

**THE KYRGYZ REPUBLIC**

**ONE HEALTH FOR PANDEMIC PREVENTION FOOD SYSTEMS  
RESILIENCE AND ECOSYSTEM HEALTH IN CENTRAL ASIA**

**(P181459)**

**PHASE 1 OF THE MULTI-PHASE PROGRAMMATIC APPROACH**

**LABOUR MANAGEMENT PROCEDURES (LMP)**

**November 2024**

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## ABBREVIATIONS

AMR	Antimicrobial Resistance
AMS	Antimicrobial Stewardship
ESF	Environmental and Social Framework
ESS	Environmental and Social Standards of World Bank
FAO	Food and Agriculture Organization of United Nations
GRM	Grievance Redress Mechanism
HACCP	Hazard Analysis and Critical Control Point
IDA	International Development Association
ILO	International Labor Organization
JEE	Joint External Evaluation
KG	Kyrgyz Republic
LMP	Labor Management Procedures
MPA	Multi-Phase Programmatic Approach
M&E	Monitoring and Evaluation
NAPHS	National Action Plan for Health Security
NOH-AP	National One Health Action Plan
OHS	Occupational Health and Safety
PIU	Project Implementation Unit
PMU	Project Management Unit
PPE	Personal Protective Equipment
PVS	Performance on Veterinary Services
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SEP	Stakeholder Engagement Plan
SOP	Standard Operating Procedures
WB	World Bank
WHO	World Health organization

## 1. INTRODUCTION

### 1.1 Introduction

Central Asian countries are facing significant regional challenges, including preventing and preparing for future pandemics, enhancing the resilience of food systems, and managing the risks and opportunities linked to growing animal production and the cross-border movement of animals and animal products. These shared challenges are a top priority for governments and require a coordinated regional effort, as individual country strategies alone are insufficient to address these issues effectively.

On November 14, 2022, the signing of the Joint Communiqué, titled “Protecting Food Systems, Preventing Future Pandemics in Central Asia” highlighted the commitment of Central Asian countries - Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan to work collaboratively. This agreement acknowledges One Health as a key approach for addressing these regional challenges, promoting cross-sector cooperation among agriculture, environment, health, and veterinary services.

The One Health approach is a comprehensive, integrated strategy that seeks to balance and optimize the health of people, animals, and ecosystems. It recognizes the interconnectedness of human health, animal health (both domestic and wild), plant health, and the broader environment, including ecosystems. Through collaboration across various sectors and disciplines, One Health aims to improve wellbeing and tackle health and ecosystem threats, while ensuring access to clean water, energy, air, safe and nutritious food, addressing climate change, and contributing to sustainable development goals.

To support this collaborative effort, a Central Asia One Health Framework of Action is being developed, providing a roadmap and coordination mechanisms for regional cooperation. This framework will focus on pandemic prevention and preparedness, zoonoses and antimicrobial resistance (AMR) control, and food safety measures, all with the goal of strengthening the region's resilience to future health and environmental challenges.

The Kyrgyz Republic is a landlocked, lower-middle-income country of about 7.16 million people that relies heavily on remittances and natural resources. Agricultural activities are a dominant share of the economy, with the sector accounting for nearly one quarter of the workforce in 2022. While the economy has rebounded from the impact of COVID-19, it continues to be held back by weak governance, poor service delivery, and an unstable business environment, and remains vulnerable to public health crises.

Infectious diseases threaten public health advances, as well as impacting agriculture and trade. Antibiotic misuse increases infectious disease risks by accelerating AMR; however, its extent is not systematically quantified. Despite joining the Eurasian Economic Union in 2015 and applying for the European Union Generalized System of Preferences Plus, agrifood exports declined by 22 percent in 2016 due to challenges in meeting market standards. Most food businesses lack the infrastructure needed to implement hazard analysis and critical control point (HACCP) protocols, and informal slaughtering practices that bypass inspections remain prevalent. Over-the-counter sales of antibiotics persist despite a ban, and in the absence of regulatory oversight, they are freely used as growth promoters in animal agriculture. The inter-ministerial AMR containment program for 2022–2025 is still largely in need of implementation.

Similarly, although the 2024–2030 National Action Plan for Health Security provides a specific list of activities to be implemented and the steps and resources needed to achieve health security goals, it is yet to be approved and funded. In turn, health risks are amplified by inadequacies in human and animal healthcare systems, with outdated laboratories and infrastructure, limited technical capacity and insufficient resources, leading to weak surveillance and controls, and substandard care. In the agrifood

sector, fragmented regulatory frameworks and limited capacity to comply with standards compound low productivity.

While vital to rural livelihoods, the livestock sector—both on account of its size and practices—is a central source of the risks at hand, including through its contributions to environmental degradation. Meanwhile, significant rises in temperatures and drought risk threaten the Kyrgyz Republic’s pastoral systems, while enhancing disease susceptibility in livestock and humans. Going forward, rural households could increase their livestock holdings to offset productivity losses, perpetuating a cycle of overgrazing and ecological decline. While Joint External Evaluation (JEE) and Performance on Veterinary Services (PVS) assessments underscored laboratory systems, and zoonotic surveillance, analysis, early warning, and information sharing as areas of strength (scores of 4–5/5), early detection, continuing and veterinary education, antimicrobial management, and AMR surveillance were areas of particular weakness (scores of 1–2/3). Faced with these interconnected challenges, the Government of the Kyrgyz Republic (government) has recognized the benefits of a One Health approach and committed to strengthening project outcomes by working across countries and sectors.

## **1.2 Project Description**

The Kyrgyz Republic will participate in Phase 1 of the Program as a recipient of the multi-country Pandemic Fund grant (part of a larger multi-country grant) and a US\$30 million International Development Association (IDA) credit. Of the US\$4.6 million grant received by the Kyrgyz Republic, US\$1.8 million will be implemented through the World Bank as financing for Phase 1 of the Program, and the remaining US\$2.8 million will be implemented through the FAO and WHO.

The regional One Health Multi-Phase Programmatic Approach (MPA) aims to strengthen capacity to prevent, detect, and respond to priority zoonotic diseases, AMR, and food safety issues in Central Asian countries through a regional One Health approach.

The MPA is built around four components, which will contribute to the high-level objectives.

### ***Program Component 1: Strengthening One Health Governance***

This component will establish and strengthen new and existing regional and national institutions to effectively plan, coordinate, monitor, and evaluate interventions that enable the region and countries to better prevent, prepare, and respond to key zoonotic diseases, AMR and food safety threats. Activities under this component will mainstream gender and climate change mitigation and adaptation objectives at the core of the One Health governance system. This component has three subcomponents.

***Subcomponent 1.1: Multisectoral Planning and Coordination.*** This subcomponent aims to enable the national- and regional-level coordination required to implement a regional One Health approach. It will finance: (a) the establishment, development, and strengthening of dedicated coordination structures at the regional and national levels; (b) strategic planning activities and the development of national action plans including the National One Health Action Plan (NOH-AP) and National Action Plan for Health Security (NAPHS); and (c) strategic consultations on regional issues including trade standards and regulations, public health systems, as well as national and transboundary wildlife conservation programs.

***Subcomponent 1.2: Communication and Stakeholder Engagement.*** This subcomponent will enable information-sharing, and a foundation of cross-sectoral and cross-country cooperation. It will finance: (a) the design and implementation of activities such as campaigns; and (b) the design, development, and management of national One Health digital platforms and a Central Asia One

Health Portal to facilitate cross-sectoral information sharing.<sup>1</sup> The national digital platforms and regional Portal will be leveraged by Component 4 for monitoring, evaluation, learning, and adaptive project management.

**Subcomponent 1.3: One Health Regulatory Frameworks.** This subcomponent will contribute to addressing regulatory bottlenecks and creating incentives for One Health implementation. It will finance: (a) reviews of legal and regulatory frameworks, including regional-level comparative assessments; and (b) policy consultations and the drafting of regulatory frameworks and other policies conducive to cross-sectoral and cross-country cooperation.<sup>2</sup>

### **Program Component 2: Enhancing One Health Knowledge and Workforce Capacity**

This component will generate One Health knowledge and strengthen relevant workforce capacity. The component is expected to help improve cross-sectoral collaboration, women engagement and climate outcomes on account by supporting the development and sharing of knowledge among decision makers, practitioners and community workers. This component has two subcomponents.

**Subcomponent 2.1: Knowledge Development.** This subcomponent aims to expand One Health evidence and knowledge by developing research capacity and programs. It will finance: (a) the design and implementation of assessments (notably SPAR, JEE, PVS, and action reviews like EARs, IARs, and AARs),<sup>3</sup> surveys, and other analytics relating to priority zoonotic and foodborne diseases, AMR<sup>4</sup> and One Health service delivery; (b) multisectoral hazard risk assessments and prioritization; and (c) the establishment of multidisciplinary partnerships involving national and international organizations to carry out scientific and action-oriented research, and handle the development and delivery of training.

**Subcomponent 2.2: Education and Training.** This subcomponent aims to institutionalize the One Health approach and its implementation by strengthening the relevant capacities of agricultural, veterinary, environmental, and public health professionals. It will finance activities that: (a) develop and subsequently update national multisectoral workforce development strategies and implementation plans; (b) develop curricula for training courses in relevant technical areas including antimicrobial stewardship (AMS), governance, surveillance, laboratory, monitoring and evaluation (M&E), and information systems; (c) establish a regional One Health learning platform; (d) conduct training for professionals across all relevant sectors; and (e) carry out functional exercises such as simulation exercises to test and build the capacity to prepare and respond to priority zoonotic and foodborne pathogens and other threats to food safety.

### **Program Component 3: Improving One Health Prevention and Response Systems**

This component will invest in the surveillance and response systems that are needed to prevent, monitor, detect, and respond to priority zoonotic and foodborne diseases, and AMR. Climate risks and vulnerable

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<sup>1</sup> Providing One Health practitioners access to relevant data such as disease incidence and related health indicators, international standards and guidance documents, research evidence, and training materials.

<sup>2</sup> For example, on trade and connectivity, the harmonization of regional standards, and customs agency cooperation.

<sup>3</sup> SPAR = State Party Self-Assessment Annual Reporting; JEE = Joint External Evaluation; PVS = Performance of Veterinary Services; EARs = Emergency After Action Reviews; IARs = Intra-Action Reviews; AARs = After Action Reviews.

<sup>4</sup> For example, epidemiological studies on anthrax, brucellosis, echinococcosis, E-coli, rabies, and salmonellosis, and studies on antimicrobial stewardship programs and practices.

populations will receive attention in One Health prevention and response systems developed with support of the Component. This component has two subcomponents.

***Subcomponent 3.1: Laboratory Networks.*** This subcomponent will strengthen laboratory systems to inform risk-based prevention, monitoring, and detection, and response measures at the national and regional levels. The subcomponent will: (a) construct, renovate, and equip laboratory facilities; (b) adapt and help laboratories adopt international Standard Operating Procedures (SOPs); (c) support quality control and assurance activities; (d) establish national and regional networks of accredited reference laboratories; (e) develop and update guidelines, plans, and SOPs for diagnostic and laboratory networks; and (f) develop laboratory information management systems that are interoperable with other information systems within and across relevant sectors.

***Subcomponent 3.2: Surveillance and Control Systems.*** This subcomponent will strengthen pertinent surveillance and emergency response management systems. To this end, it will: (a) support and expand surveillance system coverage based on risk assessments; (b) develop or upgrade animal and food product identification and traceability systems; (c) improve sample collection, handling, and transportation to laboratories; (d) establish and strengthen interoperable information systems to exchange surveillance data within and across sectors; (e) support water, sanitation, and hygiene measures and infrastructure in a range of settings (including animal husbandry, food processing and marketing, healthcare, and residential); (g) establish or strengthen preparedness measures (for example, quarantine stations and zones, and cross-border surveillance) at designated points of entry; (h) support the adoption of HACCP in food supply chains; (i) strengthen infection prevention and control procedures at health facilities; (j) establish or strengthen rapid response and surge teams and public health emergency operations centers; and (k) support emergency management and response activities (including investigations, inspections, surge response, and case management).

#### ***Program Component 4: Project Management, M&E, and Learning***

The component will finance expenditures relating to M&E and the Program learning agenda, which, among other things, will build a body of evidence on gender in project performance results, and Program implementation and coordination at the national and regional levels. This phase of the Project is planned to be implemented in two countries – the Kyrgyz Republic and Tajikistan.

## 2. OVERVIEW OF LABOR USE ON THE PROJECT

### 2.1 Type of Workers

World Bank ESS 2 categorizes the workers into direct workers, contracted workers, community workers and primary supply workers. The Project is expected to encompass the following categories of workers: direct workers and contracted workers. Direct workers are staff of Agricultural Project Implementation Unit (APIU) responsible for overall implementation and coordination of the project, short term consultants involved in preparation of project documents and assessment works, and other specialists and workers hired directly by the project. Contracted workers are workers of companies and organizations selected to perform project activities. Definition of workers category according to ESS2 is provided below:

**Direct Workers:** 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. Therefore, a “direct worker” is a worker with whom the Borrower has a directly contracted employment relationship and specific control over the work, working conditions, and treatment of the project worker. The worker is employed or engaged by the Borrower, paid directly by the Borrower, and subject to the Borrower’s day-to-day instruction and control. Examples of direct workers may include people employed or engaged by the Borrower’s project implementation unit to carry out design and supervision, monitoring and evaluation, or community engagement in relation to the project.

**Contracted Workers:** People employed or engaged through third parties to perform work related to core functions of the project, regardless of location are referred to as contracted workers. Therefore, a “contracted worker” is a worker employed or engaged by a third party to perform work or provide services related to the core functions of the project, where the third-party exercises control over the work, working conditions, and treatment of the project workers. In such circumstances, the employment relationship is between the third party and the project worker, even if the project worker is working on an ongoing basis on project activities.

**Community Workers:** People employed or engaged in providing community labor are referred to as community workers. The type of projects in which community workers are involved can vary considerably in terms of complexity, duration, and type of work; number of workers involved; types of project benefits, and the way in which ESS2 applies to the participation of community workers. Examples range from projects where the objective is to construct small-scale community infrastructure to regional or national projects designed to provide a social safety net to address unemployment or underemployment. The application of ESS2 to such projects is designed to address the relevant risks and impacts in a proportionate manner, tailored to the specific context, objectives, and design of the project.

Community Workers will not be involved in the project. Communities will have no role in procurement and management of any contracts. Local residents may be hired as employees by civil works contractors, and as such they will be covered under the provisions of the contracted works of this LMP and the respective Contractors’ LMPs.

**Primary Supply Workers:** People employed or engaged by the Borrower’s primary suppliers are referred to as primary supply workers. Therefore, 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.

Primary supply workers are not expected to be involved in this project.

## 2.2 Number of Project Workers

The exact number of project workers that will be engaged in relation to the Project is currently not known. However, some estimated numbers are provided below. Within the framework of this Project, in the category of direct workers, there are:

- Staff from the Agricultural Project Implementation Unit (APIU) in Bishkek; and
- Any external consultants that would be engaged for the Project.

For civil servants involved in Project operations, regardless of whether they work full time or part time, terms and conditions of their existing contracts or appointments in the public sector shall apply. When engaging external consultants, provisions of national legislation on work engagement shall apply, in parallel with compliance with requirements of this LMP.

The category of contracted workers includes the workers of contractors and service providers to be engaged in civil works for needs of subprojects. It is possible that the contractor will engage multiple subcontractors and in such cases the subcontractors' workers will be also considered as contracted workers. The table below provides data on the basis of preliminary assessment at the time of preparing this LMP. *Data in Table 1 below shall be updated by the PIU subsequently, after more precise data on engaged direct workers and contracted workers become known.*

**Table 1: Project Workers**

Type of workers	Organization	Number of project workers (estimation)	Type of tasks	Location
Direct workers	APIU	15	Project supervision, M&E, E&S safeguards, local coordination and management etc.	Bishkek
Direct workers	External Consultants	10	Consulting on E&S requirements, overall technical assistance, etc.	Bishkek
Contracted workers	Component 3.1 Contractors	~ 100	Construct, renovate, and equip laboratory facilities	Laboratory locations

The labor management procedures set out the procedures in which potential risks of child labor, forced labor and serious safety issues which may arise in relation to contracted workers will be identified including roles and responsibilities for monitoring of contractors.

## **2.3 Characteristics of Project Workers**

Construction activities are expected only under Project Component 3.1: Laboratory Networks, which involves the construction, renovation, and equipping of laboratories across the country. The other components primarily focus on training, information campaigns, institutional development, and information-sharing activities.

Direct workers are include existing APIU members under the Ministry of Water Resources, Agriculture and Processing Industry, who have experience working with international projects. The proportion of women among direct workers (working at APIU) expected to be at least 30%.

Given the nature of the project construction works and the characteristics of the labor force market in Kyrgyzstan, it is likely that the workforce, especially the lower-skilled workers, will be predominantly male. Female workers are expected to be employed in more limited numbers by Contractors. It is estimated that women would represent about 5-10 percent of the workforce, and those would likely be staff working in the operation offices and camps (office clerks, maids, cooks, cleaners etc.). The expectation is that the majority of laborers will be locally hired with the exception of a few skilled workers. All construction works will be contracted out. Contractors will be encouraged to train and hire as many workers as possible from local communities. Based on the experience of previous projects implemented by WB, all workers will be over 18 and will be on average 35-45 years old.

## **2.4 Timing of Labor Requirements**

The direct workers will be required full-time and around the year for the project duration. Consultant Services workers will be required full-time and on an intermittent basis for the project duration. Civil workers will be required, as per the need.

It is expected that the first Contract for construction works will be awarded in the first half of 2025. Each contract will be managed separately in terms of labor and working conditions. The majority of skilled and unskilled workers are likely to come from local and wider communities, while managerial and technical staff might come from entire Kyrgyzstan and the contractor's home country. Construction season typically lasts from March to November but can vary depending on the weather conditions. It will be up to the contractors to mobilize labor force to coincide with the type of work and the season.

# **3 ASSESSMENT OF KEY POTENTIAL LABOR RISKS**

## **3.1 Key Labor Risks**

Given the small-scale project construction works, no major risks are envisaged. Labor risks associated with contracted workers at subproject level. Subprojects will be implemented by local contractors and most contracted workers will likely be hired locally. All contractors will be required to have a written contract with their workers materially consistent with objective of ESS2 and in compliance with this LMP, in particular about child and forced labor, following the requirement in the Bank's Standard Procurement Document.

Labor risks including labor influx and associated Gender-Based Violence, and child labor are considered very low given the small size of subproject construction works and the APIU adherence to the national

labor code which prohibits forced labor (article 10, Labor Code). Since civil works to be supported under the project will be very small in scale the risk of forced labor is expected to be small. Nonetheless, the contractor will be required in the contract to commit against the use of child and forced labor, introduce mitigation measures against gender-based violence, and APIU staff in charge of contractor supervision will monitor and report the absence of forced labor.

Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) risks are concerns related to any project that involves labor influx or interactions between workers and local communities, especially in contexts where there may be vulnerabilities. These risks typically arise from the power imbalance between workers (especially male laborers) and vulnerable groups (such as women and children) in the local communities. The project includes small construction activities, and the SEA/SH risks are typically lower compared to large-scale infrastructure projects. This is because the scale of labor influx is limited, and there may be fewer external workers interacting with the local population. The project will mostly employ a local labor force, which reduces the risks associated with an influx of external workers who might exploit the local population. Local laborers tend to be more integrated into the community, leading to lower risks of SEA/SH.

Even though the risks of SEA/SH are very low in this project, the project will ensure worker codes of conduct that clearly prohibit harassment or exploitation, establish a Grievance Redress Mechanism (GRM) that includes a specific channel for SEA/SH complaints and include community awareness programs.

### **3.2 Occupational Health and Safety Risks: Construction phase**

Occupational Health and Safety (OHS) risks are low to moderate. Construction phase Hazard Identification and Risk Assessment (HIRA) shall be conducted by selected Contractor(s) when preparing Construction ESMP (C-ESMP) on Occupational Health and Safety Management Plan (OHS Plan). Risk can be defined as an event of known uncertainty and this uncertainty is measured in terms of its probability of occurrence. Regularly review and update the risk assessment based on feedback from workers, incidents investigations and changes in site conditions to ensure ongoing safety during construction of new laboratories or repair/renovation of the existing laboratory facilities. The first step in the risk management process is to identify the hazards associated with construction and renovation works. Examples of hazards include, but not limited to:

<b>Physical Hazards</b>	<b>Chemical Hazards</b>
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<ul style="list-style-type: none"> <li>• Worker safety issues potentially lead to injuries/accidents/fatalities</li> <li>• Working around mobile equipment</li> <li>• Short terms effects due to exposure to dust and noise levels, while at work</li> <li>• Rotating and Moving Equipment</li> <li>• Electrical hazard</li> <li>• Welding /Hot Work</li> <li>• Industrial Vehicle Driving and Site Traffic (working near or on roads)</li> <li>• Working Environment Temperature</li> <li>• Ergonomics, Repetitive Motion, Manual Handling</li> <li>• Working at Heights</li> <li>• Collapse of trenches</li> <li>• Confined space entry</li> <li>• Falling objects, for example tools, debris and equipment</li> <li>• Lifting and Rigging activities</li> <li>• Installation of complex and heavy laboratory equipment</li> <li>• Non provision of personal protection equipment (PPE) and</li> <li>• Inadequate accommodation facilities at temporary camps, including inadequate sanitation and health facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Fire and Explosions</li> <li>• Infection control during repair/demolition works of existing lab. facilities</li> <li>• Working with materials (lime, Portland cement) corrosive to human tissue</li> <li>• Transportation and storage of asbestos-containing materials and products during repair/demolition works of existing lab. facilities</li> <li>• Exposure to dust and odor</li> <li>• Chemical burns and intoxication</li> <li>• Soil Contamination</li> </ul>
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All contractors will be required to develop and implement Occupational Health and Safety Management Plan (OHS Plan) as part of the site-specific Environmental and Social Management Plan (ESMP) to ensure workers are aware of possible worker health and safety risks and impacts, provided with proper PPE, receive regular safety training and other preventive actions as provided in the Project’s Environmental and Social Management Framework (ESMF), including procedures to establish and maintain a safe working environment as per requirements of ESS2.

Employment risks. Workers will be hired by APIU, either directly as project staff or indirectly as part of contracts with consultants or service providers. The practice shows that civil works subcontractors do practice a labor contract with a lump-sum payment for a certain type of service or scope of work where the duration of labor will be limited to several months.

Overtime work risk. There is a risk that the current practice of unaccounted working hours and lack of compensation for overtime work. According to Labor Code of KG (2004) with the employer concurrence, the direct workers will receive other rest hours on another day as compensation for overtime or paid in addition (Article 174).

The project will seek to address the risk through informing project workers their rights and establishing a Grievance Redress Mechanisms for all project workers. Potential labor risks for the project are listed in the below **Table 2**.

**Table 2: Summary of potential labor risk and proposed project mitigation measures**

Potential Labor Risk	Sensitivity	Justification	Risk Mitigation Measures
Inadequate worker health and safety	High	Workers may face risks such as injuries from falls, slips, and accidents related to the use of machinery and tools.	Develop an OHS plan, provide Personal Protective Equipment (PPE), and conduct regular safety training on using tools and working safely on-site.
Working at heights	High	During construction, workers may need to work on scaffolding or elevated areas, posing risks of falls, which could result in severe injury or death.	Ensure all workers are trained in fall protection, install and maintain guardrails and safety nets, and require use of harnesses and fall-arrest systems where needed.
Handling heavy objects	High	Workers may need to lift and transport heavy materials, which can result in musculoskeletal injuries, especially without proper training or equipment.	Provide manual handling training, ensure the use of lifting aids (e.g., cranes, forklifts), and train workers on proper lifting techniques to prevent injuries.
Use of heavy machinery	High	Operating or working near heavy machinery can pose risks such as crashes, entrapment, or vehicle-related accidents.	Ensure all machine operators are properly licensed and trained, establish clear safety zones, and require safety checks before equipment use.
Child labor or forced labor	Low	In rural areas, there may be a risk of employing underage workers or individuals being coerced into labor, either directly or through subcontractors.	Implement strict hiring practices with age verification and ensure regular monitoring to prevent any child or forced labor situations.
Non-compliance with wage regulations	Moderate	Workers may face issues with wage delays or being paid less than the agreed amount, particularly if	Ensure clear contracts with defined wages, set up payment monitoring, and establish a

Potential Labor Risk	Sensitivity	Justification	Risk Mitigation Measures
		contractors do not comply with regulations.	Grievance Redress Mechanism (GRM) for labor disputes.
Long working hours and overtime	Moderate	Construction workers may be required to work long hours or overtime, which can lead to fatigue, accidents, and health risks.	Monitor compliance with labor laws regarding working hours, ensure overtime pay, and provide sufficient rest breaks during shifts.
Lack of appropriate sanitation facilities	Moderate	Lack of clean and accessible sanitation facilities on-site can lead to health risks, particularly for vulnerable workers.	Ensure the provision of adequate sanitary facilities (clean toilets, washing areas) on-site, and monitor the cleanliness and maintenance of these facilities.
Lack of grievance mechanism	High	Without a formal complaint system, workers may be unable to report unsafe working conditions, harassment, or wage-related issues.	Implement a Grievance Redress Mechanism (GRM), ensure it is accessible and well-communicated to all workers, and guarantee confidentiality and non-retaliation.
Occupational hazards during equipment installation	Moderate	The installation of equipment in the laboratory may expose workers to electrical, chemical, or mechanical risks.	Develop specific safety protocols for equipment installation, provide specialized training for equipment handlers, and monitor compliance with safety procedures.
Exposure to hazardous materials	High	Construction and laboratory setup may involve hazardous materials, especially related to lab installations.	Implement hazardous material handling protocols, provide appropriate PPE, and conduct regular safety audits to minimize exposure risks.
Unfair hiring practices	Low	There may be cases of nepotism, favoritism, or discrimination in hiring, especially in rural areas.	Ensure transparent recruitment processes and provide equal employment opportunities for all local workers without discrimination.

Potential Labor Risk	Sensitivity	Justification	Risk Mitigation Measures
Workplace accidents (slips, trips, falls)	High	Slips, trips, and falls are common construction site hazards, particularly in areas where surfaces are uneven or cluttered.	Ensure the site is properly maintained (clear walkways, non-slip surfaces), and conduct regular inspections to identify and mitigate risks.
SEA/SH risks (Sexual Exploitation and Abuse/Sexual Harassment)	Moderate	Even with a small labor force, interactions between workers and the local community or among workers can result in SEA/SH incidents.	Introducing a Code of Conduct that prohibits SEA/SH, conduct sensitivity and awareness training, and establish confidential SEA/SH reporting channels.
Dust and noise pollution	Moderate	Construction activities may create dust and noise, which can affect workers' health and the surrounding community.	Implement dust suppression measures (e.g., water spraying) and noise control measures, provide PPE for workers, and monitor dust and noise levels regularly.
Inadequate emergency response procedures	High	In the event of an accident or hazardous situation, delays in response or lack of preparedness can result in more severe outcomes.	Establish a clear emergency response plan, conduct regular drills, and ensure workers are trained in first aid and emergency procedures.
Inadequate worker accommodation (if required)	Moderate	If workers are housed in temporary accommodation, poor conditions can lead to health risks and dissatisfaction.	Ensure that worker accommodation meets health and safety standards, with clean water, proper sanitation, and safe living conditions.
Heat or cold stress	Moderate	Working outdoors or in extreme temperatures can lead to heat stress or cold-related illnesses.	Provide workers with adequate breaks, access to drinking water, and protective clothing depending on weather conditions.
Infection control during repair/demolition	High	During demolition or repair of existing labs, there is a risk of exposure to infectious materials that	Implement strict decontamination protocols before any repair or demolition begins, provide PPE (masks,

Potential Labor Risk	Sensitivity	Justification	Risk Mitigation Measures
works of existing lab facilities		may still be present in the building.	gloves, suits), and ensure proper disinfection of surfaces.
Working with materials (lime, Portland cement) corrosive to human tissue	High	Lime and cement can cause burns or irritation to the skin, eyes, and respiratory system if handled improperly during construction.	Provide PPE including gloves, protective eyewear, and respirators, and train workers in handling and safety procedures for corrosive materials.
Transportation and storage of asbestos-containing materials	High	Asbestos is hazardous if fibers are inhaled, leading to long-term health risks like lung diseases or cancer.	Ensure asbestos is handled by licensed professionals, use approved storage and transport containers, and monitor the area for airborne asbestos fibers during demolition.
Soil contamination	Moderate	Demolition and repair activities can lead to the release of harmful chemicals or asbestos into the soil, causing contamination.	Develop a site management plan for proper waste disposal, conduct soil testing before and after construction, and ensure proper containment of hazardous materials.

The Hazard Identification and Risk Assessment shall be conducted by the Contractor to control Hazards. The following provides a guideline for the selected contractor(s) when conducting an OHS risk assessment prior to the start of the construction work, which shall be revisited on a periodic basis by their respective OHS coordinators. There are three steps used to manage health and safety at work:

- Hazard Identification
- Assess the Risk (Risk Assessment)
- Make the Changes (Risk Control)

**Hazard Identification:** A hazard is anything that has potential to cause harm. Examples of workplace hazards include:

- Frayed electrical cords (could result in electrical shock);
- Noisy machinery (could result in damage to your hearing).

**Assess the Risk:** Assessing the risk means working out how likely it is that a hazard will harm someone and how serious the harm could be. For example:

- Ensure proper instructions and training before using equipment;
- Ask for help moving or lifting heavy objects;



- Do not start the job if you think work practice could be dangerous.

**Control the Risk:** The best way to fix a hazard is to get rid of it altogether. The Contractor should try to make hazards less dangerous by looking at the following options (in order from most effective to least effective):

- **Elimination.** Sometimes hazards – equipment, substances or work practices – can be avoided entirely. (e.g. Do the job from the ground and then lift, rather than by climbing a ladder and risking a fall.) Substitution – Sometimes a less hazardous thing, substance or work practice can be used.
- **Isolation.** Separate the hazard from people, by marking the hazardous area, fitting screens or putting up safety barriers. (e.g. Welding screens can be used to isolate welding operations from other workers. Barriers and/or boundary lines can be used to separate areas where forklifts operate near pedestrians in the workplace.)
- **Safeguards.** Safeguards can be added by modifying tools or equipment or fitting guards to machinery. These must never be removed or disabled by workers using the equipment.
- **Instructing workers in the safest way to do something.** This means developing and enforcing safe work procedures. Students with work experience must be given information and instruction and must follow agreed procedures to ensure their safety.
- **Using personal protective equipment and clothing (PPE).** If risks remain after the options have been tried, it may be necessary to use equipment such as safety glasses, respirators, gloves, helmets and earmuffs, etc. PPE can protect from hazards associated with jobs such as handling chemicals or working in a noisy environment. Sometimes, it will require more than one of the risk control measures above to effectively reduce exposure to hazards.

The **Table 3** below presents general examples of occupational hazards and types of PPE available for different purposes. Recommended measures for use of PPE in the workplace include:

- 1) Active use of PPE if alternative technologies, work plans or procedures cannot eliminate, or sufficiently reduce, a hazard or exposure.
- 2) Identification and provision of appropriate PPE that offers adequate protection to the worker, co-workers, and occasional visitors, without incurring unnecessary inconvenience to the individual.
- 3) Proper maintenance of PPE, including cleaning when dirty and replacement when damaged or worn out. Proper use of PPE should be part of the recurrent training programs for employees.

**Table 3: The Minimum PPE Recommended List**

Particulars	Workplace Hazards	Suggested PPE
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Eye and face protection	Flying particles, molten metal, gases or vapors, light radiation	Safety glasses with side-shields, protective shades, etc.
Head protection	Falling objects, inadequate height clearance, and overhead power cords	Safety helmets for top and side impact protection.
Hearing protection	Noise, ultra-sound	Hearing protectors (ear plugs or ear muffs).
Foot protection	Falling or rolling objects, points objects. Corrosive or hot liquids	Safety shoes and boots for protection against moving and falling objects, liquids and chemicals.
Hand protection	Hazardous materials, cuts or lacerations, vibrations, extreme temperatures	Gloves made of rubber or synthetic material (Neoprene), leather, steel, insulation materials, etc.
Body / leg protection	Extreme temperatures, hazardous materials, biological agents, cutting and laceration	Insulating clothing, body suits, aprons etc. of appropriate materials
Respiratory protection	Dust, fog, fumes, mists, gases, smoke, vapors	Facemasks with appropriate filters for dust removal and air purification (chemical, mists, vapors and gases). Single or multi-gas personal monitors, if available
High visibility vest	Traffic, vehicle, lack of proper illumination	Industrial clothes and high visibility vests shall have light reflective tapes.

#### 4 BRIEF OVERVIEW OF NATIONAL LABOR LEGISLATION AND WB ESS2

##### 4.1 Labor Terms and Conditions

The legislation of the Kyrgyz Republic regulating labor protection is based on the Constitution of the Kyrgyz Republic and includes the Labor Code, the law “On labor protection” and other regulatory legal acts of the Kyrgyz Republic.

In terms of conditions and professional work, the Constitution of the Kyrgyz Republic provides each citizen with:

- The use of child and forced labor is prohibited (Article 28);
- The right to rest. Everyone has the right to rest. This right is ensured through the establishment of maximum working hours, the provision of paid annual leave (under Parts 1,2 of the Project-annual rest) and weekly days off, as well as the provision of other conditions provided for in the legislation (Article 42);
- The right to health care. Everyone has the right to health care (Article 43);

- The right to social security. Citizens are guaranteed social security in old age, in case of illness and disability, loss of a breadwinner in cases and in the manner prescribed by law (Article 44).

**Labor Code** of the Kyrgyz Republic No. 106 dated August 4, 2004, is the fundamental legislative act aimed to regulate all labor matters arising in the Kyrgyz Republic. This Code governs employment relationships and other relations, directly related, directed to protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms in the sphere of work. Article 49 of the Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, property, leading to a violation of equality of opportunities in the field of labor, are prohibited.

### ***Wages and deductions***

Contracts and collective agreements establish the form and amount of compensation for work performed. The monthly salary of an employee who has worked during this period is the norm of working hours and fulfilled the labor standards (labor duties) cannot be lower than the minimum wage established by law. The minimum wage does not include surcharges and allowances, bonuses and other incentive payments, as well as payments for work in conditions deviating from normal, for work in special climatic conditions and in territories exposed to radioactive contamination, other compensation and social payments. (Article 154).

Employer can pay workers at least once per month (Article 157). Employers also must pay for work-related damage to health or property, and families are compensated in case of death. Deductions are allowed for specific reasons but may not exceed 50 percent of the amount owed to the employee. (Article 161).

The salary rates for national specialists and workers involved in the preparation and implementation of projects funded by International Financial Institutions (IFI) and donor countries are regulated by the decree of the Cabinet of Ministers of the Kyrgyz Republic No. 232 dated July 12, 2022.

### ***Working hours***

The standard workweek is 40 hours, with less allowed for those under 18. The number of hours per day, and days per week, is established in the contract/agreement between the employer and employee (Article 90).

Employers must provide women with children up to 18 months with additional thirty-minute breast feeding time every three hours a day, and mothers with two or more children with additional one-hour time-off a day. Upon the worker request, additional time offs are summed with lunch and rest break or summed up and used at the beginning or end of the working days (shifts) in accordance with reduced working hours (Article 309). Details of time off are established in contracts/agreements.

Article 114. The Labor Code prohibits work on weekends and non-working holidays. With their written consent, employees may be requested to work on weekends and non-working holidays in the following cases:

- to prevent a work-related accident or catastrophe; eliminate the consequences of a work-related accident, catastrophe, or natural disaster; prevent safety incidents, destruction, or damage to property;

- to perform unforeseen work, the urgent implementation of which affects future normal work of the whole organization or its individual divisions;
- to carry out operations, the suspension of which is impossible due to production and technical conditions (continuously operating organizations); execute works caused by the need to provide services to the population; implement urgent repair and loading/unloading works.

Article 304 prohibits overtime, weekend work, and business trips for women who are pregnant or who have children under three years of age. For women with children between 3 and 14 years of age, overtime and business trips are allowed, but only if the woman agrees.

### **Rest time (breaks)**

The types of rest time are (Article 109):

- breaks during the working day (shifts);
- daily (inter-shift) rest;
- weekends (weekly continuous rest);
- non-working holidays;
- vacation.

The employees must be granted a rest and meal break during the workday. Time and duration are regulated by internal work rules, shift schedules, or by an individual employment contract or a collective agreement between the employer and employee (Article 110).

### **Leaves**

In addition to national holidays, employees have to receive at least 28 calendar days (Article 117) of paid leave per year, with workers under 18 years of age and disabled employees receiving 30 days (Article 118).

Leave without pay may also be taken by certain groups of people (Article 133). At termination of labor agreement, employees are paid for unused leave, or they may use the leave as their last days of employment (Article 132).

Women are provided maternity leave upon application (Article 136 and 307), The employee is granted additional leave without preserving wages for caring for the child until the child reaches the age of three years. By agreement of the parties, leaving to care for a child until he reaches the age of three years may be granted at any time and any duration. Childcare leave can be used in full or in parts also by the child's father, grandmother, grandfather, other relative or guardian who actually cares for the child (Article 137).

### **Overtime work**

Work beyond the normal working hours can be done either on the initiative of the employee (part-time job) or on the initiative of the employer - overtime work (Article 98).

Remuneration for overtime work is paid for the first 2 hours of work at least one and a half times, for the next hours - at least twice. The specific amount of overtime pay may be determined by a collective agreement or an employment contract. At the request of the employee, overtime work instead of increased pay can be offset by the provision of additional rest time, but not less than the time worked overtime. Work outside the normal working hours, part-time, is paid depending on the time worked or production (Article 174).

### **Labor disputes**

Labor disputes are considered as unregulated discrepancies between the employer and employee on the issues of application of legislative and other normative actions on labor of the Kyrgyz Republic and working

conditions provided by labor agreement (contract) and collective agreement and contracts (Article 356 and 411).

Individual labor disputes are considered by labor dispute commissions, an authorized state body in the field of supervision and control over compliance with labor laws and courts. The employee of his choice may apply for the resolution of the labor dispute to the labor dispute committee or the authorized state body in the field of supervision and enforcement of labor legislation or directly to the court. In cases where the labor dispute commission is not created in the organization, the labor dispute is subject to consideration directly by the authorized state body in the field of supervision and monitoring of compliance with labor legislation or in court (Article 412).

### **Grievances**

The Law on Grievances (4 May 2007, No. 67), ensures that complaints from Kyrgyz citizens are registered, addressed fairly, and responded to in a timely and accountable manner (Articles 2 and 4). Citizens have the right to submit grievances either personally or through representatives to state and local authorities, who are required to provide a reasoned response within the legally established timeframe (Article 4). Registered grievances must be processed within 14 working days, with an extension of up to 30 calendar days allowed in exceptional cases (Article 8).

## **4.2 Occupational Health and Safety**

The occupational safety issues are addressed in the Constitution of the Kyrgyz Republic. Under Article 42: “The citizens of the Kyrgyz Republic have the right to free work, to use their labor capabilities, to choose their occupation and area of activities, the right to safe labor conditions that meet the requirements of safety and hygiene and the right to remuneration for their work and social security not below the living minimum established under the law.”

The Labor Code of the Kyrgyz Republic, introduced on August 1, 2004, has a section on occupational safety and health. The Labor Code of the Kyrgyz Republic establishes the obligations of the employer to ensure occupational safety, state regulations on occupational safety and the duties of the employee in the field of OSH. The employee is guaranteed occupational safety, training and instruction, sanitary, welfare and medical services. The Code treats the issues of the creation and activities of the occupational safety services, investigation and record of occupational accidents and diseases, the award of benefits and compensation depending on the labor conditions.

The Law of the Kyrgyz Republic on Occupational Safety which came into force on August 1, 2003, sets the legal framework for the relations between the employers and employees and is aimed at creating labor conditions that meet the requirement of preserving the life and health of the employees at work. The law sets down the guidelines of state policy on occupational safety and the principles of state management of occupational safety.

Access to state officials from state bodies on labor protection and social insurance, as well as representatives of public monitoring to check the working conditions and work safety measures at organizations and investigate the accidents at work and professional diseases.

Employees, on the other hand, are required to pass initial and periodic tests medical examinations, pass training and periodic in instructions on safety requirements (Article 12 of the Law of KR on “Labor Protection” and Article 112 of Labor Code of KG), and to carry out medical and health measures that are prescribed by medical institution if paid by employer (Article 16 of the Law of KG on “Labor Protection” and Article 220 of Labor Code of KG),

The primary responsibility for state supervision and control over compliance with labor laws rests with the Ministry of Labor, Social Security and Migration of the Kyrgyz Republic. Key relevant legislation includes the Labor Code of the Kyrgyz Republic (2004), the Law of the Kyrgyz Republic “*On Labor Protection*” (2003), and other regulatory legal acts that contain labor-related provisions. On 31 March 1992, the country joined the International Labor Organization (ILO). A review conducted by the ILO in 2008 found that the Law of the Kyrgyz Republic “*On Labor Protection*” meets international norms and standards.

#### **4.2 The World Bank Environmental and Social Standards: ESS 2**

The World Bank’s stipulations related to labor are outlined in its ESS2. Implementing agency promotes sound worker-management relationships and provides safe and healthy working conditions. Key objectives of the ESS 2 are to:

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

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

Working conditions and management of worker relationships. These procedures will set out the way in which project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures will address the way in which this ESS will apply to different categories of project workers including direct workers, and contract workers.

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

For more details on the WB Environmental and Social Standards, please follow the below links: [www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards](http://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards) and <http://projects-beta.vsemirnyjbank.org/ru/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards>.

## 5 KEY GAPS BETWEEN NATIONAL LEGISLATION AND WORLD BANK ESS2

Comparison of key Labor related World Bank Requirements with Kyrgyz Republic Legal Requirements are provided in the **Table 4** below:

**Table 4: Key Gaps between National Legislation and World Bank ESS2**

ESS and Topic	Major WB requirements	Key requirements/gaps in the Kyrgyz Republic legal framework	Principles to be followed by the project
A. Working conditions and labor relations management	<ul style="list-style-type: none"> <li>• Written labor management procedures.</li> <li>• Terms and conditions of employment.</li> <li>• Non-discrimination and creation of equal opportunities.</li> <li>• Worker’s organizations.</li> <li>• Elaborate Labor Management Plans, including contractors’ ESMP.</li> </ul>	<ul style="list-style-type: none"> <li>• Written employment contract required, including procedures and employment conditions</li> <li>• Specific nondiscrimination and equal opportunity requirements</li> <li>• No provision for Labor Management Plans.</li> </ul>	<p>LMP developed for the project.</p> <p>Terms and conditions in the LMP are consistent with national law and ESS2 requirements.</p>
B. Workforce protection	<ul style="list-style-type: none"> <li>• Child labor prohibition.</li> <li>• Forced labor prohibition.</li> </ul>	<ul style="list-style-type: none"> <li>• Child labor is prohibited.</li> <li>• Forced labor is prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>• No children below the age of 18 will be engaged in civil works</li> </ul>
C. Grievance redress mechanism	<p>Grievance redress mechanism (GRM) should be developed and implemented for direct and contracted workers. Anonymous complaints are accepted.</p>	<ul style="list-style-type: none"> <li>• There is no specific GRM for employees working under individual employment contracts.</li> <li>• The procedure for addressing individual labor disputes is regulated by Chapter 42 of the Labor Code of the Kyrgyz Republic.</li> <li>• Grievance registration and follow-up</li> </ul>	<ul style="list-style-type: none"> <li>• PIU will develop GM for their workers (Direct workers) as per this LMP.</li> <li>• Contractors will establish and maintain GRM for their employees.</li> <li>• Anonymous grievances are accepted within project specific GRM</li> </ul>

ESS and Topic	Major WB requirements	Key requirements/gaps in the Kyrgyz Republic legal framework	Principles to be followed by the project
		<p>procedures are available through the Law on Appeals of Citizens (No. 67, 2007).</p> <ul style="list-style-type: none"> <li>As stated in Article 9 of the Law "On the Procedure for Considering Citizens' Appeals" anonymous grievances may not be accepted".</li> </ul>	
D. Occupational health and safety	<ul style="list-style-type: none"> <li>Detailed Procedure required for every project.</li> <li>Requirements to protect workers, train workers,</li> <li>document incidents,</li> <li>emergency preparation,</li> <li>addressing issues; and</li> <li>Monitor OHS performance</li> </ul>	<ul style="list-style-type: none"> <li>A separate and detailed procedure is not developed for individual projects.</li> <li>Requirements to protect workers, train workers, document incidents, emergency preparation.</li> </ul>	<ul style="list-style-type: none"> <li>ESMF will identify the framework approach.</li> <li>Hazard Identification and Risk Assessment shall be conducted by the Contractor to control Hazards.</li> <li>The site-specific ESMPs will include OHS measures and monitoring plans.</li> </ul>
E. Category of workers	Establish categories of workers	No reference to Community and Primary Supply Workers	No community workers and Primary Supply workers will be involved in the Project. Screening and monitoring measures will be introduced as per this LMP.
F. Minimum age of workers	<ul style="list-style-type: none"> <li>The minimum age for employment is 14 years.</li> <li>A child between 14- 18 may be employed or engaged under certain conditions.</li> </ul>	<ul style="list-style-type: none"> <li>Employment permissible for 14 plus age, but only with permission of one of the parents (guardian).</li> <li>14-18 years are not permitted to work under hazardous and unsafe working conditions</li> </ul>	<ul style="list-style-type: none"> <li>All workers will be 18 years old or above for civil works.</li> </ul>



ESS and Topic	Major WB requirements	Key requirements/gaps in the Kyrgyz Republic legal framework	Principles to be followed by the project
G. Employee Code of Conduct	<ul style="list-style-type: none"> <li>Employee Code of Conduct is required.</li> </ul>	<ul style="list-style-type: none"> <li>Code of Ethics for State and Municipal Employees of the Kyrgyz Republic.</li> </ul>	<ul style="list-style-type: none"> <li>Each project worker to be introduced to a Code of Conduct and sign it.</li> </ul>
H. Initial training for employees	<ul style="list-style-type: none"> <li>Safety training and instructions for contractors are provided.</li> </ul>	<ul style="list-style-type: none"> <li>Safety training and instructions for contractors are provided.</li> </ul>	Safety training and instructions for contractors to be provided to all project workers.

**6 RESPONSIBLE STAFF**

Project coordination and management will be the responsibility of APIU under the Ministry of Water resources, Agriculture and Processing Industry that has a team of experienced specialists in working with IFI projects. The APIU will coordinate with relevant ministries and institutions and serve as a single focal point for monitoring and reporting to the Government and World Bank. It will also monitor and evaluate day-to-day project activities and outputs and ensure environmental and social due diligence and compliance in accordance with the World Bank’s ESS Standards, the relevant EHS Guidelines and best international practices. Led by a designated project manager, the APIU personnel will include (i) an environmental specialist with health and safety expertise, (ii) a social and gender specialist with SEA/SH expertise, and (iii) an expert specializing in laboratory biosafety and medical waste management. Additional environmental and social capacity support will also be provided as required to assist in the management of risks, given the multi-sectoral nature of the project.

The LMP will be managed and implemented by the APIU Environment and Social specialists. APIU Environmental specialist will be responsible for implementation and monitoring of OHS related activities and Social and Gender specialist will be responsible for labor grievances and SEA/SH issues. Roles and responsibilities for LMP implementation are defined in the below **Table 5**.

After the bidding process is completed and the Contractors are known, this labor management procedure can be updated to include additional details about companies, as necessary.

**Table 5: Roles and Responsibilities for LMP implementation**

Stakeholders	Responsibilities
<i>APIU</i>	<ul style="list-style-type: none"> <li>✓ Monitoring the implementation of this Procedure;</li> <li>✓ Updating this Procedure, when necessary, in the course of preparation, development and implementation of the Project, as well as in case the national legislation changes in any aspects of importance for this Procedure;</li> </ul>

	<ul style="list-style-type: none"> <li>✓ Ensure that contractors prepare their OHS plan before the design stage; For stand-alone construction works separate C-LMP will be prepared; for minor reconstruction or rehabilitation works LMP provisions including OHS will be integrated in the site-specific SEMP.</li> <li>✓ Monitor that the Contractors are meeting obligations towards contracted and sub-contracted workers as included in the General Conditions of Contract the World Bank Standard Bidding Documents, and in line with ESS2 and national labor code;</li> <li>✓ Monitor implementation of contractors' labor management procedures;</li> <li>✓ Monitor that occupational health and safety standards are met at work places in line with national occupational health and safety legislation and Occupational Health and Safety Plan;</li> <li>✓ Monitor training of the project workers;</li> <li>✓ Establishment and maintenance of grievance resolution mechanisms in compliance with requirements of this LMP for project workers.</li> </ul>
<b>Contractors</b>	<ul style="list-style-type: none"> <li>✓ Prepare site specific OHS plan;</li> <li>✓ Conduct Hazard Identification and Risk Assessment;</li> <li>✓ Employ or appoint qualified social, labor and occupational safety experts to prepare and implement project specific labor management procedure, occupational health and safety plans, and to manage subcontractor performance;</li> <li>✓ Maintain records of recruitment and employment process of contracted workers;</li> <li>✓ Communicate clearly job description and employment conditions to contracted workers;</li> <li>✓ Develop, and implement workers' grievance mechanism and address the grievance received from the contracted and sub-contracted workers;</li> <li>✓ Have a system for regular review and reporting on labor, and occupational safety and health performance;</li> <li>✓ Deliver regular induction (including social induction) and OHS training to employees;</li> <li>✓ Ensure that all contractors and sub-contractor workers understand and sign the Code of Conduct prior to the commencement of work.</li> </ul>

**7 POLICIES AND PROCEDURES**

As specified in the Labor Code of KG, employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of

the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be followed by contractors and monitored by the APIU to ensure fair treatment of all employees:

### ***Employment-Related***

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, disability or gender;
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- All workers shall be introduced to the Code of Conduct developed by the Employer (sample Conduct of Code is presented in Annex 1) and sign in on application of its rules before recruitment.
- Employees will be informed at least two months before their expected release date of the coming termination;
- The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer (in this case, the “Employer” would be the contractor);
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties;
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation;
- That workers are entitled to a regular salary, as well as to compensation of salary for periods of absence from work or specific conditions of work (nighttime work, overtime work, etc.);
- That workers are entitled to rest during working hours, daily rest, weekly rest and annual holidays as prescribed under the law;
- Foreign workers, if any of them are hired, will require residence permits, which will allow them to work in Kyrgyz Republic;
- That discrimination must not be present in any aspects of the labor law relationship (employment, compensation, conditions of work and rights resulting from labor relation, education, training and development, promotion at work, notice on termination of labor contract) on the basis of sex, sexual orientation, marital condition, age, disability, pregnancy, language, religion etc.
- Implementation of measures of protection at work and safety for jobs with increased risk of injury and damage to health, as well as organization of training for workers in such jobs;
- All workers will be 18 years old or above for civil work. This will be a requirement in ARIS contracts with civil works contractors.
- Normal working hours should not exceed 40 hours per week. With a five-day or six-day working week, the duration of daily work is determined by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration

### ***OHS Related Policies***

- Conduction of induction training to all workers on OHS;

- Provision of adequate water and sanitation facilities at work places;
- Provision of separate toilet facilities for men and women;
- Provision of Personal Protection Equipment for workers, including visitors;
- Emergency procedures;
- Accommodation provision;
- Accidents handling procedure;
- Grievance handling policies.

## **8 AGE OF EMPLOYMENT**

The law of Kyrgyz Republic prohibits individuals under 18 from engaging in "unhealthy or heavy" work, and it sets specific requirements for leave, working hours, and other employment conditions. Employers must ensure that no construction workers under the age of 18 are employed. Workers under 18 are permitted to work only in sectors with no health risks and are subject to reduced working hours: employees aged 14 to 16 may work no more than 24 hours per week, and those aged 16 to 18 may work no more than 36 hours per week.

Contractors will be required to verify the age of all workers. This process will involve collecting official documentation such as a birth certificate, national identification card, passport, or medical or school records. If it is discovered that a minor below the minimum legal working age is employed on the project, immediate steps will be taken to responsibly terminate the minor's employment, ensuring their best interests are prioritized.

## **9 TERMS AND CONDITIONS**

The employment terms and conditions applying to APIU employees will be set out in this document. These internal labor rules will apply to all APIU employees who are assigned to work on the project (direct workers). Terms and conditions of part-time direct employees are determined by their individual contracts.

The project will use two types of labor contracts: one-year agreements and short-term service contracts. Contracts with a defined monthly remuneration and an applicable model of 40 working hours per week are civil law contracts.

The signing and number of short-term contracts will be based on the need to implement specific project activities. All these consultants will be familiarized with World Bank policies and procedures and Kyrgyz Republic legislation.

The contractors' labor management procedure will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will be in line, at a minimum, with this labor management procedure, the Kyrgyz Republic Labor Code and specified in the standard contracts to be used by the APIU under the project, which will be provided in Project Operations Manual and follow this LMP and the project ESMF.

In addition to the above specialists, the APIU will engage individual consultants as needed to assist in the implementation of specific project activities. All these consultants will be familiar with the policies and

procedures of the World Bank, and after the launch of the project will provide additional support in its implementation.

Terms and conditions of direct workers are determined by their individual contracts. Permanent project staff will have individual agreements (labor contract or service contract) with fixed monthly wage rates. All the recruiting procedures should be documented and filed in the folders in accordance with the requirements of labor legislation of Kyrgyz Republic. The terms and conditions of employment or engagement of the project worker must meet the inter alia the following standards:

- ✓ The project worker should in advance be clear about the job he/she is going to do and the wage/salary/fee he/she is going to receive.
- ✓ The project worker will be paid on a regular basis, at least once a month, or, if so agreed, upon the completion of specific activities, in accordance with the employment contract or engagement agreement.
- ✓ The project worker will work 8 or fewer hours a day, with overtime payment.
- ✓ Any work longer than 8 hours is considered overtime work, and the project worker should receive extra payment for the hours of overtime work. In any case, the project worker cannot work more than 12 hours a day.
- ✓ Any work is adjusted based on certain weather conditions to minimize OHS risks. Contractors must assess on a periodic basis and approved by the supervision engineer.
- ✓ The project worker is entitled to a daily rest of at least 11 hours within 24 hours.
- ✓ The project worker is entitled to a weekly rest of at least 24 consecutive hours.
- ✓ Average weekly hours of work in a six-month period cannot exceed 40 hours.
- ✓ The project worker is entitled to annual, sick, maternity and family leave, as required by the national legislation. Where national legislation does not stipulate entitlement to leaves on any ground (i.e. temporary or seasonal work), the contracted party will provide the project worker, at his/her request, with a reasonable period of leave taking into consideration all the circumstances.
- ✓ An employment contract or engagement agreement, except in case of permanent employment, ends on the date of its expiry, unless both parties have agreed otherwise. In case of an early termination, a written notice will be submitted at least two months in advance. The termination of employment contract and payment of any related entitlements will be done in compliance with the national legislation.
- ✓ The third party will assess the risk related to specific jobs. Contractors will be responsible for taking preventive and protective measures to ensure a safe and healthy work environment and inform the project worker on all the relevant issues and conditions affecting his/her health and safety at work. The project worker will respect regulations relating to safety and protection of life and health at work in order not to put in danger his life and health or life and health of others.
- ✓ The third party will have to made effort to establish mechanisms that will prevent discrimination, harassment, sexual harassment and abuse at work and ensure equal treatment and equal opportunity for all. The service providers working in Kyrgyzstan should follow the procedure laid out by the national legislation regulating the area of discrimination, harassment and equal opportunity.

- ✓ The Contractor has obligation to provide OHS training, including tool-box meetings to all workers, adequate for their position and relevant to activities they perform. This is obligation of the Contractor to all his workforce.
- ✓ Project workers have the right to form or join unions or other organizations of their choosing and to bargain collectively, in accordance with the national legislation. The employer (third party) will not interfere with the worker's right to choose the organization or opt for an alternative mechanism to protect their rights regarding working conditions and terms of employment.
- ✓ The project worker will be able to raise his/her grievances using the grievance mechanism defined in Section 10 below.

## 10 GRIEVANCE MECHANISM

A Grievance Redress Mechanism (GRM) is a set of arrangements that enable local communities, employees, out-growers, and other affected stakeholders to raise grievances with the investor and seek redress when they perceive a negative impact arising from the investor's activities. It is a key way to mitigate, manage, and resolve potential or realized negative impacts, as well as fulfill obligations under international human rights law and contribute to positive relations with communities and employees.

The main objective of a GRM is to assist in resolving complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. Specifically, it provides a transparent and credible process for fair, effective and lasting outcomes. It also builds trust and cooperation as an integral component of broader community consultation that facilitates corrective actions. Specifically, the GRM:

- Provides affected people and other stakeholders with avenues for providing feedback or making a complaint or resolving any dispute that may arise during the course of the implementation of projects;
- Ensure that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoids the need to resort to judicial proceedings.

For **Direct workers** (such as external consultants) employed or engaged by PIU grievance mechanism shall be conceived and housed by the PIU. This grievance mechanism should address workplace concerns specifying procedures as to whom a direct worker should lodge the grievance, the time frame for receiving a response or feedback and steps to refer to a more senior level, while allowing for transparency, confidentiality and non-retribution practices. This category of workers should be informed of the available grievance mechanism upon their employment or engagement.

Any third party engaging or employing **Contracted workers**, shall be under the obligation to establish a mechanism for workplace and dispute resolution instrument in compliance with requirements of this LMP and ESS2 unless such a mechanism is already established in their organizations and will be required to establish such a mechanism before signing any contract with the project. Such requirement shall be made clear during the tendering procedure and by signing the contract any third party shall become bound by

its confirmation that the mechanism has been established and that all the workers are informed of its existence.

The establishment of a grievance mechanism involves the setting-up of a grievance registry and informing all the workers on the existence of the mechanism (for example, during induction training, through notifications on notice boards or similar communication channels).

The grievance mechanism will be described during participatory meetings, announced through the project website, published in local newspapers and at the information boards installed at the project sites and distributed through project information leaflets and brochures. The mechanism will be based on the following principles:

- The process will be transparent and allow affected people to express their concerns and file grievances.
- There will be no discrimination against those who express grievances, and any grievances will be treated confidentially.
- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- Management will treat grievances seriously and take timely and appropriate action in response. Information about the existence of the grievance mechanism will be readily available to all project affected persons through notice boards, the presence of “suggestion/complaint boxes”, and other means as needed.

The grievance mechanism should not interfere with access to other judicial or administrative legal remedies that could be accessible in compliance with the law or through existing arbitration proceedings or replace grievance mechanisms that are envisaged under collective agreements.

### 10.1 Description of Project GRM

The overall process for the project GRM will be comprised of six steps, as described below.

**Step 1: Uptake.** Project stakeholders will be able to provide feedback and report complaints through several channels: contacting PIU by mail, telephone, email, social media, SMS and messengers. Available grievance channels are provided in the below **Table 6**.

**Table 6. Project GRM Channels**

GRM Channels	Contact Details
Name of the Responsible Person	Social and Gender Specialist (To be hired by APIU before the Project commencement)
Postal Address (for mail)	96A, Kiyevskaya street, Bishkek City, 720040, APIU Office
Phone Number (whatsapp, telegram)	+996 312 66 56 25
Facebook / Telegram	/APIU2019
E-mail	<a href="mailto:office@apiu.kg">office@apiu.kg</a>

GRM Boxes (for anonymous grievances)	Yes, at the office, and planned at the project construction sites
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**Step 2: Sorting and processing.** Complaints and feedback will be compiled by the Social and Gender Specialist at APIU and recorded in a register. They are expected to discuss/ deliberate with the complainant and arrive at a resolution, **within 14 days of receipt**. The log will be kept electronically (on an Excel table). The form of the log is given in the **Table 7**.

**Table 7. Sample Log for recording grievances on Excel table**

ID number of complaint	Date of receiving of complaint	Name and contact details of applicant	Gender (F/M)	Brief description of complaint	Responsible person	Progress on solving the complaint	Date of closing the complaint	Notes
1								
2								

**Step 3: Acknowledgement and follow-up.** Within seven days of the date a complaint is submitted, the responsible person/ agency will communicate with the complainant and provide information on the likely course of action and the anticipated timeframe for resolution of the complaint. If complaints are not resolved within 14 days, the person responsible will provide an update about the status of the complaint/question to the complainant and again provide an estimate of how long it will take to resolve the issue.

**Step 4: Verification, investigation and action.** This step involves gathering information about the grievance to determine the facts surrounding the issue and verifying the complaint’s validity, and then developing a proposed resolution, which could include changes of decisions concerning eligibility for mitigation, assistance, changes in the program itself, other actions, or no actions. Depending on the nature of the complaint, the process can include site visits, document reviews, a meeting with the complainant (if known and willing to engage), and meetings with others (both those associated with the project and outside) who may have knowledge or can otherwise help resolve the issue. It is expected that many or more grievances will be resolved at this stage. All activities taken during this and the other steps will be fully documented, and any resolution logged in the register.

**Step 5: Monitoring and evaluation.** Monitoring refers to the process of tracking grievances and assessing the progress that has been toward resolution. The APIU will be responsible for consolidating, monitoring, and reporting on complaints, enquiries and other feedback that have been received, resolved, or pending. This will be accomplished by maintaining the grievance register and records of all steps taken to resolve grievances or otherwise respond to feedback and questions.

**Step 6: Providing Feedback.** This step involves informing those to submit complaints, feedback, and questions about how issues were resolved, or providing answers to questions. Whenever possible,



complainants should be informed of the proposed resolution in person (communicating by telephone or other means).

If the complainant is not satisfied with the resolution, he or she can approach the Republic of Kyrgyz National system described above Section 10.2. He or she will also be informed of the World Bank's grievance mechanism, as described below Section 10.3. The APIU will report to National One Health Coordination Centre on grievances resolved since the previous report and on grievances that remain unresolved, with an explanation as to steps to be taken to resolve grievances that have not been resolved within 14 days. Data on grievances and/or original grievance logs will be made available to World Bank missions on request, and summaries of grievances and resolutions will be included in periodic reports to the World Bank.

## **10.2 Handling of sensitive grievances**

Taking into account the standards regarding the prevention of sexual exploitation and abuse/sexual harassment (SEA/SH), which, in accordance with the requirements of the World Bank, must be observed in all projects financed by the World Bank, these standards will be observed, and responsibilities take action to raise awareness on the prevention and suppression of SEA/SH. At all stages of the project implementation, all project staff and contractors will be informed about the understanding of the principles of control and prevention of risks of SEA/SH. The GM will ensure the access and confidentiality of the complaint mechanism and will allow the complainant not to fear retaliation. These complaints will be investigated without undue delay, and all perpetrators will be held accountable. SEA/SH issues require some additional measures:

- Gender sensitivity will be sought in the employment of social safeguard specialist;
- Social safeguard specialists will be informed about SEA/SH issues;
- Establishment of a referral pathway.

In addition to the socio-cultural characteristics and non-violent communication ways in the training of workers, SEA/SH will also be on the agenda. Worker training and Codes of conduct will include the following information on SEA/SH:

- Definition of violence against women in national and international documents;
- Types of violence (physical, sexual, economic, emotional);
- Legal sanctions;

The grievance mechanism will be accessible and ensure the confidentiality of personal information.

Information activities will be carried out to inform women about the mechanism. The following types of information are presented in these information activities:

- Women's rights;
- Self-protection in cases of violence and sexual abuse;
- Emergency phone numbers;
- Contact information about the institutions and organizations they can apply to;
- Grievance mechanism and privacy policy;

The confidentiality principle of the grievance mechanism and protection of the survivors will be repeated in all information materials.

The project will utilize additional mitigation measures proportional to risk. The contractor will be responsible for developing the workforce management procedure, health, and safety plans as well as SEA/SH protocols which will apply to their own and subcontractor employees who work on the Project. These procedures and plans will be submitted to PIU for review and approval before the contractors are allowed to mobilize the field of construction. All contractors will be required in the contract to commit against the use of child and forced labor, introduce mitigation measures against SEA/SH, and PIU staff in charge of contractor supervision will monitor and report the absence of forced labor and cases of SEA/SH. All personal data and complaints received by the GM will be treated in a confidential manner unless the complainant consents to the disclosure of their personal information. Especially, the confidentiality of sensitive issues and complaints related to SEA/SH raised by communities will be followed.

### **10.3 Kyrgyz Republic National Grievance System**

According to the Law “On Guarantees and Free Access to Information” (amended 28 December 2006), each state agency is obliged to provide relevant information to citizens and NGOs within a period of two weeks.

Each of the participating state organizations has its own publicly available channels for submitting appeals and grievance:

- Ministry of Water Resources, Agriculture and Processing Industry – [www.agro.gov.kg](http://www.agro.gov.kg)
- Ministry of Health – [www.med.kg](http://www.med.kg)
- Ministry of Natural Resources, Ecology and Technical Supervision – [www.ecology.gov.kg](http://www.ecology.gov.kg)
- Ministry of Labor, Social Security and Migration – [www.mlsp.gov.kg](http://www.mlsp.gov.kg).

The national online portal for grievances available at [www.portal.tunduk.kg](http://www.portal.tunduk.kg). The system allows users to submit appeals to government authorities (state and municipal bodies) of the Kyrgyz Republic, monitor the status of their appeals in the "Appeals History" section, and receive notifications about updates via email or Telegram, based on user preference. Additionally, users can receive a copy of the response from the authorities via email, evaluate the response, and leave feedback. Authorized users of the Government Portal also have access to all available services, including the ability to view the history of their appeals and access their personal accounts.

### **10.4 World Bank Grievance Redress System**

Communities and individuals who believe that they are adversely affected by a project supported by the World Bank may also make complaints directly to the Bank through the Bank’s Grievance Redress Service (GRS) (<http://projects-beta.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>). A complaint may be submitted in English, Kyrgyz or Russian, although additional processing time will be needed for complaints that are not in English. A complaint can be submitted to the Bank GRS through the following channels:

- By email: [grievances@worldbank.org](mailto:grievances@worldbank.org)
- By fax: +1.202.614.7313
- By mail: The World Bank, Grievance Redress Service, MSN MC10-1018, 1818 H Street, Northwest, Washington, DC 20433, USA.

- To the World Bank office in Kyrgyz Republic, at the address: 120, Moskovskaya Str., Bishkek, Kyrgyz Republic, bishkek@worldbank.org, and by phone: +996 312 625262.

The complaint must clearly state the adverse impact(s) allegedly caused or likely to be caused by the Bank-supported project. This should be supported by available documentation and correspondence to the extent possible. The complainant may also indicate the desired outcome of the complaint. Finally, the complaint should identify the complainant(s) or assigned representative/s and provide contact details. Complaints submitted via the GRS are promptly reviewed to allow quick attention to project-related concerns.

In addition, project-affected communities and individuals may submit complaints to the World Bank’s independent Inspection Panel, which will then determine whether harm occurred, or could occur, as a result of the World Bank’s non-compliance with its policies and procedures. Complaints may be submitted to the Inspection Panel at any time after concerns have been brought directly to the World Bank’s attention, and after Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

### 10.5. GRM Responsibilities

The APIU has the main responsibility for the implementation of the GRM. The GRM Team within the APIU consists of the Environmental Safeguard Specialist, Social Development Specialist and the Project Coordinator, related day-to-day tasks rest specifically with the Social Development Specialist.

At the Contractor’s side the Grievance Mechanism implementation team shall be comprised of the HSE Managers from Contractor, who will be also acting as community liaison officer (CLO) as per need. Clear lines of responsibility and accountability will be established within the implementation team. Main responsibilities on GRM are presented in **Table 8** below.

It is important that all members of the team are adequately trained in stakeholder engagement. It is important that the CLO be a local person, who is fluent in Kyrgyz and familiar with the local customs.

**Table 8. Responsibilities for managing grievances**

Entity	Responsibilities for managing grievances
<b>APIU</b>	<ul style="list-style-type: none"> <li>❖ Main responsibility for the implementation of the GRM;</li> <li>❖ Ensure GRM is integrated into the overall project management process.</li> <li>❖ Coordination between all project participants and management of the complaints process;</li> <li>❖ Management and resolution of grievances;</li> <li>❖ Management of Project Information Centre;</li> <li>❖ Analysis of complaint statistics and preparation of reports. Develop recommendations to improve GRM performance.</li> <li>❖ Monitor the effectiveness of the grievance process and make alterations to improve its effectiveness where required.</li> </ul>
<b>Contractor</b>	<ul style="list-style-type: none"> <li>❖ Implementation and compliance with internal and external GRM procedures at construction sites, including cases of GBV/SEA/SH;</li> <li>❖ Regular reporting of complaints received, and actions taken;</li> </ul>

Entity	Responsibilities for managing grievances
	<ul style="list-style-type: none"> <li>❖ Nominate a dedicated Community Liaison Officer (CLO) for the handling and reporting of grievances;</li> <li>❖ Ensure that the CLO has the necessary resources and personnel required to meet the commitments of the GRM. Support the resolution of grievances by conducting investigation of serious grievances and proposing appropriate resolutions to those grievances;</li> <li>❖ To receive and register all incoming grievances into the Grievance Registration Book (grievance logbook and central grievance excel-sheet).</li> <li>❖ To analyze grievances in order to understand the nature of grievances and an appropriate way to deal with them;</li> <li>❖ To categorize all incoming grievances;</li> <li>❖ To refer the analyzed grievances to the related committees/entities for resolution, and complainants, if they wish to come forward, should be able to explain;</li> <li>❖ To follow up on the grievances with the responsible committees/entities to speed up the process and reach the result (timeline based);</li> <li>❖ To hold periodic Grievance Redressal Committee meetings, as required</li> <li>❖ To feed the result back to the complainant;</li> <li>❖ To check the complaints box and address the incoming complaints.</li> </ul>
<b>Contractor's Community Liaison Officer (CLO)</b>	<ul style="list-style-type: none"> <li>❖ Raise awareness of the GM and distribute copies of the GM leaflet and forms.</li> <li>❖ Ensure that grievances raised are used to improve the Project's environmental and social performance in the future, so that similar grievances to not re-occur over time.</li> <li>❖ Provide practical assistance to people seeking to raise a grievance, so that they are able to complete a Grievance Form.</li> <li>❖ Send information to the Company E&amp;S Manager, copies of completed Grievance Forms so that the Grievance Register can be updated.</li> <li>❖ Support the investigation and resolution of grievances in close coordination with other concerned parties, including the person/group raising the concern.</li> </ul>
<b>World Bank</b>	<ul style="list-style-type: none"> <li>❖ Ensure compliance with international standards and requirements for social and environmental management.</li> <li>❖ Conducting audits and inspections.</li> </ul>

**11 CONTRACTOR MANAGEMENT**

The APIU will use the World Bank's 2017 Standard Procurement Documents for solicitations and contracts, and these include labor and occupational, health and safety requirements and will refer to this LMP. The APIU shall ensure that the contractors are legitimate and reliable entities, and that any written labor procedures the contractors have in place are following this Procedure. As part of the selection process the APIU may review the following information:

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

- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system, including OHS issues, for example, labor management procedures;

While during implementation of the Contracts the following shall be reviewed:

- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

Contracts concluded with contractors shall contain provisions on mandatory compliance with relevant legislation on labor and OHS, as well as the obligation to establish a grievance mechanism for workers (if such a mechanism is not already in place) in the manner defined in this LMP. Such provisions shall be deemed to apply to any sub-contractor.

In the contractual agreements with contractors/subcontractors the APIU shall include appropriate non-compliance remedies, such as termination of the contract should the contractor fail, within the reasonable time given, to comply with any notice to correct related inter alia to compliance with the national labor laws, OHS laws and this LMP.

The APIU can, if it is necessary, request contractors to submit additional documentation, including, without limitation, the following:

- Written policies on labor (for example, the Rulebook on Labor);
- Reports on labor inspection and other authorities;
- Documentation in connection with the labor management system, including OHS procedures;
- Workers' payroll records, including hours worked and pay received;
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS 2;
- OHS records, including entries on accidents and fatalities, as well as information provided to competent authorities.

Contractors' labor management shall be monitored on the basis of Reports on Compliance of Conditions of Work with the ESS 2, which the contractors shall submit to the PIU on a semi-annual basis. In case any irregularities are found on the basis of these reports or through the mechanism for grievance management, the APIU shall inform the competent labor inspectorate.

Contractors' labor management records and reports may include: (a) a representative sample of employment contracts or arrangements between third parties and contracted workers; (b) records relating to grievances received and their resolution; (c) reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions; (d) records relating to incidents of non-compliance with national law; and records of training provided for contracted workers to explain labor and working conditions and OHS for the project.

Once the Project advances the provisions of the LMP covering management of labor and working condition risk of Primary Suppliers shall be expanded and updated and based on the findings of the assessment detailed procedures established and included in the revised document. In addition, the tendering process for contractors will require that contractors can demonstrate their labor management and OHS standards, which will be a factor in the assessment processes. Prior to start any civil works, Contractor shall prepare, consult upon and implement a site-specific Occupational Health and Safety Plan (OHS Plan) as part of the C-ESMP, The Plan shall be reviewed and approved by the APIU's environmental and social staff. The OHS Procedures are outlined below:

The following OHS procedures shall be developed and implemented by Contractors:

- Contractors include the budgetary requirements for OHS measures in their respective bids.
- The contractor will develop and maintain an OHS management system that is consistent with the scope of work, which must include measures and procedures to address all the following topics listed below and in accordance with local legislation and GIIP (as defined by World Bank Group EHSs).
- Contractor will conduct workplace hazards identification and adopt all applicable E&S risk mitigation measures in accordance with local legislation requirements and WBG EHSs.
- Contractor designates a responsible person to oversee OHS related issues at the project site and define OHS roles and responsibilities for task leaders and contract managers.
- Contractors should put in place processes for 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, without fear of retaliation.
- Contractor provides preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances informed by assessment and plan. Whenever PPEs are required for the work, it must be provided at no cost for the workers.
- Contractors should assess workers' exposure to hazardous agents (noise, vibration, heat, cold, vapors, chemicals, airborne contaminants etc.) and adopt adequate control measures in accordance with local regulations and WB EHSs.
- Contractors provide facilities appropriate to the work's circumstances, including access to canteens, hygiene facilities, and appropriate areas for rest. Where accommodation services are provided to project workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the health, safety, and well-being of the

project workers, and to provide access to or provision of services that accommodate their physical, social, and cultural needs.

- Contractor provides appropriate training/induction of project workers and maintenance of training records on OHS subjects.
- Contractor documents and reports on occupational incidents, diseases, and incidents in accordance with Article 223 of Labor Code of KG. The reporting protocol should be developed to establish reporting to all parties involved.

Contractor provides emergency prevention and preparedness and response arrangements to emergency situations including and not limited to workplace accidents, workplace illnesses, flooding, fire outbreak, disease outbreak, labor unrest and security.

The key OHS features should include:

**Health and Safety Policy Statement:**

- Outline Contractor's commitment to providing a safe and healthy work environment for all employees, subcontractors, and stakeholders.
- Describe the responsibilities of management and workers in ensuring compliance with OHS regulations and promoting a culture of safety.

**Occupational Health and Safety:**

- Details on how Contractor will manage safety throughout the project, including hazard identification, risk assessment, and control measures.
- Specify procedures for incident reporting, investigation, and corrective actions.
- Include protocols for emergency response, evacuation, and first aid.

**Training and Certification Records:**

- Provide documentation of safety training completed by Contractor's employees, including certifications for operating machinery, handling hazardous materials, and first aid.
- Highlight any specialized training relevant to construction and repair/rehabilitation of laboratory facilities.
- Occupational Health and Safety (OHS), environmental and social training
- Training on Code of Conduct for Contractor's Personnel

**Risk Assessments:**

- Include copies of risk assessments conducted for the project, identifying potential hazards and control measures to mitigate risks.
- Provide evidence of consultation with workers and subcontractors during construction as part of the risk assessment process.

**Incident and Injury Records:**

- Contractor shall provide a summary of your company's safety performance, including records of incidents, injuries, near misses, and their resolution on previous projects.
- Highlight any lessons learned and improvements made as a result of incident investigations.

**Safety Equipment and Personal Protective Gear:**

- Specify the safety equipment and personal protective gear the Contractor will provide to workers, ensuring compliance with relevant standards and regulations.
- Include information on the maintenance, inspection, and replacement of safety equipment.

**Contractual provisions will require that contractors shall monitor:**

**Labor conditions:**

- Monitor, keep records and report on terms and conditions related to labor management;
- Provide workers with evidence of all payments made, including benefits and any valid deductions;
- Keep records regarding labor conditions and workers engaged under the Project, including contracts, registry of induction of workers including Code of Conduct, hours worked, remuneration and deductions (including overtime);

**Safety:**

- Record safety 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, etc.).

**Workers:**

- Number of workers, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child labor is involved, and skill level (unskilled, skilled, supervisory, professional, management) for instance by keeping employment records and/or proof of age checks when needed.

**Training:**

- Training/induction dates, training plans (Compulsory and internal), number of trainees, and topics.

**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.

**Worker grievances:**

Details of any worker grievances 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 from the preceding report and those that were unresolved. The PIU will manage and



monitor the performance of the Contractor in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties). This may include audits, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by contractors. Contractors' labor management records and reports may include:

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

The following procedures are to be followed by the APIU for contractor management, adhering to LMP provisions and shall be liable to comply with these procedures:

- Ensure that Contractors have valid contracts with clearly define service level agreement and all environmental and social clauses.
- Contractor induction to national Labor Law, standards and LMP.
- Monthly submission of records: Contractor submission to Project Implementation Unit, copied to the Supervision Engineer. This includes:
- Managing incidents and accidents, the Incident Reporting and Investigation Procedure is followed, and the Incident/Accident Monitoring Register is used to monitor. b. Contractor employees recorded using Contractors Employee List
- Monthly site visits (at a minimum) and reports
- Major concerns or issues tracking using monitoring register.
- Implementation of the contractor requirements include training, OHS documents, certifications and others.
- The evaluation results in Portfolio Reports which include recommendations for contract extension or termination.
- Training needs assessment identified and recorded in Contractor Training Schedule.

## **ANNEXES**

### **Annex 1. Sample Code of Conduct for Employees**

#### **CODE OF CONDUCT**

## SAMPLE

*This Code of Conduct Sample is designed as a guide for use by Project Stakeholders. It is part of a suite of resources to help projects put in place effective practices and procedures for their organizations. Please be aware that no generic document can cover all circumstances and that you may need to adapt this to the needs of your business.*

“The Company” has always strived to achieve the highest ethical standards in its conduct of business. The company's reputation and goodwill are recognized and valued as its most important asset, which warrants the faith and trust of its various stakeholders. This Code of Conduct is designed to formally put these corporate values into practice. The purpose of this Code of Conduct is to articulate high standards of honesty, integrity, ethical and law-abiding behavior expected of all employees while also meeting the requirements of external stakeholders and applicable laws.

### **1. Scope**

The Code of Conduct is applicable to all employees of The Company. It is also applicable to all suppliers, consultants, agents, sales representatives, distributors and independent contractors working with The Company for any specified period. In essence, anyone representing The Company or working on the Company's behalf is expected to act consistently with the Code.

### **2. Responsibilities under the Code**

#### ***Responsibility of Employees***

It is the responsibility of each employee to be aware of and abide by the code of conduct elucidated in this document. Additionally, all employees also have the responsibility of behaving/acting in an ethical manner compliant with the applicable laws of the land. Further, each employee is responsible for reporting any violations of the code they observe within the company to the appropriate authority.

#### ***Responsibility of Managers***

In addition to the above, The Company Managers have an additional responsibility to drive a culture of integrity, honesty, ethical and law-abiding behavior among other employees in the organization.

Towards this end, they are expected to be a role model of the behaviors expected of employees, reinforce the code of conduct as part of regular employee communication, and encourage employees to report violations of the Code and guard against taking retaliatory action against someone for making a good faith report.

### **3. Code of Conduct**

#### **3.1 Code of personal Conduct**

##### ***Honesty & Integrity***

All employees are expected to demonstrate the highest standards of honesty and integrity in their conduct at all times while representing The Company and conducting business on behalf of The Company. Towards this end, every employee is required to be straightforward and honest in their professional and business relationships, be truthful about the services provided, the knowledge possessed, and experience gained.

##### ***Respect for all***

All employees are expected to demonstrate respect and trustworthy behavior in their dealings with other employees as well as external stakeholders.

##### ***Team spirit***

All employees are expected to uphold the spirit of team work and ensure that the best interest of the team and Company prevails at all times.

### ***Substance Abuse***

All employees are expected to maintain a drug-free environment at workplace and refrain from substance abuse of any form while performing their duty within premises or outside of it. Employees are also prohibited from selling, distributing, possessing or encouraging others to use controlled substances.

## **3.2 Code of conduct towards employees**

### ***Equal Opportunities for employment***

The Company is an equal opportunity provider and does not discriminate against any person because of their gender, caste, religion, age (within statutory limits), marital status, nationality, ancestry, ethnicity, geographical origin, sexual orientation, disability or any other trait protected by law, with respect to any terms of employment such as hiring, promotion, transfer, compensation & benefits, career development opportunities, etc. It is expected that managers should take employment related decisions based only on the merit of the person and not discriminate against any person because of their personal characteristics/traits.

### ***Workplace free of harassment***

The Company recognizes and respects the right of every employee to a harassment free workplace. Hence, employees are expected to ensure a healthy, safe and conducive work environment that is free from harassment of any kind or form.

Towards this, employees are prohibited from indulging in harassment of any kind or form - whether physical, verbal, psychological, or sexual in nature. This includes all types of unwelcome, offensive, demeaning and intimidating behaviors, whether explicit or implicit.

The Company sets a standard of 'zero tolerance' for harassment. We are all responsible for ensuring that we avoid actions or behavior that are, or could be, viewed as harassment.

The Company views all incidents of 'sexual harassment', very seriously and encourage employees to report any incidents of sexual harassment to the Company Management. The Company management may initiate strict disciplinary action against employee found guilty of any kind of sexual harassment.

### ***Workplace free from violence***

The Company will not tolerate workplace violence in any form either within premises or outside where company related activities are carried out. Employees are expected to not indulge in workplace violence. They must not encourage others towards it as well. Employees are also prohibited from possessing weapons or dangerous items at workplace or outside while conducting business activities.

### ***Open door communication***

The Company believes that the work environment should be free from any kind of bureaucracy and all employees must have access to other employees regardless of their position or influence in the company. All managers are expected to foster an open-door culture at the workplace.

### ***Prohibition of child labour***

The Company strictly prohibits the employment of child labour at its plants and offices. All employees at The Company responsible for hiring of staff are required to ensure that this principle is upheld.

### ***Environment, Health & Safety***

The Company is committed to providing its employees a safe, healthy, and ergonomically sound working environment. The company will take all possible measures to ensure health and safety of its employees.

Safety at workplace is also every employee's responsibility. All employees and visitors to the workplace must comply with safety norms/policies/standards as prescribed by the company and applicable law. All employees must ensure that no unsafe act is committed at workplace. Employees must also undertake all possible measures to eliminate any unsafe condition as soon as they become aware of it.

If an employee witnesses any unsafe act or unsafe condition, they should report the matter to relevant authorities at the earliest.

### ***Personal Information Privacy***

The Company is committed to protecting personal information that is shared by employees during the course of employment, consistent with applicable data privacy laws, including the rules surrounding the collection, processing, use, transfer and disclosure of personal information.

It is expected that employees whose job responsibilities include the collection, modification, transfer, processing, storage or use of personal employee information will comply with the applicable data privacy laws and other internal controls that protect this personal information.

### ***Confidential Information***

Unless required by law or authorized by their management, employees shall not disclose confidential information or allow such disclosure. The obligation continues beyond the termination of agreement. Employees must use their best efforts to avoid unintentional disclosure by applying special care when storing or transmitting confidential information.

### ***Human Rights***

The Company recognizes the importance of maintaining and promoting fundamental human rights in all of our operations and throughout our supply chain, our values, codes and employment policies work together to support the principles contained in UN Universal declarations of human rights and the International Labor Organization's fundamental principles and labor standards.

We operate under the program and policies that:

- Provide fair and equitable wages, benefits and other conditions of employment
- Are in accordance with local laws
- Provide humane and safe working conditions
- Prohibit all forms of forced and compulsory labour or child labour
- Promote workplace free of discrimination and harassment

We expect our suppliers and business partners to uphold these principles as well and not be complicit in human rights abuse.

### ***Solicitation of gifts and advantages***

Offering or receiving gifts and being entertained can easily create an actual or apparent conflict of interest. No gifts of any kind that are offered by vendors, suppliers, customers, potential vendors and suppliers, or any other individual or organization, no matter what the value, should be accepted nor offered by any employee, at any time, on or off the work premises.

Gifts received through courier or post, at reception, or through any other means, should be submitted to the Administration Department which shall maintain a record of such gifts received by it and donate them to charity.

### **3.3. Code of conduct towards Society**

#### ***National Interest***

All employees of the Company are expected to conduct business in the best national interest and shall not be engaged in any activities that shall put national interest at risk.

#### ***Compliance with laws, regulations, policies and procedures***

Each employee must comply with the letter and spirit of any applicable law, rule or regulation, the Protocols, policies and procedures of the Company and also encourage other officers and employees to do the same.

#### ***Bribery & Corrupt Practices (Named as Prohibition and Corruption)***

Employees shall not engage in any corrupt Practices including offering/accepting bribes or kickbacks or any other kind of improper payment including facilitation payments, giving false incentives, indulging in the /fraud, embezzling funds, indulging in personal money transactions or personal entertainment with vendors / suppliers.

#### ***Environmental Protection***

The Company endeavors to protect the communities they operate in, their surrounding environments and the world as a whole. Towards this end all employees are expected to comply with applicable environmental laws and requirements.

### **4. Violation of the Code (Reporting Concerns)**

Each employee must report actual or potential violations of this code of conduct or applicable laws to the Company.

### **5. Investigations**

All protected disclosures under this policy will be recorded and thoroughly investigated.

### **6. Consequences for proven violations**

Violations of this Code, Company Policy or the law will attract disciplinary action—up to and including termination. Violations also include any false allegations, regardless of whether they are made anonymously. Legal and ethical misconduct can also subject the individuals involved and The Company to fines, penalties and civil or criminal prosecutions.

### **7. Amendments**

The company is committed to continuously reviewing and updating its policies and procedures. Therefore, the company reserves its right to amend, alter or terminate this code at any time and for any reason, subject to applicable law.

*This Code of Conduct is not exhaustive and lays down only the general principles to be followed by all parties as covered under the code. The company may have separate codes/policies formulated for*

*regulating various matters that may be required under the specific laws. The parties shall be responsible for adhering to such additional codes/policies as may be applicable to them.*