



LESOTHO LOWLANDS WATER DEVELOPMENT PROJECT PHASE II

LABOUR MANAGEMENT PROCEDURE

JUNE 2021

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EXECUTIVE SUMMARY

THE Labour Management Procedures for the Lesotho Lowlands Water Development Project Phase II (LLWDP-II) has been developed to meet the requirements of Environmental and Social Standard 2 (ESS 2), Labour and Working Conditions, of the World Bank Environment and Social Framework. LLWDP II financed by World and European Union and is implemented by the Ministry of Water on behalf of the Government of Lesotho. The project is comprised of four components, namely Investments in Water Infrastructure in Zones 2 and 3 and Zone 6 and 7, Capacity Building, Institutional Strengthening, and Project Management, Institutional strengthening support to other water sector departments, Strategic Sanitation Planning TA, WASCO Performance Improvements and Contingent Emergency Response Component (CERC) in the event of an Eligible Crisis or Emergency.

The LMP identifies key risks for the project based on the Lesotho context. The risks include poor labour and working conditions, gender-based violence and sexual exploitation and harassment, poor employment and recruitment policies, workers camp management and inattention to occupational health and safety. A mitigation strategy for these risks is also devised.

The LMP provides a description of key national laws, regulations and policies relevant to the project. These include Labour Code 1992, Public Health Regulations on sanitation and housing.

Section 5 describes the GRM to address employee complaints both from direct project workers and contracted workers.

Implementation responsibilities of the LMP are described. Project Implementation Unit, Project Manager, Environment Safeguards Specialist, Social Safeguards Specialist, Financial Management Specialist, GIS Specialist, Water Resources Specialist, Civil Engineer, Mechanical Engineer, Procurement Specialist, Monitoring and Evaluation Specialist, Legal Services Manager and Public Relations Officer have primary responsibilities on the project side.

1.0 INTRODUCTION AND PROJECT BACKGROUND

LLWDP II is mandated to provide unmet water demand in the Lowlands Region of Lesotho in priority zones 2 and 3 (Hlotse and Maputsoe) and zones 6 and 7 (Mafeteng and Mohale'sHoek). The Project is comprised of four components as follows:

Component 1. Water Supply Investments in Zones 2 and 3 and Zone 6 and 7

This component will finance a programme of activities designed to improve access to reliable domestic and industrial water supply services in Maputsoe and Hlotse towns and villages along the transmission pipeline route. The activities include (a) construction of the bulk water supply scheme which will abstract water from the Hlotse river and transfer it to the project towns; the system will include a river intake structure, source protection measures to protect the local environment and reduce the effects of flooding, a water treatment plant, transmission lines, reservoirs, and auxiliary facilities; (b) construction and rehabilitation of distribution water mains and networks in the Maputsoe and Hlotse towns and surrounding settlements, including installation of meters, household service connections, leakage reduction measures, and standpipes; and (c) consultancy for construction supervision and quality assurance of water supply infrastructure contracts, technical studies, and engineering designs.

Component 2. Capacity Building, Institutional Strengthening, and Project Management

This component will finance a series of activities to strengthen sector institutions and support implementation of the LWDP and planning for a comprehensive Sanitation Action Plan for Zones 2 and 3. These include TA, consultancy services, systems, and equipment to support three broad categories of activities:

Project management, including support to the Project Implementation Unit (PIU); incremental operating costs; support for a panel of dam safety experts; support for safeguards (including any additional studies as needed) and preparation, implementation, and monitoring of site-specific environmental and social safeguards for the water distribution network; and support for project communications and citizen engagement activities.

Institutional strengthening support to other sector departments. This will include support to DRWS (operational and policy support), DWA (water quality monitoring), LBWSA (international experiences in bulk water supply agencies), CoW (miscellaneous studies and capacity building, including review of the tariff structure to assess, among others, the bulk water tariff), LEWA (technical data quality and auditing), and Ministry of Development Planning (MoDP) (improved oversight of project implementation).

Strategic Sanitation Planning TA. This TA will support the GoL to develop a medium-term sanitation program, based on updated sector diagnostics and preparation of master plans for select urban locations, including but not limited to Maputsoe and Hlotse, in line with the Citywide Inclusive Sanitation approach. As part of the master planning process, initial sanitation assessments will be conducted and priority urban sanitation interventions identified for holistically addressing the sanitation situation at the various stages of the sanitation service chain in Lesotho through future operations. For the short to medium term, high-priority works, feasibility studies, detailed designs, and technical specifications for bidding documents will be prepared. The TA will also support the MoW in policy and institutional aspects relating to sanitation, including preparation of a National Sanitation Action Plan building upon the Water and Sanitation (WATSAN) policy and implementation strategies and update of the existing sanitation Master Plan. For rural sanitation, the TA will support preparation of sector diagnostics and detailed action plans for

implementation of rural sanitation and hygiene promotion and identification of strategies for a more targeted and nutrition-sensitive WASH approach aimed at reducing child stunting in Lesotho. Finally, the TA will support the GoL in developing a comprehensive industrial wastewater management and regulation strategy and action plan engaging relevant stakeholders.

Component 3. WASCO Performance Improvements

This component will finance a complementary mix of TA, investments, and financial incentives to improve the operational and financial performance and overall capacity of WASCO to deliver its mandate. The proposed TA includes hiring change management¹ contractors to support WASCO senior management and its Board of Directors, asset valuations, and O&M planning for the project-financed infrastructure. Investments are focused on improved network monitoring through metering and pressure logging. Financial incentives comprise a series of DLIs that will incentivize WASCO to improve the quality of technical and financial data and deliver better performance.

Component 4. Contingent Emergency Response Component (CERC)

In the event of an Eligible Crisis or Emergency, this contingent component will provide immediate and effective response to said Eligible Crisis or Emergency, defined as “an event that has caused, or is likely to imminently cause a major adverse economic and/or social impact associated with natural or man-made crises or disasters.” The World Bank’s assistance may consist of immediate support in assessing the emergency’s impact and developing a recovery strategy or the restructuring of existing, or provision of new, Investment Project Financing. In all cases, the World Bank would adapt its rapid response in form and scope to the emergency’s particular circumstances and take into account the World Bank’s Country Partnership Strategy for the country.

The plan is developed to meet the requirements of Environmental and Social Safeguard Standard (ESS2) Labour and Working Conditions of the World Bank Environmental and Social Framework. The objectives of ESS2 are to:

- Promote safety and health at work.
- Promote fair treatment, non-discrimination and equal opportunity for project workers.
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children of working age, contract workers, community workers and others as appropriate.
- Prevent the use of all forms of forced labour and child labour.
- Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national laws.
- Provide project workers with accessible means to raise workplace concerns.

Borrowers are required to develop and implement Labour Management Procedures (LMP). The LMP identifies the labour requirements and risks associated with the project. It is expected that the LMP and procurement documents will inform each other and key aspects of LMP will be incorporated into contractual obligations of contractors, contractors and sub-contractors.

1.1 Purpose of the Labour Management Procedure

The Labour Management Procedure (LMP) is developed to manage risks that may arise during implementation of the Lesotho Lowlands Water Development Project Phase II (LLWDP-II). These Labor

Management Procedures provide an overview of the applicable Lesotho legislative and WB Environmental and Social Standard 2 (ESS2) provisions and how the risks and issues related to labor in the LLWDP-II sub-components will be managed during the implementation phase. The Labor Management Plans for the individual components will in due course be prepared by the relevant contractors and will be reviewed and cleared by the Supervision contractor/PIU as appropriate.

2.0 OVERVIEW OF LABOUR USE ON THE PROJECT

According to ESS2, project workers can be classified into four groups as follows:

Direct workers: People employed or engaged directly by the Project, including Government employees, employees of implementing agencies and work in relation to the project.

Contracted workers: people employed or engaged through third parties to perform work related to functions of the project irrespective of their location. This includes contractor's and contractors' employees.

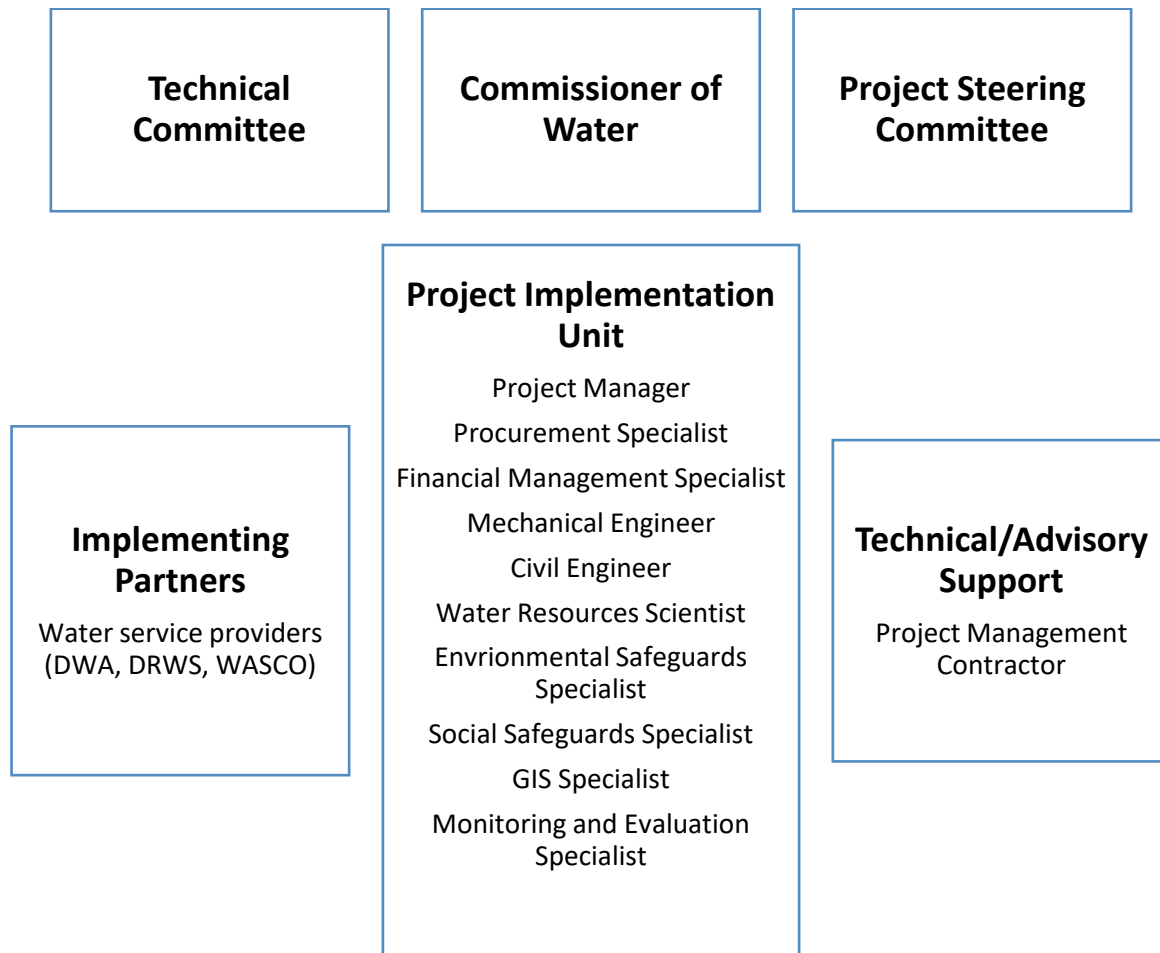
Primary supply workers: people who are employed or engaged by the Project's primary suppliers.

Community labour: people employed or engaged to provide community labour.

PROJECT DIRECT WORKERS

For key implementation and functioning of the Project, staff is employed to perform key project management functions. Figure 1 below depicts key staff employed for efficient functioning of the PIU.

Figure 1: Project Implementation Structure



What follows below is a brief description of the roles and responsibilities of each of the identified member of the direct project staff. The Commissioner of Water is the senior-most officer responsible for implementation of the project. His office is at the Ministry of Water within the civil service.

Project Manager is involved in the day-to-day oversight and management of the project. He is responsible to deliver the project according to time and budget and is the first point of contact on all project related issues. He is required to provide updates and coordinate with the PSC, COW, World Bank and European Union as well as European Investment Bank. He also is responsible for day-to-day management of the PIU, staff training and management of staff.

Procurement Specialist ensures that project procurement complies with World Bank and European Union Guidelines on procurement of goods, works and selectin of contractors and contractors.

Financial Management Specialist ensures that all financial and accounting aspects of the project are done in accordance with laws and regulations on finance. She is responsible to set up and maintain the financial management system of the project in accord with government policies and those of the cooperating partners.

Environment and Social Safeguards Specialists ensure that the project is implemented in accordance with environmental and social policies of the government, World Bank and European Union. They are responsible for implementation and management of Environmental and Social Management Plans, stakeholder Engagement Plan, Labour Management Procedures, Environmental and Social Management Frameworks and Occupational Health and Safety plans.

Mechanical Engineer designs, develops, build and tests systems for pipelines and regulates addition of chemicals at the water treatment plants.

Civil Engineer plans, designs, builds and maintains systems necessary to provide safe and clean drinking water and its disposal after use.

Water Resources Scientist designs, develop and tests systems and equipment for water resources management facilities.

3.0 ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

Table 1: Assessment of key potential labour risks with Mitigation Measures

S/No	Activities to be considered	Anticipated Risks	Mitigation Measures
A	Employment and working conditions	<p>Lack of formal work contract</p> <p>Lack of disability insurance</p> <p>Lack of adherence to official work hours</p> <p>Violation of national labor law regarding employment of Child and Forced labourers</p> <p>Lack of equal pay for equal work for men and women</p> <p>Discrimination in recruitment and employment</p>	<p>Labor Management Plans for individual sub-components, prepared as part of C-ESMP: Supervising Engineer and ESSU should monitor adherence to LMP</p> <p>In accordance with Lesotho Labor Law, recruitment of child laborers is against the law, and age will be checked on the National Identity card for work, and the minimum Age (18) for Hazardous Work. Awareness raising sessions to be conducted among all stakeholders regarding child labor and forced labor.</p>

B	Grievance Mechanism	<p>Lack of adequate and accessible GRM</p> <p>Lack of awareness about GRM</p> <p>Non-functionality of GRM Grievance Redress Mechanism</p>	<p>Grievance Redress Mechanism should be accessible for workers/employees under each sub-component (including access by direct, contracted and primary supply workers)</p> <p>Every worker should have open access to register complaints:</p> <ol style="list-style-type: none"> 1) At local level 2) At project level; and 3) At MOW level. <p>Members of the GRC should include representatives from the community and local NGOs, female members should be part of the Committees, Public information posters in Sesotho will be distributed among communities to use grievance service.</p> <p>GRC for workers will be trained to address grievances by workers and other workplace issues in an effective and efficient manner. In case the grievance cannot be resolved by the GRC for workers, it will be escalated to the next level.</p>
C	Occupational Health and Safety (OHS)	<p>Serious accidents and fatalities due to lack of adequate OHS measures.</p> <p>Lack of OHS plan</p> <p>No certified OHS specialist permanently on site.</p>	<p>Preparation and adequate implementation of an OHS Policy, Risk Assessment, making surveys and inventories at regular intervals to find</p>

			<p>problems due to leakages, corrosions, trench collapses etc. and take corrective action. All contractors are required to have OHS officers on site.</p> <p>Supervising Engineer will approve and supervise implementation of the OHS Plan.</p>
D	Recruitment Policy for Contracted Workers	<p>Corruption & nepotism in recruitment process</p> <p>Exclusionary practices in recruitment, for example discriminating certain groups.</p> <p>Social conflict by local communities feeling excluded from employment opportunities.</p> <p>Violation of local cultural values and customs.</p>	<p>Recruitment policies (which agreed to with local communities) should ensure that all the technical contracted staff are recruited through open, non-discriminatory, transparent processes, with job announcement posted locally, away from construction site.</p> <p>The priority should be given to local employment, if locals are able to fulfill the job specifications.</p> <p>Unskilled labor should be recruited locally.</p> <p>Awareness raising and orientation about local cultural norms, values and customs</p>

E	Labor camp management	<p>Social unrest</p> <p>GBV resulting from labor camp (workplace sexual exploitation and harassment)</p> <p>Labor influx.</p> <p>Lack of labor camp management plan.</p> <p>Lack of adequate facilities at labor camp (potable water, sanitary and other facilities)</p>	<p>Contractors to prepare Labor Camp Management Plans.</p> <p>The camp for the external specialized staff (including national staff) should be located far from any local community.</p> <p>All staff are subject to a Code of Conduct, incl. orientation regarding Sexually Transmitted Diseases (STD), and Workplace Sexual Harassment (WSH), Sexual Exploitation and Abuse (SEA) and GBV and COVID-19 precautions.</p> <p>All workers to receive orientation regarding GRM options. Provision of basic life facilities like safe drinking water, sanitation, electricity etc. for workers at construction camp.</p>
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3.1 Mitigation of OHS of labor related risks.

Mitigation of labor related risks will naturally depend on the specific sub-component and will be covered in detail in the specific C-ESMP and its Labor Management Plan. The following are some issues which need special consideration and supervision during the project implementation:

- Adherence to the national labour law and its OHS portion as well to the IFC/WBG EHS Guideline including its OHS Guidelines which is also mandatory to be applied.
- Reporting all work-related incidents to understand the cause and the lessons learned and how to prevent recurrence of such incidents.
- OHS Policy for all contractors, OHS Risk Assessment, preparation and adequate implementation of OHS Plan and

- Recruitment of certified OHS Specialist by all Contractors and Supervising Engineers.
- Provision of Occupational Health and Safety Training and Equipment (Gloves, Shoes, Work dress, Helmet, Protective Glasses etc.).
- PIU hires certified OHS Specialist or recruits OHS certified E&S Specialists.
- Hiring of medical officer(s) for the emergency cases and a site clinic, first aid kit on all project sites and ambulance.
- Child and forced labor shall be strictly prohibited. National ID is a part of the requirement for age and security verification.
- All the workers shall have open access to a grievance recording.
- All workers shall be recruited under specific terms and conditions based on national law (Labour Code 1992) and project agreement.
- Code of Conduct signed by all workers as part of contract prior to start of work.
- The project workers shall have elected representatives to raise their issues. A record of which will be kept in the complaints book and will be shared with PIU Environmental and Social Safeguards Specialists directly by email, in writing or by telephone.
- All workers shall be trained and made aware regarding project nature and working roles and regulations including their rights at the workplace.
- The OHS Plan should have regular checking on HIV/AIDS and STD and COVID-19 situation and take measures to ensure mitigation measures and relevant precautions, awareness raising training and health checks.
- Audit on monthly basis to verify the level of enforcement of the country labour law and regulations as well as the WBG EHS and OHS Guidelines.

4.0 BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

There is only one piece of legislation in the Kingdom of Lesotho dedicated to Labour issues namely Labour Code Order No. 24 of 1992 with its amendments:

Labour Code Amendment Act 2000 – Establishes the Directorate of Dispute Prevention and Resolution (DDPR) and a Labour Appeal Court; Labour Code Amendment Act 2006 – makes a provision for HIV and AIDS in the workplace and transferred the review powers from the Labour Appeal Court to the Labour Court.

The Labour Code Order of 1992 provides for the amendment, consolidation and codification of laws relating to employment. Part I: Preliminary Part II: Interpretation and fundamental provisions; Part III:

Administration and Adjudication; Part IV: Wage fixing machinery; Part V: Contacts of Employment, Termination, Dismissal, Severance pay; Part VI: Protection of Wages; Part VII: Health, Safety and Welfare at work; Part VIII: Weekly rests, Hours of Work, holidays with pay, educational leave, sick leave; Part IX: Employment of young persons, women and children; Part X: Labour Agents; Part XI: Contracts of Foreign Service, Part XII: Employment of Non-Nationals; Part XIII: Trade Union Organizations and employer's organization. Establishment and Registration; Part XIV: Trade Unions and Employer's Organizations. Membership, Officers, rules; Part XV: Unfair labour practices; Part XVI: Property, funds and Accounts of Trade unions and employer's organizations; Part XVII: Rights and liabilities of trade unions and employers' organization; Part XVIII: Settlement of Trade disputes; Part XIX: Strikes, lock outs and Essential Services; Part XX: Picketing, intimidation and other matters related to trade disputes; Part XXI: Miscellaneous, repeals and amendments.

The Labour Code Wages (Minimum Wages) Notices are issued annually by Government Gazette and sets minimum wages and basic terms and conditions of employment in all sectors of economic activity in the Kingdom of Lesotho.

The Labour Code (Codes of Good Practice) Notice 2003 was published by the Minister of Labour after consultation with the Industrial Relations Council through the provision made in Section 240 of the Labour Code.

The Codes of Good Practice also cover arbitration and conciliation. The arbitrator and conciliation codes are generally directed to an arbitrator or conciliator. They are directed to a decision-maker and constitute official executive policy. But no decision maker under administrative law may fetter his or her discretion. Accordingly, a conciliator or arbitrator must take all relevant facts and law into account, including the codes, before reaching a decision and may depart from the official policy if the circumstances justify a departure. In other words, like codes, the policy must be flexibly applied. The publication of policies is permissible under administrative law.

It is, therefore, very important that all consultancies engaged in the LLWDP-II comply with the Labour Legislation of the Kingdom of Lesotho and the Labour Code Wages Notice which is published annually.

4.1 Occupational Health and Safety

The Labour Code Order of 1992 has legal provision pertaining to occupational health and safety in the Kingdom of Lesotho in Part VII: Health and Safety and Welfare at Work. 92: Application; 93: Duties of employers; 94: Duties of employees; 95: Duties of Designers, manufactures, importers etc.; 96: Keeping of documents; 97: Safety and Health Officers; 98: Safety and Health committees; 99: Prohibition orders; 100: Regulations; 101: Notification of industrial accidents and dangerous occurrences; 102: Notification of Industrial deceases; 103: Training and supervision of persons working at dangerous machines; 104: Fire prevention, Fire-fighting; 105: Prohibited and toxic substances; 106: Removal of dust or fumes; 107: Reduction of noise and vibrations; 108: Lifting of weights; 109: Personal protective equipment and clothing; 110: Water Supply; 111: Registration of factories; 112: Cancellation of registration; 113: Appeal form decision; 114: Removal of nuisance in or near a worksite; 115: Employer provided housing and 116: Penalties.

4.2 Community Health and Safety

Contractors will be required to maintain good labour relations with local communities through a written Code of Conduct (CoC). The purpose of the CoC is to commit all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable conduct. The CoC must include sanctions for non-compliance, including failure to conform to specific policies relating to gender-Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH). Sanctions applied could include termination and reporting offenders to authorities. The CoC should be written in plain language and signed by each worker to show that:

- ❖ They received a copy of the COC as part of their contract,
- ❖ A CoC has been explained to them as part of their induction process,
- ❖ They acknowledged that adherence to the CoC is a mandatory condition of employment,
- ❖ Understood that violation of the Coc can result in serious consequences including dismissal and referral to legal authorities.

A copy of the CoC shall be displayed in a location that is easily accessible to the community and project affected people. It shall be written in both English and Sesotho.

4.2 Forced Labour

Contractors and their sub-contractors will not be allowed to make use of forced labour in executing any part of the project. In addition, workers who are victims of human trafficking will be used on the project. A contractor found to be engaged in such practices will be reported to the authorities.

4.3 Gender-based Violence and Sexual Exploitation and Abuse

Gender-Based Violence has been identified as one of the serious problems in Lesotho and may be exacerbated by perceived project benefits. Contractors will be required to implement the following actions to mitigate these risks:

- ◆ Undertake mandatory training and awareness raising for their workforce about refraining from unacceptable conduct towards local community members, especially women and girls.
- ◆ Inform workers about national laws that make sexual harassment, sexual exploitation and abuse and Gender-Based Violence punishable offences.
- ◆ Cooperate with law enforcement agencies in investigations about GBV.
- ◆ Develop a system to capture GBV, SEA and SH related complaints.
- ◆ Contractor's GRM will have provisions for handling grievances related to GBV, SEA and SH.

The Social Safeguards Section will monitor and register incidents and take them up with relevant legal agencies.

5.0 AGE OF EMPLOYMENT

Lesotho has ratified The African Charter on the Rights and welfare of the Children (also known as ACRWC or Children’s Charter) was adopted by the Organisation of African Union (OAU) in 1990 and was entered into force in 1999. Lesotho has also ratified both the ILO Minimum of Age Convention (C138) and the ILO Worst Forms of Child Labour Convention (C182). The ACRWC, C138, C182 prohibit employment of children under the age of 18.

The minimum age of employment for this project shall be 18 years and to ensure compliance, all employees will be required to produce National Identification Cards as proof of their identity and age which is the national identification required for employment.

If any contractor employs a person under the age of 18 years, that contractor will not only be terminated but also reported to the authorities. Contractors’ Labour Management Procedure will set out terms and conditions for contracted or sub-contracted workers. The terms and conditions will conform with this Labour Management Procedure, the Lesotho Labour Code and Environmental and Social Management Frameworks of the Project.

6.0 DISCIPLINARY PROCEDURES AND GRIEVANCE MECHANISM

In any working environment it is essential for both employers and employees to be fully conversant with all aspects of disciplinary processes, grievance handling procedures and the legal requirements and rights involved. In implementing an effective dispute management system consideration must be given to the disputes resulting from the following:

Disciplinary Action
Grievance Redress Mechanism (GRM)

6.1 Disciplinary Procedure

The starting point for all disciplinary action is rules. These rules may be implied or explicit and of course will vary from workplace to workplace. Some rules are implied in the contract of employment (e.g. ruling against use of alcohol and drugs at workplace), however it is advisable that even implied rules be included in the disciplinary code or schedule of offences. Therefore the workplace rules must be:

- ◆ Valid and reasonable
- ◆ Clear and unambiguous
- ◆ The employee must understand the procedure to be applied in the event that he/she contravenes any of the rules.

A comprehensive Grievance Redress Mechanism has been developed for the project, however the following dispute resolution procedures at work place will be as follows:

Conducting of a comprehensive investigation to determine whether there are grounds for a hearing to be held;

If a hearing is to be held, the employer is to notify the employee of the allegations using a language that the employee can understand;
The employee is to be given reasonable time to prepare for the hearing and to be represented by a fellow employee or lawyer;
The employee must be given an opportunity to respond to the allegations, question the witnesses of the employer and to lead witnesses;
If an employee fails to attend the hearing the employer may proceed with the hearing in the absence of the employee;
The hearing must be held and concluded within a reasonable time and is to be chaired by an impartial representative;
If an employee is dismissed, it must be given the reasons for dismissal and the right to refer the dispute concerning the fairness of the dismissal to the Directorate of Dispute Prevention and Resolutions (DDPR).

Therefore, it is incumbent upon the Contractors to ensure that they have a disciplinary procedure and Code and Standards which the employees are aware of. Each Contractor will be required to produce this procedure to ensure that employees are not treated unfairly.

6.2 Grievance Redress Mechanism

The PIU has a formal Grievance Redress Mechanism (GRM) in place to be utilised by the project team (e.g. Contractors, project partners) and should be well known and explained to the project team. LLWDP-II will have Grievance Redress Committees at three levels as follows:
Community or local level GRC: membership will be made up of community representatives with a representation of women, men, vulnerable groups and PAPs, contractor's representative, grievance focal officer (Assistant CLO).

6.2.1 Grievance for Gender-Based Violence (GBV)

Lesotho has high incidents of GBV. These are likely to increase in the project area due to perceived benefits to women and girls. LLWDP-II will take reports of GBV seriously by ensuring that incidents are reported. Collaboration will be sought with local and national agencies working on the issue of GBV and SEA.

7.0 CONTRACTOR MANAGEMENT

The LLWDP-II requires that Contractors monitor, keep records and report on terms and conditions related to labour management. The Contractor must provide workers with evidence of salary payments regardless of the worker being engaged on fixed term contract, full time, part time or temporary. The application of this requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to LLWDP-II and the World Bank:

Labour Conditions: Records of workers engaged under the LLWDP-II, including contracts, registry of induction of workers, hours worked, remuneration and deductions (including overtime), collective bargaining agreements;

Safety: Recordable incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (e.g. revised job safety analysis, new/different equipment, skills training);

Workers: Number of workers, indication of origin (expatriate, local, non-local nationals, gender, age with evidence that no child labour is involved, and skill level (unskilled, skilled, supervisory, professional, management);

Training/induction: dates, number of trainings and topics covered;

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 LLWDP-II;

Worker Grievances: Details including occurrence date, grievance, date submitted; actions taken and dates; resolution (if any) and date. And follow-up yet to be taken.

All grievances from LLWDP-II will follow the existing LLWDP-II GRM.

The following procedures are going to be used for Contractors management:

- ◆ Ensure that Contractors have valid Contracts with clearly defined Service Level Agreement and all Environmental and Social clauses as applicable;
- ◆ Contractor induction to LLWDP-II standards and LMP;
- ◆ Monthly submission of records: Contractor submission to the PIU includes:
- ◆ Managing incidents and accidents, the Incident Reporting and Investigation Procedures followed and the Incident/Accident Monitoring Register;
- ◆ Contractor employees recorded using Contractor Employee List.
- ◆ Concerns and Issues tracking using the LLWDP-II GRM;
- ◆ Training needs identification recorded in Contractors Training Schedule;
- ◆ Health & Safety (HS) monitoring and evaluation of Contractor requirements using HS files.

**APPENDIX 1:
CONTRACTOR SAFETY, HEALTH AND ENVIRONMENT (SHE) FILE MONITORING FORM**

Name of Contractor:				District:	
				Village/Locality:	
<p>Instructions: Tick (√) if available, put a cross (×) if unavailable. Tick (√) if there was activity, put a cross (×) if there was no activity. Tick (√) if there's evidence, put a cross (×) if there is no evidence. Make a comment according to the changes that have taken place as reflected by availability, activity and evidence on each SHE item.</p>					
NO.	Monthly SHE Items Checklist	Available	Activity	Evidence	Comment
1	Valid Working Contract				
2	Current Employee List				
3	Appointment Letter Included & Copy of ID per employee				
4	Inductions – all Contractor Staff: Reports available				
5	HIRA & Reporting: Incidents, Accidents & Near Misses				
6	Vehicles: Daily Inspection Sheet, Drivers Licences				
7	Register for complaints: GRM being Implemented				
8	Contractors Field Workers PPE: Branded and Properly worn at all times while on duty				
9	Training Needs Assessment				
10	Fire Extinguishers: Valid				
11.	Any Other				
<p>LLWDP-II E&S Name:</p> <p>Signature:</p> <p>Date:</p>					
<p>Contractor:</p> <p>Signature:</p> <p>Date:</p>					

**APPENDIX 2:
WRITTEN PARTICULARS OF EMPLOYMENT**

Name of Employer_____

Name of Employee_____

Date Of Employment_____

Wage_____

Interval at which wages are paid_____

Normal Working Hours_____

Position of Employee_____

Probation Period_____

Annual Leave Entitlement_____

Paid Public Holiday_____

Payment during Sick Leave_____

Maternity Leave (If Employee Female)_____

Notice Employee entitled to receive_____

Notice Employer entitled to give_____

Any other matter either party wishes to include_____

Grievance procedure and disciplinary procedure has to be followed when a grievance arises or disciplinary action needs that to be taken

Employer's Signature_____

Date_____

Witness_____

Date_____

Employee's Signature_____

Date_____

Witness_____

Date_____