety*. This labor management procedures contains measures to address risks that may arise from the interaction between project workers and local communities. Also included are measures to raise awareness of such risks; communicate expectations regarding appropriate conduct, together with disciplinary measures; and the adoption of a code of conduct.

The objectives of ESS2 and LMP are to:

- (i) Promote safety and health at work
- (ii) Establish fair treatment, non-discrimination and equal opportunity for project workers
- (iii) Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with ESS2) and in-migrant workers, contracted workers, community workers and primary supply workers, as appropriate
- (iv) Prevent the use of all forms of forced Labor and child labor; support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law
- (v) Provide project workers with accessible means to raise workplace concerns.

As per initial assessments and the outlook for various subprojects for infrastructure reconstruction and development, it is understood that risks as it relates to Labor and working conditions and occupational health and safety are expected to be minimal. When risks are identified, those will be addressed and managed by the procedures set out in this LMP. The GoSVG is strongly committed to evaluating risks and impacts throughout the life of the project and managing the adverse impacts. The LMP is applicable to all project workers in all components/subprojects funded by the project. The Project will be managed by PSIPMU in coordination with relevant agencies and organizations involved in the recovery and reconstruction activities.

2.2 Methodology

The LMP has been prepared based on all available information and in consultation with relevant agencies/departments and other stakeholders. Since LMP is a "live" document, it will be updated to meet any changes in project scope/risks or labour requirements. For specific contracts, particularly large construction contract involving potential in-migrant workers, the project/ PSIPMU may include specific procedures in the contract as part of contractors' legal obligations. This will be assessed as part of the initial screening of the environmental and social risks to be carried out by PSIPMU. The implementation experiences of the first batch of infrastructure subprojects will be reviewed, and the LMP will be accordingly updated to make the labour use procedures more compliant to ESS2 requirements.

3 LABOR USE ON THE PROJECT: AN OVERVIEW

The LMP applies to all project workers, whether full-time, part-time or temporary. This section describes the project's labour requirement. Several categories of workers are anticipated to be involved at different stages of the work. It is expected that a mixture of both permanent and temporary workers including unskilled, semi-skilled and skilled workers. The number of workers will vary throughout the execution of the construction work based on skill requirement.

1. Direct Workers: People employed or engaged directly by the VEEP project
2. Contracted Workers: People employed or engaged by contractors to perform work related to the core function of the program, regardless of location
3. Primary Supply Workers: People employed or engaged by project's primary suppliers.
4. Community workers: the project will not engage any community works that meet the ESS2 definition of community workers

3.1 Types of Projects

Generally, two types of projects are expected to employ or engage the bulk of the potential project workers: Contracted Workers will implement all components of the project, (i) the Labor intensive temporary employment (LITE) program, and (ii) restoration and 'building back better' of critical public infrastructure services. The LITE program will build on the existing experience of the Roads, Building, and General Services Authority (BRAGSA) in implementing the Road-Clean UP Program, which is a cash-for-work seasonal program aimed at public infrastructure maintenance and creation of short-term employment benefitting unemployed working-aged people. The restoration and 'building back better' will focus on three main areas: (a) support for reconstruction planning with climate change consideration;² (b) restoration and reconstruction of critical infrastructural services; and (c) capacity building and strengthening of EP&R systems.³

3.2 Characteristics of the Project Workers

Project workers will mostly be local with some international expatriates on site for project execution and management. At this stage, it is difficult to pre-determine the number and mix of project workers and gender composition of persons to be employed by various subprojects or components. However, given the nature of projects such as LITE and restoration and/or reconstruction of local infrastructures, it is possible to anticipate the characteristics of the project workers and their work patterns.

There would be limited full time 'direct workers' employed by the project; the likely scenario is that part-time, temporary, local, seasonal, and some migrant workers will be involved in the project activities. For instance, the LITE program will likely target unemployed youths over 18 years of age from poor/vulnerable households, including households that are female headed. It is possible that beneficiaries will be organized in working crews to execute labor-intensive work. Therefore, various types of workers will be hired by the project. A brief summary of the potential types as per ESS2 is presented below.⁴

- (i) *Direct workers*: There will be limited number of direct workers such as local and/or internationally recruited consultants for technical advice and project management to be hired the GOSVG. The recruitment will be done in agreement with the Bank and in compliance with ESS2.
- (ii) *Contracted workers*: The project may also employ contracted workers – i.e., "people employed or engaged through third parties to perform work related to core functions of the project." For instance, workers from a construction company hired to undertake civilworks. Such contracted workers may also be hired through established local organizations – for example, feeder road rehabilitation or clean-up of volcanic debris by groups of women as work crews. The project may employ such contracted laborers in keeping with ESS2 guidelines, including terms of contracts and remedies for non-compliance.

² In SVG, agriculture and infrastructure assets face periodic climate vulnerabilities such as flooding, drought, heavy rainfall, tropical storms/hurricanes, sea -level rise, and landslides.

³ *Operations Manual*, cited earlier, p.10

⁴ See *WB Environment and Social Framework*, ESS2

- (iii) *Community workers*: The project will apply participatory approaches to planning and implementing small-scale projects – for instance, clean-up of buildings from volcanic debris and other climate-related disasters such as floods. In the case of the use of community workers, attention will be paid to (a) risk of child labor or forced labor use; (b) how the OHS and working conditions will be used within community labor; (c) terms and conditions on which community labor will be engaged, including amount and method of payment (if applicable); (d) times of work; (e) roles and responsibilities for monitoring community workers, and (f) training for community workers. It is anticipated that only limited number of persons (perhaps between 20 and 50) may be employed or engaged in providing community/volunteered Labor⁵ for small civil works through NGOs/CBOs. In such context, requirements include a labor management procedure, occupational health and safety working conditions, and avoiding child, forced Labor and trafficking. It is expected that given the small scope of civil works and high community involvement, such risks will be low.⁶
- (iv) *Primary supply workers*: Based on the requirements of individual component, primary supply workers⁷ will be recruited by the supplier as appropriate. It will be ensured (and monitored periodically by the (PSIPMU) that no children and/or forced Labor are recruited and supplied as workers.

In VEEP implementation, government workers will be assigned or posted as PSIPMU employee on project jobs. They are highly skilled or trained government officials or civil servants and will work on their assigned jobs on behalf on the GoSVG. In such cases, whether full-time or part-time, the government officers 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. Such transfer will be conducted in accordance with all legal requirements and transferred workers will be subject to all requirements of ESS2. Otherwise, ESS2 will not apply to these government officials, except for the provisions of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety). The relevant standards of ESS2 applicable to government officials are in Annex 2.

For any gender gaps in labor recruitment, the project will aim to address limited participation of women in project activities at the local and national levels. The PSIPMU will seek to design activities in various components/subproject with a 'gender lens' to promote strategies and approaches to strengthen the role and participation of women in the VEEP Project. Table 3-1 provides an estimates of the types of workers and labor use within the project.

Table 3-1: Overview of Labor Use on the Project*

Activity	Description	Labour requirement	No: of workers	Timing of worker engagement					Type of worker
				YR1	YR2	YR3	YR4	YR5	
VEEP project	Project Implementation Unit	Project Coordinator	1	X	X	X	X	X	DW
		Project Officer	3	X	X	X	X	x	DW

⁵ According to ESS2, work is on a voluntary basis when it is done with free and informed consent of a worker, without coercion or threat by an act of the authorities or by an employer’s practice, where such consent may be revoked freely. See Annex 1: Guidelines for Engaging Voluntary Labor.

⁶ The LITE program may consider use of community workers - labor is provided by the community as a contribution to the project, or where projects are designed and conducted for the purpose of fostering community-driven development, providing a social safety net, for example For example, public works as safety nets programs.

⁷ A ‘primary supply worker’ is a worker employed or engaged by a primary supplier, providing goods and materials to the project, over whom a primary supplier exercises control for the work, working conditions, and treatment of the person.

Activity	Description	Labour requirement	No: of workers	Timing of worker engagement					Type of worker
		Project Officer/Information Technology	1	X	X	X	X	X	DW
		Procurement and contract Management Specialist	1	X	X	X	X	X	DW
		Procurement assistant	1	X	X	X	X	X	DW
Recommended		Legal Professional contract management		X	X	X	X	X	
Recommended		Procurement Clerk	2						DW
		Financial Management Specialist	1	X	X	X	X	X	
		Accounting Clerk	2	X	X	X	X	X	DW
		Environment Focal Point	1	X	X	X			
		Social Focal point	1	X	X	X			
		Environment Specialist	1	X	X	X	X	X	
		Social Specialist	1	X	X	X	X	X	
Recommended		Grievance Officer LITE	1	X	X	X			DW
		Monitoring and Evaluation Specialist	1	X	X	X	X	X	
		Communication Specialist	1						
		Project Engineer	1						
	Component 1	Administrator for networking and coordination	2	X	x	x	x	x	DW
		Income support clerical workers	4	x	x				DW
		Grievance Officer Income support	1	X	X				DW
		Life skills facilitators	10	x	x				CW
	Component 2.3	Junior Engineer	3		1				CW
		Civil Technicians	3		1	X	X	X	CW
			3						
	Nemo Building	Design	1						CW
		Consultancy to construct (company)				X			CW
		Supervisory of consultancy				X			CW
		Labourers	20			X			CW
	Upgrade of Belmont Observatory and Dormitory	Design architect	1	x					CW
		Consultancy to construct							CW
		Supervisory of consultancy			x				CW
		Labourers			x				CW
									CW
	Installation of Seismology equipment	Consultancy firm	1		x				CW

Activity	Description	Labour requirement	No: of workers	Timing of worker engagement				Type of worker
	Establishing a Monitoring of the Seismic data	Consultancy firm			x			CW
	Campden Park WAREHOSUE	Design Architects		x				CW
		Consultancy to construct				x		CW
		Supervisory of consultancy				x		CW
		Labourers				x		CW
	Nemo Capacity building	Geologist		x	x			CW
	CWSA North Windward Water Supply Project	- Design and Supervision Consultancy			x			CW
		Construction Company				x		CW
	Fisheries centres	- Design and Supervision Consultancy				x		CW
		Construction Company	2					CW
		Labourers						CW
	Road rehabilitation							CW
	Waterloo Jennings	- Design and Supervision Consultancy				x		CW
		Construction Company				x		CW
		Labourers				x		CW
	Bailey Bridges		50	x				CW
	Noel Overland	Design and supervision consultancy		x				CW
		Construction		x				CW
	Permanent concrete Bridges	Design Consultancy				x		CW
	Biotechnology Centre	Design and Supervision Consultancy				x		CW
	Agriculture Training Institute and	Design and Supervision Consultancy				x		CW
	Belmont Market Depot	Design and Supervision Consultancy				x		CW
		Labourers	1					CW
	Training of livestock farmers	Consultancy				x		CW
	LITE PRGO	Road cleaners	5000	x	x			CW
			x	X	X	X		
			3	X	X			
	debris management	Jobbers	1000	x	x	x		CW
		Truck Drivers						CW
		Clerical workers						CW

*The full list of workers will be only available during project work; the table will be updated accordingly.

3.3 Timing of Labor Requirements

The key government workers (e.g., project director, project manager, environmental specialist, social development specialist, gender officer, etc.) will be engaged from project inception to completion of the project. Other types of workers (e.g., direct, contracted, community/volunteer etc.) will be engaged as per needs and requirements of various subprojects/components. Contracted workers will be eligible to work for a contract period fixed by the PSIPMU. Their contracts will be renewed, if required, based on satisfactory services. In sum, timing of labor requirements is based on labor needs for any specific component. The 3-1 displays some of the timing for labour requirement in the components subprojects.

4 ASSESSMENT OF POTENTIAL LABOR RISKS

4.1 Potential Labor Risks: A Brief Overview

The labour risks associated with the projects are assessed to be related to the potentially hazardous work environment, the associated risk of accidents and labor influx. The following (Table 4-1) briefly summarizes some of the potential risks from project inception phase to operational phase.

Table 4-1 Types of Labor and Potential Risk

Type of risks	Description	Suggested risk category
Child and Forced Labor:	The risk of the use of child labor or forced Labor is unlikely; this will be monitored through the implementation of the project. In this context, the national legal framework will be used with legally recognized documents such birth. There is also general awareness against use of child or forced Labor in the country.	Low
Influx of Migrant Labor	While construction and 'building back better' projects will create new job opportunities, the project area may experience some influx of Labor to benefit from project construction. Any migrant workers to be employed will have the same rights and benefits and treated fairly. Other associated risks with in-migrant laborers related to the interaction between project workers and local communities, such as communicable diseases and gender-based violence, are to be managed through contractual requirements, code of conduct and training program.	Low
Gender-based violence	The construction workers will likely be predominantly younger males, and females, in some cases. Those who are away from home on the construction job are typically separated from their family and act outside their normal sphere of social control. This can lead to inappropriate and criminal behavior, such as sexual harassment of women and girls, exploitative sexual relations, and illicit sexual relations with minors from the local community. A large influx of male Labor may also lead to an increase in exploitative sexual relationships and human trafficking whereby women and girls are forced into sex workers.	Low to medium
Trafficking in Person	Trafficking in persons may also be an issue. Trafficking is defined as recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. The women and children may particularly be vulnerable to the practices of trafficking. However, incidence of trafficking is reported low.	Low

PSIPMU has existing corporate requirements and practices applicable for the training for the contractors and maintenance of the safety records which are inspected on a regular basis at the project/construction site. In view of the COVID-19 pandemic, WB's interim note on "COVID-19 Considerations in Construction/Civil Works Projects" will be followed to ensure occupational health and safety of the workers. The project has already adopted a community health safety plan (CHS) in view of the project

activities, and community exposure to risks and impacts. It is included in the ESMP and addresses the health, safety, and security risks and impacts on project-affected communities and the corresponding responsibility of GoSVG to avoid or minimize such risks and impacts. Table 4-2 describes particular measures in the LMP to reduce and minimize risks related to project construction.

Table 4-2 provides a brief description of the activities under the key components of the project and their associated labor-related risks. The probability of the use of child labor for forced Labor is minimal. The GoSVG has labor laws in place that prohibit child employment under the age of 14 years.⁸ Many project activities require technical staff with skills that require experience and education, which will not be possible for children or those below the age of 18 to possess. The project, in accordance with labor laws in the country, will maintain a register of all persons under the age of 18, but over the age of 14, employed with date of birth and year. The various components of the project will be executed with locally available labor; use of migrant or seasonal workers is not anticipated and will be kept to a minimum, if required.

Table 4-2: Key Labor Risks and Mitigation Measures

Project Components/ Subprojects	Identified key labor risks	Proposed mitigation measures
Component 1: Early Recovery Income Support - Card Distribution 1.1 Temporary grants and support services program;	Exhaustion Occupational burnout among workers Untenable overtime Psychological distress	Ensure the accurate capturing of the demographic information of beneficiaries Clarify information with beneficiary Increase flexibility of work hours for card distribution staff Provide incentives such as free days or hours
1.2 LITE/Labor Intensive Temporary Employment	1. Possible exclusion of deserving households/ vulnerable households from grants and support 2. Discrimination to recruitment 3. Harassment at work place in LITE projects 4. Risk of contraction COVID-19 in the workplace 5. Struck by moving vehicles or objects 6. Heat exhaustion 7. Exposure to hazardous material or substances	1. Regular monitoring and supervision by PSIMPU 2. Anti-discrimination training and orientation 3. Selection criteria rubric 4. Implementation of Code of conduct at work place 5. Implementation of OHS measures to reduce the transmission of COVID_19, as guided by the WB, international best practices and national guidelines
Component 2: Restoration and 'Building Back Better' of critical services and strengthening Emergency preparedness and responses	1. Possible accidents on-site during restoration and/or emergencies 2. General lack of understanding of occupational health and safety requirements 3. Exclusion of women and other groups (such as IPs) from employment	1. Implementation of ESMF/ ESMP measures for OHS 2. Gender-based assessment of employment and action by PSIPMU 3. Training and orientation on Code of conduct. 4. Develop and Implement SEASH Prevention and Response Action Plan

⁸ See Employment of Women, Young Persons and Children Act, 1935 (updated 1990). A child is defined as a person under 14 years of age, which prohibits the employment of children in industrial undertakings and ships and prohibits night work for children and women.

Project Components/ Subprojects	Identified key labor risks	Proposed mitigation measures
2.1 Support to reconstruction planning with climate change consideration 2.2 Restoration and reconstruction of critical infrastructure 2.3 Strengthening EP&R Systems and Capacity	4. Discrimination and harassment in the workplace 5. Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) 6. Use of child or forced Labor in construction sites 7. General lack of understanding on compounding disaster events and impact of a changing climate 8. Risk of the contraction of COVID-19 during restoration activities	5. Implement climate mitigation measures by involving community level workers and CBOs 6. General awareness building against use of child/ forced Labor and trafficking in person. 7. Implementation of OHS measures to reduce the transmission of COVID_19 as guided by the WB, international best practices and national guidelines
Component 3: Project Management	1. General understanding of project coordination, financial and procurements issues 2. Attention to gender equity 3. Monitoring and evaluation	1. Training and orientation of PSIPMU staff on project management, monitoring and evaluation 2. Ensure eligible women apply for project jobs and there is gender balance in recruitment.

4.2 COVID-19 Considerations

Should the COVID-19 pandemic continue, there is a risk of project workers contracting COVID-19. In such circumstances, the project will be guided by national laws and regulations, and international good practices will be applied. The Project will also be guided by good international industry practices (GIIP) that include various conventions/guidelines by the International Labor Organization (ILO), and World Health Organization (WHO) Emergency Response Framework and COVID-19, 2020 Guidelines.

The Project will also adhere to international guidelines related to Covid-19. These include:

- ILO Occupational Safety and Health Convention, 1981 (No. 155)
- ILO Occupational Health Services Convention, 1985 (No. 161)
- WHO International Health Regulations, 2005
- WHO Emergency Response Framework, 2017
- WHO Guidance on COVID-19, 2020

The project will also ensure that adherence is made to the WHO’s specific guidelines on COVID-19 (see <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>, along with the World Bank’s guidance provided through “ESF/SAFEGUARDS INTERIM NOTE: COVID-19 CONSIDERATIONS IN CONSTRUCTION/CIVIL WORKS PROJECTS (April 1, 2020) 5”, https://biwta.portal.gov.bd/sites/default/files/files/biwta.portal.gov.bd/page/f3ca1ff6_95b0_4606_849f_2c0844e455bc/2020-10-01-11-04-ad9ef55c947057f54b4f4f76f5be54ff.pdf

especially as it relates to the application of such guidance to project workers, contractors and subcontractors. The note recommends assessing the current situation of the project, understanding the obligations of contractors under existing contracts, requiring contractors to put in place appropriate organizational structures and developing plans and procedures to address different aspects of COVID-19.

Additionally, in this project, the Project Coordinator will ensure that project workers are (a) trained on hygiene and other OHS preventive measures; (b) provided with adequate Personal Protective Equipment (PPE) required to safely carry out their duties; and (c) establish communication strategies where workers can regularly receive COVID-19 related updates, including having virtual sessions with contractors, workers and other stakeholders. A protocol will be developed in the event project workers contract COVID-19 as per the Guidance Note (see Annex 3).

5 REVIEW OF LABOR LEGISLATIONS: TERMS AND CONDITIONS

5.1 SVG Labor Legislations

The standards for the labor and working conditions are defined in the SVG national legal framework. The project workers will be paid on a regular basis as required by national laws and labor management procedures. In case of any gaps between the national legislation and ESS2, the ESS2 will apply. Any deductions from payment of wages will be made as allowed by national laws or Labor management procedures and project workers will be informed of the conditions under which such deductions will be made. Project workers will be provided with adequate periods of rest per week, annual holiday, sick, maternity and family leave, as required by national laws and labor management procedures. Table 5-1 briefly presents the key characteristics of national labor legislations with regards to workers' rights, terms and conditions.

Table 5-1: SVG Labor Legislations: Terms and Conditions

Legislations	Descriptions and relevance
<i>The Wages Councils Act (WCA), 1953</i>	The WCA 1953 provides for the establishment of wages councils and wages regulations in SVG. It addresses minimum wages, hours of work, overtime wages, vacation, sick leave, maternity leave, and health and safety issues.
<i>The Trade Unions Act (TUA), 1950</i>	The TUA 1950 provides for the establishment and regulation of trade unions in the country and addresses matters such as registration, rules, use of funds, and accounts.
<i>The Trade Disputes - Arbitration and Inquiry Act (TDAIA), 1940</i>	The TDAIA 1940 provides for the establishment of an arbitration tribunal and a board of inquiry in connection with trade disputes and to make provision for the settlement of such disputes, and for the purpose of enquiring into economic and industrial conditions in St. Vincent and the Grenadines.
<i>The Protection of Employment Act (PEA), 2003</i>	The Protection of Employment Act provides for the maintenance and promotion of good employment relationships between employers and employees. It also addresses matters of severance and settlement of disputes.
<i>The Equal Pay Act (EPA), 1994</i>	The EPA 1994 provides for the removal and prevention of discrimination, based on the sex of the employee, in the rates of remuneration for males and females in paid employment, and for all other incidental matters.
<i>The Employment of Women, Young Persons and Children Act, 1935</i>	This Act regulates the employment of women, young persons and children in industrial undertakings and on ships in accordance with ILO Conventions; Minimum Age (Industry) Convention (Revised) 1937; Night Work of Young Persons (Industry) Convention 1919; and the Night Work (Women) Convention 1994.
<i>The Employers and Servants Act (ESA), 1937</i>	The ESA 1937 requires wages to be paid by the employer to the worker only in money and the payment of wages is to be made at intervals not exceeding fourteen days.
<i>Public Health Act (PHA), 1977</i>	The PHA 1977 regulates the environmental health issues, including monitoring of communicable diseases, in SVG and provides remedies and treatment.
<i>Public Health (Amendment) Act, 2020</i>	This Act revises and strengthens the powers of health officers with regard to communicable diseases and remedies to be enacted in the case of non-compliance.
Wages regulations (Industrial Workers) order (No: 33 of 2008)	Sets out the minimum wage to be paid to a security worker and specifies the hours of work, overtime, vacation leave, sick leave and maternity leave in the

	Schedule to the Order. Repeals the Wages Regulation (Industrial Workers) Order, 2003 (No. 15 of 2003).
Wages Regulation (workers in Offices of Professional order, 2008 (No:34 of 2008)	Sets out the minimum wage to be paid to a worker in the office of a professional (doctors, lawyers, accountants, architects, contractors, engineers, tax consultants, data entry firms, shipping agencies, custom brokers, insurance companies, secretarial services etc.) and specifies the hours of work, overtime, vacation leave, sick leave and maternity leave in the Schedule to the Order. Repeals the Wages Regulation (Workers in Office of Professionals) Order, 2003 (No. 17 of 2003).

5.2 Gap Analysis and Measures

The SVG labor legislations largely covers the key areas in terms of minimum wages, hours of work, overtime wages, vacation, sick leave, maternity leave, health and safety issues. The existing legislations also address issues related to discrimination, arbitration and settlement of disputes. Areas that are not clearly covered such as those related to child and forced Labor, and trafficking in persons are already addressed in the ESMF and labor management procedures outlined in this document. Further, one of the Acts above require projects to prepare labor management plans/ procedures. Therefore, any labor management procedures will comply with ESS2 and LMP covering direct, contracted, community, and primary supply workers, and government worker/civil servants (for relevant standards of ESS2 applicable to government officials, see Annex 2).

6 REVIEW OF OHS LEGISLATIONS AND PRACTICES

6.1 OHS Labor Legislations: An Overview

In this section (Table 6) are they key aspects of national policies and labour legislation with regards to occupational health and safety (OHS). The Factories Act of 1955 does include OHS considerations but it is very brief. Table 6-1 presents key aspects of national policies and labor legislations with regards to OHS.

Table 6-1: SVG Legislations related to OHS

Legislation	Brief description and relevance
<i>Environmental Health Services Act, 1991 (No. 14 of 1991)</i>	The Act provides for the regulation of activities that may affect public health and the environment.
<i>Factories Act, 1955 (Cap. 335)</i>	Addresses health, safety, welfare, and special protective measures.
<i>Accidents and Occupational Diseases (Notification) Act, 1952</i>	This Act outlines the legal obligation on the employer to inform the Labor Commissioner in writing on the prescribed form, any accident involving any worker that arises out of and in the course of employment and which causes loss of life or serious bodily injury or disables a worker. It includes other rights and entitlements of workers that include (i) trade union rights; (ii) file grievances against an employer for violation of right; (iii) discrimination against racial, gender-based, ethnic/social origins, political opinion and nationality; and (iv) right to maternity leave and other family emergencies.
<i>Public Health Act, 1977</i>	This Act regulates the environmental health issues, including monitoring of communicable diseases, in SVG and provides remedies for same.
<i>Public Health (Amendment) Act, 2020</i>	The PHA 2020 amended Act is a revised version of 1977 Act and strengthens the powers of health officers with regards to communicable diseases and remedies, including issues of non-compliance.

The OHS measures of the project will be designed based on the guidelines provided in the Environmental and Social Framework of the project, and will be implemented to address:

- Identification of potential hazards to project workers, particularly those that may be life threatening.
- Provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances.
- Training of project workers and maintenance of training records.
- Documentation and reporting of occupational accidents, diseases and incidents.
- Emergency prevention and preparedness and response arrangements to emergency situations;
- Remedies for adverse impacts such as occupational injuries, deaths, disability, and disease; and
- Ensure that relevant ESS requirements are included in the bidding documents and contracts requiring the contractor/supplier/ consultant responsible to the borrower for managing these risks and delivering on the E&S outcomes.

6.2 Gap Analysis and Measures

Despite the presence of labor laws and rights of the workers, these are not comprehensive enough within the context of development projects and international practices. For example, it is not mandatory for development interventions to be assessed and reviewed in terms of labor and working conditions, including OHS during construction. Therefore ESS2 requirements will prevail if gaps are identified. The present LMP based on ESS2 covers management of worker relations including workers specific GRM, terms and conditions of employment, non-discriminations and equal opportunity, protection of work force, and prohibition. In sum, the OHS measures will follow ESS2, ESMF and ESMP with regard to documentation and reporting of occupational accidents, diseases, incidents; emergency prevention, preparedness and response, and remedies adverse impacts such as occupational injuries, deaths, disability, and diseases.

7 STAFF RESPONSIBLE FOR LMP IMPLEMENTATION

Overall, the PSIPMU will be responsible for the LMP implementation. At the project implementation level, the roles and responsibilities lay with the Project Coordinator and Social safeguard Focal Point. However, for the components at the project level, the social safeguard specialist and the Environmental specialist has the responsibility to ensure contractor compliance . Table 7-1 lists the roles and responsibilities.

Table 7-1: Roles and Responsibilities in LMP Implementation

Role/Position	Scope and Responsibilities
Project Coordinator	<ol style="list-style-type: none"> 1. Engage and manage of all project workers, contractors, and subcontractors 2. Ensure occupational health and safety (OHS) is implemented 3. Dissemination of Project Information 4. Overall responsibility for oversight of development and execution of the project 5. Ensure that relevant elements of Occupational Health and Safety (OSH) that fall under ESS2 are implemented
Procurement Specialist, Project Coordinator	<ol style="list-style-type: none"> 1. Engagement and management of contractors/subcontractors, including coordination and reporting arrangements between contractors
Social Safeguard Focal Point	<ol style="list-style-type: none"> 1. Lead the update (as needed), manage and implement the LMP, including the Grievance Mechanism (GM) for workers 2. Update the LMP as needed 3. Maintain a data base - Log, document and assist in resolution of Labour grievance <u>for VEEP Direct Workers</u> 4. Provide pathways for support to workers 5. Publicize the GRM for workers and monitor its implementation 6. Ensure that relevant measures related to the code of conduct, impacts on livelihoods, citizen engagement, and social inclusion are adhered to. 7. Ensure that all direct workers sign are sensitized and adheres to the code of conduct (keep record of signed code of conduct for all Direct workers 8. Pay attention to gender issues, including any GBV and responses 9. Report any incidents or accidents to the Project Coordinator 10. Monitor the implementation of the LMP. 11. Promote fair treatment, non-discrimination, and equal opportunity for project workers
Social Focal point Environmental Focal point Project Coordinator,	<ol style="list-style-type: none"> 1. Training of workers, including raising awareness and training of workers in mitigating the spread of COVID-19
Environmental/OHS Specialist	<ol style="list-style-type: none"> 1. Overall oversight of Occupational Health and Safety 2. Sensitization workshop on occupational health and safety 3. Support and coordinate with the Social Specialist 4. Updating the LMP as necessary 5. Publicize the GM for workers and other stakeholders 6. Monitoring the implementation of the LMP

Role/Position	Scope and Responsibilities
	<ul style="list-style-type: none"> 7. Reporting any incidents/accidents to the Project Manager. 8. Ensure that relevant elements of Occupational Health and Safety (OSH) that fall under ESS2 are implemented.
Social Specialist	<ul style="list-style-type: none"> 1. Record grievances of <u>contracted workers</u> 2. Maintain a database of signed code of conduct of all contracted workers 3. Maintain a registry of all contracted workers 4. Monitor gender based violence (GBV) and SEA at the project sites 5. Notify contractors on the GBV/SEA risk management procedures 6. Document meetings of contracted workers
Social safeguard specialist Grievance officer for LITE programme	Recording and resolving Grievances on Project activities
Environmental Focal Point	1. Occupational Health and Safety (OHS)- Project staff

8 LABOR POLICIES AND PROCEDURES

8.1 Scope and Purpose

Given the scope of the project involving post-eruption recovery and rebuilding, no major labor-related risks are expected. However, the ESS and LMP provisions will apply where appropriate to fill up gaps between GoSVG laws and World Bank standards. The project will engage all types of workers and national/expatriate consultants as per the labor provisions outlined in LMP and ESMP. Mitigation measures will be established by incorporating standardized clauses in the contract documents so that the contractors are aware of the project's E&S obligations.

The OHS standards will be maintained with regards to workers safety, health, and welfare of people at work. The PSIPMU will ensure compliance with clauses. These clauses will include non-tolerance of GBV and sexual harassment and exploitation and abuse (SEA), and discrimination. Project workers will be employed on the basis of equal opportunity and there will be no discrimination as it relates to compensation, working conditions and terms of employment. All project workers will be given and receive training on the Code of Conduct as well as any OHS measures required under ESS2. These measures will be applied and enforced on all activities of the project, and the contractors and subcontractors through contractual agreements as appropriate.

8.2 Policy, Measures and Procedures

The obligations of the VEEP project under the OHS policy include the following:

- Compliance with all national and international OHS legislations that are applicable to GoSVG and the World Bank
- Compliance with ESF of the World Bank
- Prevention of injuries and ill health of all project workers
- Establishment of safety systems, processes and performance
- Continuous review and improvements of the safety systems
- Management and mitigations of adverse environmental and social impacts
- Prevention of use of faulty equipment or substandard equipment.

The project will commit to safety considerations in the conduct of all of its activities and that of contractors and sub-contractors.

The project will provide systems, processes, procedures, the necessary safety equipment and gears, and training for all project employees so that all activities are conducted in a safe environment.

Employees will be responsible, subject to their roles, for the maintenance of a safe environment including the assessment of risks and actions to mitigate minimize and manage risks to the safety of the work environment.

The project will develop an OHS policy and implement systems, processes, supporting policies, and services that are national and international in compliance with national and international legal requirements including industry standards and best practices in relation to safety.

Employees at all levels have the authority to stop any activity they consider to be a danger to themselves or other workers, the public or the environment. There will be no retaliation to project workers for stop-work whistle blowing.

The Environment Specialist and Social Specialist of the project is responsible for the implementation and monitoring of the safety management systems of the project. The ESS will develop sub-policies, guidelines, procedures, instructions and training and awareness materials to support this policy

Occupational Health and Safety: Contractors must engage a minimum of one safety representative. Smaller contracts may permit for the safety representative to carry out other assignments as well. The safety representative ensures the day-to-day compliance with specified safety measures and records of any incidents. Minor incidents are reported to Clerk of works on a monthly basis, serious incidents are reported immediately. Minor incidents are reflected in the quarterly reports to the World Bank, major issues are flagged to the World Bank immediately within 5 days. Work related accidents are required to be reported within 48 hours to the World Bank.

Labour and Working Conditions. Contractors will keep records in accordance with specifications set out in this LMP. PSIPMU may at any time require records to ensure that labour conditions are met. The Project Management Unit will review records against actuals at a minimum on a monthly basis and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.

Worker Grievances. VEEP LMP GRM is currently in place will remain for all Direct workers and Contracted workers. The Social Specialist will work with the Contractors to present a worker grievance redress mechanism which responds to the requirements in this LMP. The PSIPMU will review records on a monthly basis. Where worker concerns are not resolved, PSIPMU will keep abreast of and intervene if necessary to come to a resolution. This action must be reflected in quarterly reports to the World Bank.

Additional Training. Contractors are required to, at all times, have a qualified designated officer on board. If training is required, this will be the contractor's responsibility. The safety officer will provide instructions to contractor staff. PSIPMU will procure for training to address risks associated with labour influx and will provide a schedule for trainings required. The contractor will be obligated to make staff available for this training, as well as any additional mandatory trainings required by PSIPMU, as specified by the contract

8.3 Dissemination and Awareness

The LMP, Code of Conduct and OHS policy will be disseminated to all project workers and at various offices and labor camps at the project site as well as via the project and GOSVG website. The project will ensure that all project workers are treated fairly without any discrimination based on gender or ethnic origins. The project will further ensure that employees/workers hired are part of the project. PSIPMU will use the Code of Conduct (see *Annex 5*) as training materials in the orientation and training program for project staff/workers *prior* to the start of project work. The Code of Conduct will be made available to project workers, staff and management as part of dissemination and awareness building with regard workers' rights and responsibilities.

7.4 COVID-19 Considerations

The project will ensure the following:

- OHS training will include training for project workers on hygiene and other preventative measures.
- A communication strategy for regular updates on COVID-19 related issues and status of any workers that may be affected by the illness.
- Virtual sessions, including with project communities, will be conducted where viable.
- Where virtual sessions are not viable and sessions must be held in person, the project will ensure that proper COVID-19 protocols will be adhered (refer to the Bank's guidance note as well as WHO's guidance).
- Project workers will be provided with the adequate PPE required to safely carry out their duties.
- A protocol will be developed in the event any project worker contracts COVID-19.

9 AGE OF EMPLOYMENT AND VERIFICATION PROCESSES

The project will be guided by the Saint Vincent and the Grenadines Employment of Women, Young persons, and Children Act, 1938

Part II, Article 8 of the Employment of Women, Young Persons, and Children Act, 1938:

(a) Prohibition of employment of a child — (1) Subject to subsection (2), a child shall not be employed. (2) Nothing in subsection (1) applies— (a) to work done by any child in accordance with the provisions of Part I; (b) to the service rendered by any child to his parent or guardian in light agricultural or horticultural work on the family land or garden outside of school hours; (c) to the participation of a child, without fee or reward, in an entertainment the net proceeds of which are devoted to any charitable or educational purpose or to any purpose other than the private profit of the promoters.

(b) SCHEDULE II, ARTICLE 2 Children under the age of fourteen (14) years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed: Provided that, except in the case of employment which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health or morals of the persons employed therein, national laws or regulations may permit such children to be employed in undertakings in which only members of the employer's family are employed

Saint Vincent and the Grenadines is signatory or ratified the following list of international relations:

- *Convention on the Rights of the Child (CRC): “Signed on the 20th September 1993 and ratified on the 26th October 1993”*
- *Convention on the Rights of persons with Disabilities: ratified on 29th October, 2010*
- *Minimum Age Convention, 1973 (No.138) 25th July 2006*
- *Forced Labour Convention, 1930 (No. 29) 21 October, 1998*
- *Worst Forms of Child Labour Convention, 1999 (No. 182) 4th December, 2001*
- *UN CRC Optional Protocol on Armed Conflict ratified 29 March 2011*
- *UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography ratified 15 September, 2005*
- *International Convention on the Protection of Rights of all Migrant workers and members of their families 29 October, 2010*
- *Discrimination (Employment and Occupation) convention, 1958 ; 9th November 2001*
- *International Convention on the Elimination of All forms of Racial Discrimination 9 th November, 1981*
- *Convention on the elimination of All forms of Discrimination against woman ratified – 4 August, 1981*

Employees over the minimum age of 14 and under the age of 18, cannot be employed with the project.

The following process will be followed to verify the age of project workers:

- *All project employees will be asked to produce identification documents (ID) that are acceptable in local laws, employment and human resources practices as “proof of age”. These forms of ID will be birth certificates, national drivers licenses and national registration cards. In the absence of one of those forms of IDs the project will apply and document an age verification process.*
 - *The age verification process will consist of alternative methods including copies of academic certificates, testimony/affidavits from officials of the schools attended, a medical examination, statements from family members and parish/village officials/local authorities.*
 - *In addition, all documents will be cross-referenced and subjected to a verification process to ensure the validity of the documents.*
 - *In instances where the documents are thought to be falsified the project will conduct the same process to ensure their authenticity.*
 - *In all of the processes the attendant care will be provided to ensure that the applicant or employee’s data are protected and their right to privacy is guaranteed.*
 - *All copies of the IDs and documents pertaining to the applicant's age and other supporting materials will be kept in files with the human resources personnel. Audits and controls of the process will be a requirement of the contractors and included in the contracts, in keeping with the Saint Vincent and the Grenadines Employment Act.*

In the event that underage workers are found working on the project the following actions will be undertaken:

- *Termination of the contract and services agreement immediately as per the Labour Act of Saint Vincent and the Grenadines*
 - *Schedule a meeting with the child and seek to determine the reasons for seeking employment*
 - *Refer the child to other support services including social services and the Ministry of Education*
 - *Leverage the services of Non-government and Community Based Organizations to assist the child*
 - *Consider employing another adult member of the family if the child’s family is determined to be vulnerable or in dire circumstances*

The Saint Vincent and the Grenadines Employment Act will be used as a guide in the conduct of the assessment of risks associated with persons below the age of 18. The procedure for assessing the risks will be as follows:

- *All persons will be asked to provide a medical certificate with the results of a medical examination.*
- *An assessment will be done of the tasks assigned, to ensure that persons below the age of 18 are not subjected to hazards and risks*
- *There will be clear policy guidelines regarding supervision of young persons to prevent exploitation and sexual harassment*
- *Young persons will be provided with educational and awareness information on the policies of the workplace including sexual harassment policies and labour related grievances and the grievance redress mechanism of the project.*

10 TERMS AND CONDITIONS

The project will be guided by the *Protection of Employment Act, 2003*. The Act requires the employers to give its employees a copy of the written appointment letter indicating requisite particulars of employment, to be signed by both parties. In the VEEP Project, the contractors will be required to provide all its workers and employees with written appointment letter/contract of employment in terms of particulars of employment. Among others, the Act addresses the promotion of employment rights, severance pay and dispute resolution.

The Act provides specific guidance with regard to (a) protection against dismissal; (b) termination in case of fixed term employment; and (c) terms of employment.

- a. *Protection against dismissal without good cause* (Clause 5.1/5.2): every person shall be protected against any unfair termination of his employment without good cause; the employment of a worker shall not be terminated for reasons related to his conduct or performance before he is provided an opportunity to defend himself against the allegations.
- b. *Termination after fixed term of employment* (Clause 6.1/6.2): the services of an employee who has been specifically employed for a fixed period may, notwithstanding anything contained in this Act, be terminated on the expiration of the term so stipulated.
- c. *Terms of employment in writing* (Clause 8/1): Save in the case of daily paid and weekly paid workers, an employer shall inform an employee in writing of the terms and conditions in writing of employment and such terms and conditions shall include: (i) date of employment; (ii) name and address of the employer and the employee; (iii) the rate of pay, the overtime rate if any and the pay period; (iv) the probationary period if any; and (v) the hours of work including time off and rest period, if any.

The contractors will also be required to comply with the most current regulation in terms of the wages. The Contractor (s) will be required to certify in writing that the wages, hour and conditions of work or persons to be employed by him on the contract are not less favorable than those contained in the most current wages regulation issued by the GoSVG.

The project will be guided by the *Protection of Employment Act, 2003*. This Act provides for the maintenance and promotion of good employment relationships between employers and employees. Among other elements, it addresses promotion of employment rights, severance pay and disputes.

▪ **Contracts**

- The project, and sub-contractor, subcontractor, and assignees of contracts shall pay rates of wages and observe hours and conditions of employment which are not less favourable than those established in the country.
- Contractors and sub-contractors shall be certified according to the Government Requirements for governmental contractors including that contractors are certify that the wages and conditions of employment of all those employed by the contractor in the trade or industry in which the contractor is seeking to contract with the Government are fair and reasonable.

- The contracts will be guided by the principle of collective bargaining is applicable and where there is no minimum wage or rates established in the country, the guiding principle will be of fair wages and reasonable rates commensurate with governmental minimum wage and similar established rates and conditions.
- In keeping with the Employment Act, the contractor shall keep proper wage records and time sheets for all those employed in relation to the execution of the contract, and the contractor shall produce the wage records and timesheets for the inspection of any person authorised by the project or the Labour authorities of Saint Vincent and the Grenadines.

Example of record to be maintained by the contractor, also see annex 11 for particulars for each employee

Table 10-1 Terms and Condition of Employment

Project workers /Actions	Age ⁹	Gender	Force Labour ¹⁰	Payment period ¹¹	Hours of work	Overtime	Rest period	leave ¹²	Termination ¹³
Direct Workers									
Contracted workers									
Primary supply workers									
Community workers									
Government Workers									

- Contractors are required by law, to post conditions of work in conspicuous places informing workers of their rights and conditions of work.
- The contractor shall ensure sufficient insurance so as to pay compensation to workers under the Workmen’s Compensation Act, Chapter 343. 9.
- A subcontractor shall be bound to conform to the conditions of the main contract and the main contractor shall be responsible for the observance of all contract conditions.
- Contractors and subcontractors shall recognise the right of their workers to be members of the trade unions.

- **Minimum Wage**

All project workers shall be paid a wage that is above or equal to the minimum wage as established by the Government of Saint Vincent and the Grenadines. Wages will be paid on a weekly, bi-weekly or monthly basis. Each employee is entitled to a statement accompanying pay that itemised the following: “(a) the

⁹ All workers must have completed the age of 18 before contractual arrangements

¹⁰ All workers must sign a declaration of freedom of choice to work on project

¹¹ Weekly/fortnightly /monthly/task completion

¹² Vacation/sick or maternity

¹³ Date and reason for termination

employee's gross wages due at the end of that pay period; (b) the amount of every deduction from his or her wages during that pay period and the purpose for which each deduction was made; and (c) the employee's net wages payable at the end of that pay period."

- **Hours of Work**

The maximum number of ordinary hours of work for employees shall be 40 hours per week with the ordinary working days being Mondays to Saturdays.

Project employees are prohibited from working more than 10 hours per day inclusive of one hour for lunch and rest periods. No person under the age of eighteen years shall be employed or allowed to work between the hours of 9.00 p.m. to 6.00 a.m. Other provisions related to hours of work will be guided by the Employment Act on this matter.

- **Meal Break**

An employee who works continuously for more than five hours a meal interval of at least one continuous hour, for which time the employee shall be paid.

- **Protection against dismissal without good cause:**

- (1) Subject to the following provisions, every person shall be protected against the unfair termination of his employment without good cause.
- (2) The employment of a worker shall not be terminated for reasons related to his conduct or performance before he is provided an opportunity to defend himself against the allegations made except in cases where the employer cannot reasonably be expected to provide such opportunity.

- **Termination after fixed term of employment:**

1. The services of an employee who has been specifically employed for a fixed period may, notwithstanding anything contained in this Act, be terminated on the expiration of the term so stipulated.
2. For the purposes of this section, the effective date of termination of the services of an employee in relation to an employee who has been specifically employed for a fixed period and where that period expires without being renewed under the same contract, shall be the date on which the term expired.

- **Terms of employment in writing:**

Save in the case of daily paid and weekly paid workers, an employer shall inform an employee in writing of the terms and conditions in writing of employment and such terms and conditions shall include:

- a) the date of commencement of employment;
- b) the name and address of the employer and the employee;
- c) the rate of pay, the overtime rate if any and the pay period;
- d) the probationary period if any;
- e) the hours of work including time off and rest period, if any.

11 GRIEVANCE MECHANISM

11.1 Objectives of GM

A Grievance Mechanism (GM) using the World Bank ESS10 protocols has already been established. The GRM will enable the Project Authorities to address any grievances against the Project. Grievances that relate to Direct PIU project workers will be handled by the Social Safeguard Focal point, all other grievance related to other categories of workers will be handled by the social specialist with supervision from the Project Coordinator and Social safeguard Focal point.

A grievance refers to an issue, concern, problem or claim, whether actual or perceived, that affects the physical, social and economic conditions of project workers. The GRM in the LMP also makes clear procedures for handling of SEA/SH grievances. Where appropriate, consideration will be given to allowing concerns to be raised anonymously and/or to a person other than an immediate supervisor.

The grievance mechanism will provide all direct workers and contracted workers (and, where relevant, their organizations) with channels to raise workplace concerns. Such workers, including community workers, will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers. Community workers can access the GRM via local NGOs, project officer, or social specialist.

11.2 Responsibility for Grievance Redresses

The Project Coordinator (PM) and the Social safeguard Focal point assigned to the project will be designated as the key officers in charge of Grievances resolution. They will be tasked with the following:

- Establish the GRM protocol before the commencement of any project activities;
- Act as the Focal Point on Grievance issues and facilitate access at the level of the PSIPMU
- Create awareness about the GRM amongst project workers through awareness activities;
- Receive and examine grievances;
- Assist in the resolution of all grievances by coordinating with the concerned parties;
- Maintain a database/information of grievances and their resolution;
- Monitor the project activities of contractors and consultants on the resolution of grievances;
- Regularly contact all points of receipt of complaints;
- Prepare monthly/quarterly progress reports on grievances received.

11.3 Grievance process, Outcomes, Records and reporting

Receive grievance: All complaints should be received by the Project Coordinator or the Social Focal point Officer; During Project staff orientation for each project worker the Social Focal Point Officer will inform the staff of various avenues through which the mechanism can be accessed.

Modes of receiving grievances: Complaints can be made anonymously, in person, writing, verbally over the phone, by fax, emails or any other media. Contact information to submit email grievances are in Table 11-1. Additional specific uptake channels for the receipt of grievances will be part of the updated GM.

Specific Grievance Committee will be formed to deliberate on cases and to resolve grievances at the project/subproject levels. The aggrieved parties will have the right to appeal, providing additional other information and that in all moments, workers can use other avenues like the courts.

Table 11-1: Contact information for submitting grievance

Name	Title	Telephone	Email address	Physical location
Roxanne John	Project Coordinator	457-1746	rjohn@svgcpd.com	Administrative Building, Kingstown
De- Anna Ralph	Social Safeguard Focal Point	457-1746	dralph@svgcpd.com	Administrative Building, Kingstown
Grievance related to contractors and employees of contractor				
Josel John	Social Safeguard Specialist	457-1746		Administrative Building, Kingstown
S Mandeville	Environment Safeguard Specialist	4571746		Administrative Building, Kingstown
Grievance related to the project Coordinator and/or the Social Safeguard Focal Point				
Marcelle Edwards John	Deputy Director of Planning	457-1746	medwards-john@svgcpd.com	Administrative Building, Kingstown

Sample Notification: Figure 11-1 provides a sample notification to the public on how to submit grievances. This sample notification can be placed at strategic points at each facility.

All grievances relating to the Labour conditions of this project are to be directed to:

Project Grievance Officer
 Project Volcano Eruption Emergency Project
 Ministry of officer: Ministry of Finance, Planning and Information
 Technology
 Location Bay Street
 Telephone: 784 457 1746
 Email – dralph@svgcpd.com

Figure 11-1: Sample of GRC Notification

Acknowledge grievance: All grievances will be acknowledged by telephone or in writing by the PC or SGFP using the Grievance Acknowledgment Form (GAF) (see Annex 7) within 48 hours of receipt and the complainant informed of the approximate timeline for addressing the complaint, if it can't be addressed immediately. The PC will work with the safeguard team to ensure the speedy resolution of the grievance. If the complaint cannot be resolved at this level it is taken to the next level.

Register/Log: After receiving and recording the grievance on the GAF, it will be registered in the Labour Grievance Register.

Screening: The Project Coordinator /Social Safeguards Focal Point reviews the complaint. The Social Focal Point will conduct an investigation to determine whether there are grounds for hearing to be held hereby liaising with both the aggrieved parties to come to a mutually acceptable resolution. The aggrieved will be given a specific timeline for the resolution of the claim. Meetings with grievant/complainant will be held, if necessary, in an attempt to resolve the matter. All meetings should be recorded.

Processing : The Social Focal point will investigate the complaint. This investigation will include, but is not limited to,

- (a) meetings with the grievant/complainant, site visits, meetings/interviews with project staff and collection of relevant documentation and other forms of evidence. For meetings, the deliberations and decision will be recorded.
- (b) The Social Safeguard Focal Point will notify the employee of the allegations and time of hearing in writing or a format that the employee can understand, the employee must sign in receipt
- (c) The employee is given reasonable time to prepare for the hearing and to be represented by a fellow employee or a union representative ;
- (d) The employee must be given an opportunity to respond to the allegations, questioning is allowed if necessary
- (e) If an employee fails to attend the hearing the employer may proceed in the absence of the employee
- (f) The hearing must be held and concluded within a reasonable time and is to be chaired by an impartial representative

If an employee is dismissed, the reasons for dismissal must be given and the right to refer the dispute concerning the fairness of the dismissal. Therefore, it is incumbent upon the employer to ensure that they have a disciplinary procedure and Code and standards which the employees are aware of. As it regards employees under the different components, each contractor will be required to produce this procedure to ensure that employees are not treated unfairly.

Classification of Grievance:

In any working environment it is essential Table 11-2 provides a guidance to classification and ranking of grievances for resolution.

Table 11-2: Classification of Grievance

Grievance Class	Description	Responsibility
Level 1	When an answer can be provided immediately and/or the PC or Social Focal Point is already working on a resolution	Focal Point & Project Coordinator
Level 2	One off event	
Level 3	<ul style="list-style-type: none"> • Complaint is repeated. • Any complaint that indicates breach of law or applicable policy/regulation • High-profile grievances that if not resolved promptly may represent significant risks to the environment or community. 	Grievance Redress Committee

Resolution: The resolution at the first tier should normally be completed within 5 working days of receipt of grievance and notified to the concerned party. The meetings held to review and discuss any complaint must be properly recorded.¹⁴ If the grievance is not being resolved within this period, it can be referred

¹⁴ See Annex 8: GRC Meeting Record Form.

to the next level of the Grievance System. However, once it is determined that progress is being made towards a resolution, the grievance will be retained at this first level. The complainant will be informed of this decision and an estimated time for the resolution of the matter will be given either verbally or in writing. If the issue cannot be resolved within 25 working days, it will be transferred to the next level. Once a resolution has been agreed and accepted, the complainant's acceptance will be obtained on the Disclosure Form (see Annex 9). If the proposed resolution is not accepted the grievance will be escalated to level 2. The time frame for grievances resolution is in Table 11-3. All types of grievances will be resolved within 30 days.

Table 11-3: GRM Timeframe

Step	Process	Timeframe
1	Receive grievance & log	Within 1 day
2	Acknowledge grievance	Within 2 days
3	Screen	Within 2 days
4.	Investigate	Within 10-15 days
5	Resolution	Within 25 days
6	GRC	30 days
7	Close grievance	

Monitoring and Reporting: The Social Safeguard Focal Point will prepare Quarterly Reports on the Grievance Redress issues of the project periodic review by Grievance Redress Committee. The Grievance Committee may review the nature of grievances that have been represented and if grievances are repeated, recommend suitable changes.

11.4 Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH)

The specific nature of sexual exploitation and abuse and of sexual harassment (SEA/SH) requires tailored measures for the reporting and safe and ethical handling of such allegations. A survivor-centered approach aims to ensure that anyone who has been the target of SEA/SH is treated with dignity and that the person's rights, privacy, needs and wishes are respected and prioritized in any and all interactions.

The GM will specify an individual who will be responsible for dealing with any SEA/SH issues, should they arise. A list of SEA/SH service providers will be kept available by the project (included as Annex 10). The GM should assist SEA/SH survivors by referring them to Services Provider(s) for support immediately after receiving a complaint directly from a survivor.

To address SEA/SH, the project will follow the guidance provided on the World Bank Technical Note "Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing Involving Civil Works". This GM will follow the official WB definitions described on the Technical Note as shown below:

Sexual Abuse (SEA) is an actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions

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

Sexual harassment (SH)

Sexual Harassment (SH) is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) service provider

An organization offering specific services for SEA/SH survivors, such as health services, psychosocial support, shelter, legal aid, safety/security services, etc.

Survivor-centered approach

The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor-centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

SEA/SH grievances can be received through any of the available channels and will be considered level 3 grievances investigated and addressed by the GRC. A list of SEA/SH service providers will be kept available by the Project. Additionally, if an incident occurs, it will be reported as appropriate, keeping the anonymity and confidentiality of the complainant and applying the survivor-centered approach¹⁵. Any cases of SEA/SH brought through the GM will be documented but remain closed/sealed to maintain the confidentiality of the survivor. The WB will be notified as soon as the Project Manager and the E&S specialist learn about the complaint.

If a SEA/SH related incident occurs, it will be reported through the GM, as appropriate and keeping the survivor information confidential. Specifically, the following steps will be taken once an incident occurs:

ACTION 1: COMPLAINT INTAKE AND REFERRAL

If the survivor gives consent, the PIU safeguards specialist fills in a complaints form excluding any information that can identify the survivor:

¹⁵ The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

- The nature of the allegation (what the complainant says in her/his own words without direct questioning)
- If the alleged perpetrator was/is, to the survivor's best knowledge, associated with the project (yes/no)
- The survivor's age and/or sex (if disclosed); and,
- If the survivor was referred to services

If the survivor does not want to provide written consent, her consent can be verbally received. If needed or desired by the survivor, the PIU Safeguards Specialist refers her/him to relevant SEA/SH service providers, identified in the mapping of SEA/SH service providers and according to preestablished and confidential referral procedures. The survivor's consent must be documented even if it is received verbally. The service providers will be able to direct survivors to other service providers in case the survivor wishes to access other services. The PIU safeguards specialist will keep the survivor informed about any actions taken by the perpetrator's employer. If the survivor has been referred to the relevant SEA/SH service providers, received adequate assistance, and no longer requires support; and if appropriate actions have been taken against the perpetrator or if the survivor does not wish to submit an official grievance with the employer, the PIU Safeguards Specialist can close the case.

ACTION 2: INCIDENT REPORTING

The PSIPMU Social Specialist needs to report the anonymized SEA/SH incident as soon as it becomes known, to the Project Coordinator, who will, in turn, inform the World Bank Task Team Leader (TTL) or directly to the TTL.

Complaint Forms and other detailed information should be filed in a safe location by the PSIPMU Safeguards Specialist. Neither the PIU safeguards specialist nor the Project Coordinator should seek additional information from the survivor.

SEA/SH incident reporting is not subject to survivors' consent but the PIU Safeguards Specialist needs to provide ongoing feedback to the survivor at several points in time: (1) when the grievance is received; (2) when the case is reported to PSIPMU and WB; (3) when the verification commences or when a determination is made that there is an insufficient basis to proceed; and (4) when the verification concludes or when any outcomes are achieved or disciplinary action taken.

As long as the SEA/SH remains open, the PSIPMU Safeguards Specialist and/or Project Coordinator should update the World Bank TTL on the measures taken to close the incident.

ACTION 3: GRIEVANCE VERIFICATION AND INVESTIGATION

Each SEA/SH incident should be verified to determine if it was related to the WB financed project. The PIU safeguards specialist should form a SEA/SH verification committee comprised by her/him, one member of the PIU, one member of a local service provider and a representative of the Contractor (if relevant). The PIU Safeguards Specialist should notify the SEA/SH Committee of the incident within 24 hours of its creation. The SEA/SH verification committee will consider the SEA/SH allegation to determine the likelihood that the grievance is related to the project.

If after the committee review, SEA/SH allegation is confirmed and it is determined that it is linked to a project¹⁶, the verification committee discusses appropriate actions to be recommended to the appropriate party—i.e., the employer of the perpetrator, which could be the PSIPMU or a contractor. The PSIPMU will ask contractors to take appropriate action. The committee reports the incident to the perpetrator's employers to implement the remedy/disciplinary action in accordance with local labor legislation, the employment contract of the perpetrator, and their codes of conduct as per the standard procurement documents.

For SEA/SH incidents where the survivor did not consent to an investigation, the appropriate steps should be taken to ensure the survivor is referred to/made aware of available services and that the project mitigation measures are reviewed to determine if they remain adequate and appropriate or if they require strengthening.

If the survivor is interested in seeking redress and wishes to submit an official complaint with the employer, or with entities in SVG legal system, the PSIPMU Safeguards Specialist should provide linkages to the relevant institutions. Ensuring due legal process is up to the police and the courts, not the SEA/SH verification committee. Unlike other types of issues, the PSIPMU Safeguards Specialist does not conduct investigations, make any announcements, or judge the veracity of an allegation.

Any cases of SEA/SH brought through the GRM will be documented but remain closed/sealed to maintain the confidentiality of the survivor. Here, the GRM will primarily serve to:

- Refer complainants to the SEA/SH Services Provider; and
- Record the resolution of the complaint

The GM will also immediately notify both the Implementing Agency and the World Bank of any SEA/SH complaints **WITH THE CONSENT OF THE SURVIVOR**.

¹⁶ Project actors are: (a) people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers); (b) people employed or engaged through third parties (Project staff, subcontractors, brokers, agents or intermediaries) to perform work related to core functions of the project, regardless of location (contracted workers); (c) people employed or engaged by the Borrower's primary suppliers (primary supply workers); and (d) people employed or engaged in providing community labor such as voluntary services or participation in project activities and processes (community workers).

12 LMP AND CONTRACT MANAGEMENT

The Project Coordinator will be guided by the LMP for contract management with regard to labor procedures. Further, the Project Coordinator will also be responsible for ensuring that all consultants or individuals hired for the project are implementing project activities according to their agreed upon Terms of Reference, which form part of their contract documents. A copy of the workers' GM and Code of Conduct will be made available to all workers hired as part of the project. Finally, any dispute or grievances will be resolved on a timely basis in accordance with the procedures laid out in the GM.

The Government of Saint Vincent and the Grenadines in keeping with World Bank requirement for the implementation of the LMP under the VEEP project requires that the Project Coordinator and the PSIPMU Social Safeguard Specialist, keep records and report on terms and conditions related to labour management. The contractors must provide workers with evidence of all made, inclusive of NIS benefits and/or Pension contributions if applicable;

The application for the requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to the Government of Saint Vincent and the Grenadines and the World Bank

- a. Labour conditions: records of workers engaged under the Project, including contracts, registry of induction of workers including subcontractor, hours worked, remuneration and deductions (including overtime), collective bargaining agreements;
- b. Safety: recordable incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, and so forth)
- c. Workers: number of workers, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child labour is involved, and skill level (unskilled, skilled, supervisory, professional, management).
- d. Training/ induction: dates, number of trainees, and topics, inclusive of toolbox meetings
- e. Details of any security risks: details of risks the contractor may be exposed to while performing its work—the threats may come from third parties external to the project.
- f. Worker grievances: details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken—grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.

The Project's oversight of contractors is set out in this LMP. The following procedures are recommended for VEEP contractor management:

1. Ensure that Contractors have valid contracts with clearly define service level agreement in accordance with the national law and all environmental and social clauses, as applicable:
2. Contractor induction to World Bank standards and LMP:
3. Submission of progress reports

4. Information on Public Records: The Contractor must have in place information on corporate registers and documents relating to the violation of applicable law, including reports from labour inspectorates and other enforcement bodies.
5. The contractor should have Certification and Approval of Business and Workers: Documentation of approved business licenses, registration, permits and other approvals and workers' certification/permits and training to perform the work
6. Health and Safety: the contractor should have in place a documented labour management systems as it relates to organizational health and safety. Records of incidents and corresponding root cause analysis with a corrective mitigation plan. First aid cases, high potential near misses, and remedial and preventive activities required. Identification and establishment of safety committee and records of meetings
7. Workers Payroll Records: the contractor should have documentation of the number of hours work and pay received inclusive of all payments made on their behalf, for example payment made to the National Insurance Scheme and other entitlements regardless of the workers being engaged on a short- or long-term assign mentor fulltime or part time worker.

13 COMMUNITY WORKERS

(There will be no provision for Community Workers.)

14 Primary Supply Workers

The risk associated with primary supply associated with the Project is assessed as low. All primary suppliers are formal businesses who are required to procure and produce materials subject to high standards. Any new supplier is vetted using a different form which screens the supplier in regard to compliance with taxes, certification, licensing, and workmen's compensation.

15 ANNEXES

Annex 1 – Guidelines for Engaging Voluntary Labor

The guidelines provided by the World Bank ESS2/Labor and Working Conditions will be followed in the VEEP project for engaging volunteer labor, if any. The ESS2 states:

1. "Work is on a voluntary basis when it is done with the free and informed consent of a worker. Such consent must exist throughout the employment relationship, and the worker must have the possibility to revoke freely given consent. In particular, there can be no "voluntary offer" under threat or other circumstances of restriction or deceit. To assess the authenticity of a free and informed consent, it is necessary to ensure that no external constraint or indirect coercion has been carried out, either by an act of the authorities or by an employer's practice⁶." The PSI/PMU and the Project Coordinator (PC) will put in place measures to ensure that any labor offered is voluntary and given of free will and informed consent.
2. Will be "fully informed" of the terms and conditions of the voluntary contribution of Labor. "Fully informed" means that the owner has complete information regarding the proposed activity and its impacts, the Labor requirements, and his or her rights to compensation should others be receiving compensation for the same work under the project.
3. "Free will" means that the owner can reject the possibility of offering his or her Labor with no fear of reprisal or any sanction.
4. The Project staff will ensure that all potential volunteers to the project are aware of the conditions under which voluntary Labor is acceptable.
5. Will be informed that they have the right to withdraw the voluntary Labor offer at any time without fear to threat or reprisal from the community or project.
6. Potential volunteers are provided with sufficient time to consider his or her offer of voluntary Labor.
7. The person is still entitled to benefit from the project activities whether they offer voluntary Labor or not.
8. The PSIPMU/Project Coordinator will verify that voluntary donations are indeed voluntary by requesting potential volunteers will affirm in writing that they are volunteering of their own free will and/or confirm in a presence of a trusted source (e.g. local administration official, church member or community group member) that participation is voluntary.
9. The PSIPMU/Project Manager will ensure that all types of Labor are aware of the grievance redress mechanism for workers paid and voluntary and how to access it, including anonymously.

Annex 2 – ESS2 Applicable Standards for Government Workers

Relevant standards of ESS2 applicable to government officials working in connection with the project:

17. A child under the minimum age...will not be employed or engaged in connection with the project. The labor management procedures... specifies the minimum age for employment or engagement in connection with the project...

18. A child over the minimum age and under the age of 18 may be employed or engaged in connection with the project only under the following specific conditions: (a) the work does not fall within paragraph 19 below; (b) an appropriate risk assessment is conducted prior to the work commencing; and (c) the GoSVG conducts regular monitoring of health, working conditions, hours of work and the other requirement ESS2.

19. A child over the minimum age and under the age of 18 will not be employed or engaged in connection with the project in a manner that is likely to be hazardous¹³ or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development. Fn 13 of ESS2 indicates that Work considered hazardous for children is work that, by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety, or morals of children. Examples of hazardous work activities prohibited for children include work: (a) with exposure to physical, psychological or sexual abuse; (b) underground, underwater, working at heights or in confined spaces; (c) with dangerous machinery, equipment or tools, or involving handling or transport of heavy loads; (d) in unhealthy environments exposing children to hazardous substances, agents, or processes, or to temperatures, noise or vibration damaging to health; or (e) under difficult conditions such as work for long hours, during the night or in confinement on the premises of the employer.

20. Forced Labor, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty, will not be used in connection with the project. This prohibition covers any kind of involuntary or compulsory Labor, such as indentured Labor, bonded labor, or similar labour-contracting arrangements. No trafficked persons will be employed in connection with the project. For more clarification, see footnote 14 of 15 of ESS2.

24. Measures relating to occupational health and safety (OHS) will be applied to the project.

25. The OHS measures will be designed and implemented to address: (a) identification of potential hazards to project workers, particularly those that may be life-threatening, b) provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (c) training of project workers and maintenance of training record and documentation and reporting of occupational accidents, diseases and incidents; (e) emergency prevention and preparedness and response arrangements to emergency situations - these arrangements will be coordinated with the Emergency Preparedness and Response measures established under ESS-; and (f) remedies for adverse impacts such as occupational injuries, deaths, disability and disease - Such remedies should take into account, as applicable, the wage level and age of the project worker, the degree of adverse impact, and the number and age of dependents concerned.

26. All parties who employ or engage project workers will develop and implement procedures to establish and maintain a safe working environment, including that workplaces, machinery, equipment and processes under their control are safe and without risk to health, including by use of appropriate measures relating to chemical, physical and biological substances and agents. Such parties will actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as in

providing information to project workers, training on occupational safety and health, and provision of personal protective equipment without expense to the project workers.

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

28. Project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest. Where accommodation services²¹ are provided to project workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the health, safety, and well-being of the project workers, and to provide access to or provision of services that accommodate their physical, social and cultural needs.

29. Where project workers are employed or engaged by more than one party and are working together in one location, the parties who employ or engage the workers will collaborate in applying the OSH requirements, without prejudice to the responsibility of each party for the health and safety of its own workers.

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

Annex 3 – Covid -19 Considerations

The VEEP Project implementation may encounter the incidence of Covid-19 risk among project workers. The PSIPMU/Project Coordinator will undertake proper measures in accordance with national regulations/laws and international good practices and protocols. The project will adhere to international guidelines related to Covid-19. These include (i) ILO Occupational Safety and Health Convention (1981/No.155); (ii) WHO Emergency Response Framework, 2017; and (iii) WHO Guidance on Covid-19, 2020.

The Project will ensure that adherence is made to WHO-specific guidelines on Covid-19 (see <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>) along with the World Bank guidance provided through "ESF/Safeguards Interim Note: Covid-19 Consideration in Construction/Civil Work Projects (April 1, 2020)," especially as it relates to the application of such guidance to project workers, contractors, and suppliers/sub-contractors. The ESF/Covid Note requires an assessment of the current situation at the project site, and an understanding of the obligations of contractors and contractors' responsibility to put in place appropriate arrangements and plans/procedures to address aspects of Covid-19 risks.

The Project will ensure that:

- a. Project workers will be trained on hygiene and other OHS preventive measures.
- b. Establish appropriate and two-way communication measures between the contractors and the workers for regular updates and actions on Covid-19.
- c. Where possible, virtual sessions with project communities on Covid-19 measures
- d. Project will adhere to SVG protocols (<http://health.gov.vc/health/index.php/covid-19-protocols-documents>) as well as those of the WHO and World Bank regarding Covid-19
- e. Project workers will be provided with adequate PPE for safely carrying out their duties.

Finally, a protocol will be developed by the project/contractors in the event a project worker contracts Covid-19.

Annex 4 – Accident Reporting Template

PART 1- Reporting the Accident
Date of the accident _____ Location _____ Type of accident _____ Detailed descriptions Reporting officer/Staff _____ Reporting date _____
PART 2 – Action taken by the Project Coordinator
Actions taken by the Project Coordinator (date and time) Detailed description of action and update on the accident
PART 3 – Reporting to the World Bank
Report to the World Bank by the Project Coordinator Date and time Description of the accident, issues/resolutions and compensation paid (if requires)

Annex 5 – Draft Code of Conduct for Contractor's Personnel

The following Code of Conduct is part of our measures to deal with environmental and social risks related to the project works. It applies to all our staff, laborers and other employees at the camp and worksites. It also applies to the personnel of each subcontractor and any other personnel/suppliers assisting us in the execution of the project works. All such persons are referred to as "Contractor's Personnel" and are subject to this Code of Conduct.

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

The Contractor's personnel shall:

1. Carryout 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 other Contractor's Personnel and any other person.
3. Maintain a safe working environment including by:
 - (a) ensuring that workplaces machinery, equipment and processes under each person's control are safe and without risk to health;
 - (b) wearing required personal protective equipment (PPE);
 - (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 they believe are not safe or healthy and remove themselves from a work situation that they reasonably believe presents an imminent danger to their 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 harassment (sexual or non-sexual in nature), which means unwelcome (sexual) advances, requests for sexual favours, and other verbal or physical conduct (of a sexual or non-sexual nature) with other Contractor's or Employer's Personnel.
7. Not engage in exploitation (sexual or non-sexual in nature), which means any actual or attempted abuse of position of vulnerability, differential power or trust for sexual or non-sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual or non-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 coercive conditions/
9. Not engage in any form of sexual activity with individuals under the age of 18, except in the case of pre-existing marriage.
10. Complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
11. Report violations of this Code of Conduct;
12. Not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism

If any person observes behaviour that they believe may represent a violation of this Code of Conduct, or that otherwise concerns them, they should raise the issue promptly. This can be done in either of the following ways:

- (i) Contact the Contractor's Social Expert with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases, or if such person is not required under the Contract, or another individual designated by the Contractor to handle these matters or by telephone; or
- (ii) Call [] to reach the Contractor's hotline (*if any*) and leave a message.

The person's identity will be kept confidential unless reporting of allegations is mandated by the country's law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. Any violation of this Code of Conduct by Contractor's Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.



Annex 6 – Age Verification Template

A. Personal Data sheet
Name of the person: Mother/father's name: Any identification mark: Date of birth: Address/location: Contact phone number:
Type of proof/certification: a: Vital statistics/birth certificate _____ b. Certification by local administration _____ c. Church certificate _____ d. certificate issues by government official _____ e. academic certificate _____ f: Other community validation _____
B. Review and approval by Project Coordinator
PM/Social development specialist verifies the age through personal interview and finally approves or discard
C. Database of Underage children 14+ (both applied for and/or recruited for project work
Project Coordinator will maintain a database for monitoring and reporting purposes

Annex 7: Grievance Registration Form

Grievance No.:

REGISTRATION OF GRIEVANCE

Please use capitals:

Name: _____

Contact No: _____

Address: _____

E-mail Address: _____

(Detail where to find you)

Gender: _____

NIS Number: _____

(Optional)

Age Group: _____

National ID No: _____

(Optional)

(5-19) (20-39) (40-59) (60 +)

Name of Project Site: _____

As per the SEP of the Emergency Recovery Project

Grievance Redressal, I register my grievance as detailed:

Details of Grievance

(a) Outline reasons why and how you are affected by the project. (overleaf if necessary)

(b) If land or other properties are being affected e.g. (agriculture) include copies of relevant documentation you have, to support your claim.

List documents:

A: _____

B: _____

C: _____

D: _____

Undertaking:

I hereby certify that statements made in my Grievance and documentation enclosed are true and complete to the best of my knowledge. If at any time any part of the Grievance or the documentation is found to be false, I will be liable for any legal action that the Government of St. Vincent and the Grenadines may deem necessary.

Date: _____

Signature of aggrieved person: _____

Name of recording Officer: _____

Signature: _____

Annex -8 GRC Meeting Record Form

Date of Meeting _____

Location _____

Type of Grievances under review _____

Chair of the Meeting _____

List of participants

Name of participant	Gender	Organization/address	Contact phone/cell

Record of discussion and decisions

Agenda items	Description and summary	Decisions and next step

Annex -9 Grievances Closure Form

Grievance Registration no:

1. History and Details of the Grievances

2. Details of Action

3. Complaint Satisfaction (to be completed by the aggrieved person)

Are you satisfied with the actions taken to resolve your grievance?

Yes _____ No _____

4. I agree that the grievance can now be closed: Yes _____ No _____

I hereby certify that the statements above are true and complete to the best of my knowledge. If at any time any part of the grievance or the documentation is found to be false, I will be liable for any legal action that the GoSVG may deem necessary.

Date: _____

Signature of aggrieved person: _____

Grievance Redressal Officer: _____

Signature: _____

Annex -10: Preliminary List of GBV Services

Name	GBV Service	Contact
Gender Affairs Division	Receives reports and provides direct social and psychological services to victims of IPV and adult victims of sexual abuse. The report can be made via telephone, email, mail or a visit to the Bureau's office Conducts capacity building and training of other GBV service providers. Implements public education programmes on GBV.	http://mobilization.gov.vc/mobilization/index.php/gender-affairs The Ministry of National Mobilisation, Social Development, Family, Gender Affairs, Youth, Housing and Informal Human Settlement Halifax Street Kingstown Saint Vincent Contact Tel: (784) 453-2061 email: office.socialdevelopment@mail.gov.vc
The Crisis Centre	Counselling, Shelter services Small grants for reintegration and relocation if needed 24 Hour Hotline	Contact through the Gender Affairs Division Tel; 784-453-2061.
Royal Saint Vincent Police Force	Emergency response, investigations, arrests, and providing evidence for prosecution. Also has a Anti-Trafficking Unit and a Sexual Offences Unit.	Criminal Investigation Division (CID) 1-784-456-1810
Civil Society Organisations		
Marion House	Skills training for survivors Counselling services	Marion House Richmond Hill Tel: 784-456-2161; Fax: 784-456-1318
National Council for Women SVG	Advocacy to encourage legislative changes to improve protection for women and ensure that DV cases are prosecuted. It also provides training on domestic violence prevention and response	https://www.facebook.com/pages/category/Non-Governmental-Organization--NGO-/National-Council-of-Women-555847524550908/ Ms. Beverly Richards National Council of Women P.O. Box 1157 Kingstown St Vincent Tel: 456 4743 E-mail: beverlyrichards102@hotmail.com

Annex 11 – Written Particulars of Employment

1. Name of Employer
2. Name of Employee
3. Date of Birth of Employee
4. Date Employment began
5. Wage and Method of Calculation
6. Interval at which wages are paid
7. Normal Hours of work
8. Short description of employee's work
9. Probation Period
10. Annual Holiday Entitlement
11. Paid Public Holiday
12. Payment during sickness
13. Maternity Leave (if employee female)
14. Paternity Leave (if employee male)
15. Nursing Break Entitlement (for female employee)
16. Notice employee entitled to receive for holiday, termination of service,
17. Notice employer required to give termination of service
18. Pension Schedule, NIS contribution Schedule etc.
19. Emergency Contact information: allergies
20. Any other matter either party wishes to include
21. Housing and accommodation provisions and payment required, if any (Grenadines and Rural workers)

