

Transmission Infrastructure Development Project for
Southern Area of Chattogram Division and Bangabandhu
Hi-Tech City at Kaliakair Project

Labor Management Plan (LMP)

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Labor Management Plan

1. Overview of labor use on the project

Power Grid Company of Bangladesh Limited (PGCB) under Ministry of Energy, Power and Mineral Resources (MoEPMR) has taken up a project for construction of substations and transmission lines named “Transmission Infrastructure Development Project for Southern Area of Chattogram Division and Bangabandhu Hi-Tech City at Kaliakair Project” for reliable power supply funded by the Government of Bangladesh (GoB) and Asian Infrastructure Investment Bank (AIIB). Construction of proposed power transmission lines and substations facility is likely to start after the appointment of Contractor, and will continue for a period of 30 months (thirty months). Operational Phase of the Project will commence thereafter.

1.1 Project construction related activities

To distribute uninterrupted and quality power in Chittagong, Cox’s Bazar, and Gazipur area new substations and associate transmission lines (TLs) are going to be constructed in that area. Major components of the Project are-

Table 1: Project Interventions and Locations

Name of Substations	Land Size (acre)	SS Type	Required Bays	Associated Transmission Lines	Length (Km)
230/132/33kV SS: Anwara 2x250/350 MVA (230/132kV) 2x80/120 MVA (132/33kV) (Future 400 kV Provision)	20	GIS	230kV: LB=8; TB=2; BCB=1 132kV: LB=2; TB=4 33kV: TB=2	Anwara-Cox’s Bazar (N) 230kV double circuit line (Initially Charged at 132kV)	109
132/33kV GIS Substation: Cox’s Bazar 3x80/120 MVA (Future 230 kV Provision)	10	GIS	132kV: LB=8; CBB=2; TB=3; Spare=1; BCB=1 33kV: TB=3	Anwara-Cox’s Bazar (N) 230kV double circuit line (Initially Charged at 132kV) LILO of Dohazari-Cox’s Bazar 132kV four circuit transmission line	1.55
132/33kV GIS Substation: Teknaf 2x80/120 MVA	5	GIS	132kV: LB=2; TB=2; BCB=1 33kV: TB=2	Cox’s Bazar to Teknaf 132 kV double circuit transmission line	65
230/33kV GIS Substation: BHTC 2x125/140 MVA	5	GIS	230kV: LB=2; TB=2; BCB=1 33kV: TB=2	Existing Kaliakair SS to BHTC 230kV double circuit transmission line (230kV Bay Extension at Kaliakair: 2 Nos.)	4.88
4 Nos.	40			Total (Transmission Line)	180.43

1.2. Potential labors to be used in the project

Direct workers, contracted workers and community workers will be employed for the project. Two contractors may be engaged for the implementation of the project. One contractor will be engaged for construction of substations and another contractor for the construction of transmission lines. It is assumed that contractors will not start all the construction activities at the same time. Rather contractor will start work in a site and after completing each site he will start another site. Moreover, due to the linear type of project, it is not expected that there will be high concentration of workers at the same place and at the same time. So, no severe labor influx is expected. It is assumed that 20 labors will be required during normal operations and 30 labors will be required during peak operations. The nationality of labors during construction phase comprises of Foreign (maximum 4) and remaining from domestic. During operation phase, maximum 16 nos. of manpower would be of local (PGCB). So, it is expected that the total number of labors may not exceed 50 at any sub-project areas due to the phase wise activities. As the unskilled labors will be hired locally, no severe labor influx is expected at any time of the construction. It is assumed that about 50% of the labor will be migrant, for which accommodation will be required. The migrant workers and staff will be accommodated on-site at temporary labor camps or in rented houses in surrounding villages of the Project. Local workers will be employed for carrying out civil works and other masonry works. Setting up of labor camps is not envisaged during the construction phase of the Project. Moreover, temporary tent would be made near the towers and substations area to provide the security of construction machineries.

1.3 Objectives of LMP

The objective of this LMP is to ensure appropriate worker management procedures and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions for project sustainability. During the construction period, contractors will follow this LMP to prepare a simplified labor management plan and Code of Conduct (CoC). Considering the facts, Labour and Working Conditions and Bangladesh Labour Act, 2006 (amendment in 2018), has set following specific objectives:

- To promote health and safety at work.
- To promote the fair treatment, non-discrimination and equal opportunity of project workers.
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children and migrant workers, contracted workers, and primary supply workers, as appropriate.
- To prevent the use of all forms of forced labour and child labour.
- To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.
- To provide project workers with accessible means to raise workplace concerns.

2. Assessment of the potential labor risk

The main labour risks associated with the project are assessed to be related to the potentially hazardous work environment during construction of sub-stations and Transmission lines and other constructions, the associated risk of accidents, transmission of COVID 19 to the community and labour influx. The possible risks include:

- The conduct of hazardous work, such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials during construction of sub-stations (SS) and towers;
- Likely presence of migrants or seasonal workers from other regions and abroad;
- Risks of labor influx
- Risk of engaging child labors
- Risk of gender-based violence;
- Possible accidents or emergencies, with reference to the sector or locality;
- General understanding and implementation of occupational health and safety (OHS) requirements
- Risk of engaging Rohingya unskilled labors
- Risk of fire by the Rohingya camp area.
- Risk of transmitting COVID 19 among the labors and community people;

Based on current conditions in the sector, it is assessed that the risk of engaging child labour or forced labour in the project is almost negligible, and adequately addressed by national legislations. Moreover, during engagement of the labors, screening procedures will be followed to ensure that no child and forced labor are engaged. A screening procedure is attached with annex 3 (certificate of age and fitness). Regarding lowest distance, boundary of Camp 01E is about 225-meter, Camp 07 about 330-meter, Camp 08E about 227-meter away from proposed transmission line. Cox's Bazar to Teknaf Highway is located between the Camps and proposed transmission line. It was found that about 6.10km of transmission line (AP 47 to AP 59) will pass with the periphery of Kutupalong Rohingya Camps. So, construction of transmission line may impact on Rohingya Camps. There is a risk of engaging Rohingya refugees as labor by the contractor. Moreover, among the refugees, about 50% are child and they tend to engage themselves with the construction related activities of the project. Project construction labors and Rohingya female may be at risk of gender-based violence (GVB), since there about 50% are Rohingya women and girls. Risk of fire by the construction activities of the project may affect camps. Noise due to civil work during construction phase can affect the community.

COVID-19 situation in Bangladesh is getting worse and if the COVID safety protocols are not maintained adequately, it may spread among the labors and adjacent communities. As there will be 50% migrant labors with the project and local people may believe that COVID is being spread to the adjacent community through the migrant labors.

2.1 Labour influx

Though project will create substantial number of jobs, it is expected that labor influx will not be significant in number as the construction will be over the period of 30 months. Most of the unskilled labors will be hired locally. As all the construction will be conducted in the urban, rural and peri-urban areas, it is expected that unskilled labors will be available in the locality. If skilled labors are found locally, will be hired at priority basis which will be mentioned with the contractors bidding documents. The

contractor will be responsible for the accommodation of the stay-in labor and ensuring labor travel from off site. Some accommodation on site, water supply and sanitation services, etc. will be provided by the contractor. The labor site plan and facilities will be a part of the ESMP. A stand-alone Labor Management Plan will be prepared by contractors for each project site.

However, this minor to medium scale labor influx, may raise many complex issues, particularly regarding potential transmission risks for COVID-19 both within the worksite and for nearby communities. These risks are not only from workers that are mobilized from abroad or returning from abroad, but also workers moving from other regions, where it is likely that migrant workers are expected to work on the project.

Adverse Social Impacts due to labor influx can be identified as follows:

- Risk of Social conflict between labors and community people
- Increased risk of illicit behaviour and crime
- Influx of additional population and burden on public services
- Increased risk of communicable disease and burden on local health services
- Gender Based violence, child labor and school dropout
- Local inflation of price and increased pressure on accommodation and rent
- Increased of traffic and related accident

Adverse Environmental Impacts:

- Inadequate waste disposal and illegal waste disposal sites
- Wastewater discharge
- Increased demand on freshwater resources
- Camp-related land use, access road, noise and lights
- Increased deforestation, ecosystem degradation, and species loss
- Increased use of/demand of natural resources

2.2 Gender-based violence

Construction workers are predominantly younger males. Those who are away from home on the construction job are typically separated from their family and act outside their normal sphere of social control. This can lead to inappropriate, unsocial and criminal behavior, such as sexual harassment of women and girls, exploitative sexual relations, and illicit sexual relations with minors from the local community. Female workers are sometimes harassed in their workplace and become victims of inappropriate and indecent behavior towards them. The GBV prevention plan address these issues in detail. A summary is provided in the chapter on mitigation measures. A separate GBV prevention is being prepared for this project.

2.3 Occupational health and safety

There are several risks associated with project, especially during the construction period. Several hazards can be encountered while lifting cranes, drilling or using heavy machineries. Beside these, lack of clean and ventilated workspace and fire hazard are also associated risks during the project. The expected risks may lead to personal injury, traffic-related accidents, fall from height, poor working and living conditions of workers, and lack of PPEs. PGCB must make arrangements for contractors training on health and

safety, records of their compliance have to be inspected monthly and audited bi-annually by PMU-PGCB and/or its consultant. The key potential OHS risk associated at construction and operation stages are listed below.

- Hazardous work and process: risk due to working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials.
- Accidents or emergencies: exposure to unsafe machineries, flammable chemicals/fuel, construction materials, landslide at workplace.
- General understanding and implementation of occupational health and safety requirements. Work related diseases (e.g., Allergies, Respiratory problems, Muscular-skeletal disorder, Eye problem), communicable diseases including Sexually Transmitted Infections (STIs)

2.4 Spread of infections in the community

Project involving a lot of construction/civil works which is likely to involve a large workforce on a frequent basis, together with suppliers and supporting functions and services. The workforce may comprise of workers from international, national, regional, and local labor markets. They may need to live in on-site accommodation, lodge within communities close to work sites or return to their homes after work. There may be several contractors, carrying out their obligations at the same time and with their own group of dedicated workers. Supply chains may involve international, regional and national suppliers facilitating the regular flow of goods and services to the project (including supplies essential to the project such as fuel, food, and water). As such there will also be regular flow of parties entering and exiting the site; support services, such as catering, cleaning services, equipment, material and supply deliveries, and specialist sub-contractors, brought in to deliver specific elements of the works.

Given the complexity and the concentrated number of workers, the potential for the spread of infectious disease in projects involving construction is extremely serious, as are the implications of such a spread. Projects may experience large numbers of the workforce becoming ill, which will strain the project's health facilities, have implications for local emergency and health services and may jeopardize the progress of the construction work and the schedule of the project. Such impacts will be exacerbated where a workforce is large and/or the project is in remote or under-serviced areas. In such circumstances, relationships with the community can be strained or difficult and conflict may arise, particularly if people get the feeling that they are getting exposed to diseases by the project or are having to compete for scarce resources. The project must also exercise appropriate precautions against introducing the infection to local communities. Thus, the contractor has to ensure that the project is taking adequate precautions to prevent or minimize an outbreak of COVID-19, and have identified what to do in the event of an outbreak.

2.5 Risk of engaging child labor and forced labor

Due to the COVID situation, vulnerable and low-income communities are the most sufferer. All the school are closed for the last one year. Secondary data confirms that child labors increased in the country as lots of family members have lost their jobs. Moreover, in the Rohingya camp, more than 50% are child and they tend to engage themselves with the construction related activities.

In Bangladesh, there are highly low risk of engagement of the forced labor in the construction works. However, PMU with the support of the contractors needs to screen the labors before recruiting following the guidelines of Bangladesh Labor Act 2006.

3. Brief overview of labor and OHS legislation: terms and conditions

Standards for labor and Working Conditions are defined in Bangladesh Labor Act, 2006 (amendments in 2013 and 2018) and Bangladesh Labor Rules 2015 and Occupational Health and Safety Policies 2013. Bangladesh Labor Act, 2006 is a comprehensive legislation. The Act addresses three areas: (i) Conditions of service and employment including wages and payment, establishment of Wages Boards, employment of young people, maternity benefits, working hours and leave; (ii) health, safety, hygiene, and welfare, and compensation for injury; and, (iii) trade unions and industrial relations. Beside this, due to ongoing pandemic of COVID 19 World Health Organization (WHO) and Directorate General of Health Services (DGHS), under the Ministry of Health and Family Welfare, provided guideline for infection prevention and control. The government has incorporated the life-threatening novel corona virus (COVID-19) in 'The Communicable Diseases (Prevention, Control and Eradication) Act, 2018'. With the issuance of the gazette the government has got a legal power to take action against the people not following the government's direction that relates to COVID 19. The health and safety issues relevant to COVID-19 should be addressed with reference to ILO Occupational Safety and Health Convention, 1981 (No. 155), ILO Occupational Health Services Convention, 1985 (No. 161), ILO Safety and Health in Construction Convention, 1988 (No. 167), WHO International Health Regulations, 2005, WHO Emergency Response Framework, 2017.

3.1 Child and forced labor

Bangladesh's Children Act 2013 identifies anyone under the age of 18 as children and the Bangladesh Labor Act, 2006 does not permit any children under the age of 14 years to work. Bangladesh Labor Act, 2006 also states that children aged between 14 till 18, can be authorized to do light and hazard-free jobs without compromising their education. As the project will require a considerable number of labors for its implementation, there remains a minor risk of engagement of child labors, even beyond the parameter. However, the risk of child labor will be mitigated through certification of labors' age. This will be done by using the legally recognized documents such as the National Identification Card (NID), and Birth Certificate. Further, sessions on raising awareness will be conducted on a regular basis by PGCB and/or its consultant to the communities to sensitize on prohibition and negative impacts of child and forced labor.

3.2 Health and safety offenses in bangladesh

There are five offences in the Bangladesh Labour Act, 2006 specifically relating to health, safety and welfare – the selling of unguarded machinery (Section 208), failure to give notice of an accident (Section 290), a breach causing death (Section 309a), a breach causing grievous bodily harm (Section 309b) and a breach causing any harm (Section 309c).

In addition, there is a 'catch-all' offence that allows prosecutions against "whoever contravenes or fails to comply with any provisions of the Code, or any rules of scheme made under it" – which is punishable by up to 3 (three) months imprisonment or with a fine of up to Tk. 1,000 (One thousand) or both (Section

307). This offence would, for example, apply to any breach of the obligations involving health, safety and welfare, not already covered by the offences above. A repeat conviction for the same offence can result in double the fine or sentence of imprisonment (Section 308).

When there has been a breach of a duty imposed upon an employer, any one of individuals defined as an employer can be prosecuted. In addition, when a company is prosecuted, “every director, partner, shareholder or manager or secretary or any other officer or representative directly involved in [its] administration” shall be deemed guilty unless he can prove the offence has been committed without his knowledge.

3.3 COVID 19 considerations

Section 10, of 'The Communicable Diseases (Prevention, Control and Eradication) Act, 2018, states that if a boarding, residential or temporary residence owner or person in charge has reason to believe that a person living in the place has been infected, he shall promptly notify the concerned Civil Surgeon and the Deputy Commissioner. As per section 24 of 'The Communicable Diseases (Prevention, Control and Eradication) Act, 2018, in case of failure to prevent transmission or concealment of facts a person may be sentenced up to 6 (six) months imprisonment and/or fine. Accordingly, contractors will develop specific procedures or plans so that adequate precautions are in place to prevent or minimize an outbreak of COVID-19 which will include:

- Assessing the characteristics of the workforce, including those with underlying health issues or who may be otherwise at risk;
- Confirming workers are fit for work, to include temperature testing and refusing entry to sick workers;
- Considering ways to record and minimize entry/exit to site or the workplace, and limiting contact between workers and the community/general public;
- Training workers on hygiene and other preventative measures, and implementing a communication strategy for regular updates on COVID-19 related issues and the status of affected workers;
- Treatment of workers who are or should be self-isolating and/or are displaying symptoms;
- Assessing risks to continuity of supplies of medicine, water, fuel, food and PPE, taking into account international, national and local supply chains;
- Reduction, storage and disposal of medical waste;
- Adjustments to work practices, to reduce the number of workers and increase social distancing;
- Expanding health facilities on-site compared to usual levels, developing relationships with local health care facilities and organize for the treatment of sick workers;
- Building worker accommodations further apart, or having one worker accommodation in a more isolated area, which may be easily converted to quarantine and treatment facilities, if needed;
- Establishing a procedure to follow if a worker becomes sick (following WHO guidelines);
- Implementing a communication strategy with the community, community leaders and local government in relation to COVID-19 issues on the site.

3.4 AIIB Environmental and Social Framework 2016 (amended February 2019)

AIIB recognizes the important role played by workers and their representatives in the development process and their contribution to sustainable economic growth. It believes that the following measures contribute to the quality of the Project:

- providing workers with living wages, safe and healthy working conditions and putting measures in place to prevent accidents, injuries and disease;
- avoiding activities involving forced labor and harmful or exploitative forms of child labor; having good human resources management; and
- having a sound labor management relationship based on equal opportunity, fair treatment, non-discrimination, freedom of association, right to collective bargaining and access to grievance mechanisms, consistent with the national law (including international agreements adopted by the member) governing the Project.

3.5 Overview of the OHS Legislation

There are basically two additional components of OHS that relates to the adjacent community. One is the physical safety of project communities who are exposed to the project activities during construction and operation, including risks of accidents and risks of violence due to increase in crimes and cultural conflict between locals and migrant population. The other pertains to the exposure and/or increased risks of diseases by the community due to influx of people during construction and operation and due to the changes in the project area, including pollution and ecological change.

Bangladesh has a well-structured health system with three tiers of primary health care – Upazila Health Complexes (UHC) at the sub-district level, Union Health and Family Welfare Centers (UHFWC) at the Union (collection of few villages) level, and Community Clinics (CC) at the village level. These are backed by the District Hospitals providing secondary level care and the tertiary hospitals of various kinds in large urban centers. The system is decentralized covering all districts, sub-districts and rural towns and villages in the country. Bangladesh has a good infrastructure for delivering primary health care services. However, due to inadequate logistics the full potential of this infrastructure has never been realized. The legal obligations on OHS according to Labor Act 2006, applicable to LMP of project, are listed below:

- Provision to demonstrate OHS policy at workplace.
- Responsibility of employers towards worker such as information, facility, personal protective equipment and training on all kinds of OHS related training.
- Provision regarding the protection of non-labours such as visitors and others.
- Fundamental provision on Occupational Health and Safety including role and responsibility of manufacturer, importer and suppliers for assurance of OHS for their goods and services.
- Provision of non-discrimination based on caste/ethnicity, gender, religion, language, origin and ideology.
- Provision responsible towards employee such as information, facility, personal protective equipment and training on OHS and responsibility of labours for work and use of safety gears.
- Provision for appointment responsible person (OHS Officer) at the workplace for OHS implementation. Under this there will be joint safety and health committee comprising of supervisor and workers at worksite.

- Provision for immediate shutdown of work and machineries in case of severe COVID-19 concern.
- Special provision for OHS for eye protection, protection against harmful chemicals, operation of pressurized machine/vessel, machine guarding, handling/lifting of load, fire protection, provision against fatigue.
- Provision for treatment and prevention of communicable diseases.
- Provision of onsite first aid and primary health care.
- Provision of accident investigation, inventory of work-related diseases and compensation.

In the Bangladesh Labor Law health and hygiene related provisions are mentioned at section 51 to 60 and safety of workers related provisions are mentioned at section 61 to 78.

Cleanliness: As per this section 51, every establishment shall be kept clean and free from effluvia arising from any drain, privy or other nuisance. The floors of every work-room shall be cleaned regularly, effective means of drainage shall be provided and maintained, the factory shall be re-painted or re varnished at least once in every three years and be cleaned at least once in every fourteenth months, finally the date on which the processes are carried out shall be entered in the prescribed register.

Ventilation and temperature: Section 52 of the law states that, in every work-room and in every establishment adequate ventilation by the circulation of fresh air and comfortable temperature shall be maintained to prevent workers' injury to health.

Dust and fume: As per the section 53 of the law, in every establishment effective exhaust appliance shall be applied as near as possible to the point of origin of the dust, fume or other impurity, which are likely to be injurious to the workers and such point shall be enclosed so far as possible.

Disposal of wastes and effluents: According to Section 54, effective arrangements shall be made in every establishment for disposal of wastes and effluents due to the manufacturing process carried on therein.

Overcrowding: As per Section 56 of the Act, to prevent injury to the health of the workers, overcrowding of every work-room in any establishment shall be prevented and at least 9.5 cubic meter of space for every worker employed in a work-room in the establishment shall be provided.

Lighting: As per section 57 of the Act, in every part of an establishment where workers are working or passing, there shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both and all glazed windows and skylights used for the lighting of the work-room shall be kept clean on both the outer and inner surfaces and free from obstruction as far as possible.

Drinking water: As per section 58 of the act, effective arrangement of sufficient supply of wholesome drinking water for all workers employed in every establishment shall be provided and maintained at a suitable point conveniently situated therein.

Latrines and urinals: As per section 59 of the act, in every establishment sufficient latrines and urinals, separately for male and female workers, adequately lighted, ventilated, conveniently situated and

accessible to workers at all times while they are in the establishment shall be provided and maintained in a clean and sanitary condition at all times with suitable detergents and disinfectants.

Dustbin and spittoon: As per section 60 of the act, in every establishment there shall be provided, at convenient places, sufficient number of dustbins and spittoons which shall be maintained in a clean and hygienic condition. No person shall throw any dirt or spit within the premises of an establishment except in the dustbins and spittoons provided for the purpose.

Fire safety: Section 62 of the act states that, every establishment shall be provided with at least one alternative connection stairway with each floor and such means of escape in case of fire and for carrying fire-fighting apparatus. In every establishment the doors affording exit from any room shall not be locked or fastened so that they can be easily and immediately opened from inside while work is being carried on in the room. In every establishment, every window or other exit affording means of escape in case of fire shall be distinctively marked in red Bangla letters of adequate and clearly understandable size. A free passage-way giving access to each means of escape in case of fire shall be maintained for the use of all workers in every room of the establishment.

Fencing of machinery: Section 63 of the act states that, in every establishment all dangerous machinery must be securely fenced; e.g., every moving part of a prime mover and every fly wheel connected to a prime mover, the head-race and tail-race of every water wheel and water turbine, every part of an electric generator, every part of transmission machinery and every dangerous part of any machinery.

Work on or near machinery in motion: Section 64 of the act states that, work on or near machinery in motion shall be carried out only by a specially trained adult male worker wearing tight-fitting clothing whose name has been recorded in the register prescribed in this behalf and while engaged he shall not handle a belt at a moving pulley unless the belt is less than fifteen centimeters in width and unless the belt-joint is either laced or flush with the belt.

Cranes and other lifting machinery: Section 68 of the act states that, every part of cranes and other lifting machinery, including the working gear, whether fixed or movable, ropes and chains and anchoring and fixing appliances shall be of good construction, sound material and adequate strength, properly maintained, thoroughly examined by a competent person at least once in every period of twelve months and a register shall be kept containing the prescribed particulars of every such examination.

Hoists and lifts: Section 69 of the act states that, in every establishment every hoist and lift shall be of good mechanical construction, sound material and adequate strength, properly maintained, shall be thoroughly examined by competent person at least once in every period of six months, a register shall be kept containing the prescribed particulars of every such examination, every hoist way and lift way shall be sufficiently protected by an enclosure fitted with gates, and the hoist or lift and every such enclosure shall be so constructed as to prevent any person or thing from being trapped between any part of the hoist or lift and any fixed structure or moving part, every gate shall be fitted with interlocking or other efficient device to secure that the gate cannot be opened except when the cage is at the landing and that the cage cannot be moved unless the gate is closed.

Excessive weights: Section 74 of the act states that, no person shall be employed in any establishment to lift, carry or move any load so heavy as to be likely to cause him injury.

Moreover, AIB Environmental and Social Framework 2016 (amended February 2019) also emphasize safe and healthy working conditions and putting measures in place to prevent accidents, injuries and disease.

In summary, In accordance to the, Bangladesh labor act, 2006, PGCB shall:

- 1) Comply with legislation and other applicable requirements which relate to the substation's occupational health and safety hazards.
- 2) Enable active participation in OH&S risks elimination through promotion of appropriate skills, knowledge and attitudes towards hazards.
- 3) Continually improve the occupational health and safety management system and performance.
- 4) Communicate this policy statement to all persons working under the control of PGCB with emphasis on individual OH&S responsibilities.
- 5) Avail this policy statement to all interested parties at all PGCB facilities and sites. In accordance Labour Acts, correspondence from PGCB should:
 - (a) Identify potential hazards;
 - (b) In collaboration with the employer, investigate the cause of accidents at the workplace;
 - (c) Inspect the workplace with a view to ascertaining the safety and health of employees provided that the employer is informed about the purpose of the inspection;
 - (d) Accompany an inspector whilst that inspector is carrying out the inspector's duties in the workplace;
 - (e) Attend meetings of the safety and health committee to which that safety and health representative is a member;
 - (f) Subject to (g), make recommendations to the employer in respect of safety and health matters affecting employees, through a safety and health committee; and
 - (g) Where there is no safety and health committee, the safety and health representatives shall make recommendations directly to the employer in respect of any safety and health matters affecting the employees.

4. Mitigation measures to be followed

Most environmental and social impacts of project resulting from activities directly under the control of contractors will be mitigated directly by the same contractors. Consequently, ensuring that contractors effectively mitigate project activities related impacts is the core of the Project's approach. PGCB will incorporate standardized environmental and social clauses in the tender documentation and contract documents, in order for potential bidders to be aware of environmental and social performance requirements that shall be expected from them, should be able to reflect that in their bids, and are required to implement the clauses for the duration of the contract. PGCB will enforce compliance by contractors with these clauses. The health and safety procedure illustrated in the Labor Acts, ESF will be referenced all activities during Project implementation. PMU and/or its ES monitoring consultant is expected to carry out field visits and inspections of the construction from time to time. However, the Labor Acts, ESF may not have sufficient details and specific requirements to deal with various occupational health and safety issues posed by the project, thus the IA should put in place specific

standards meeting, Good International and Industry Practices (GIIP) in the bidding documents and contracts reflecting appropriate level of risk.

As a core contractual requirement, the contractor is required to ensure all documentation related to environmental and social management, including the LMP, to be available for inspection at any time by the PGCB. The contractual arrangements with each project worker must be clearly defined in accordance with Labor Acts. A full set of contractual requirements related to environmental and social risk and impact management will be provided in the Projects' Environmental and Social Impact Assessment. All environmental and social requirements shall be included in the bidding documents and contracts in addition to any additional clauses, which are contained, in the Projects environmental and social instruments.

Under no circumstances will PGCB, the Ministry, Contractors, suppliers or sub-contractors engage forced labor. Forced labor includes bonded labor (working against an impossible debt), excessive limitations of freedom of movement, excessive notice periods, retaining the worker's identity or other government-issued documents or personal belonging, imposition of recruitment or employment fees payable at the commencement of employment, loss or delay of wages that impede the workers' right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis.

The risk of OHS will be mitigated by contractor, providing personal protective equipment (PPE) for workers, such as safety shoes, helmets, safety vests, masks, gloves, protective clothing, goggles, full-face eye shields and ear protection based on the work requirements. A model of Register of workers working on or near machinery in motion and provided with personal safety materials is annexed herewith and marked as Annex 5, the contractor is obliged to hire trained operators, using appropriate equipment's, providing appropriate cautions, training of fire extinguishment etc. A model of Record book on the training of Fire Extinguishment is annexed herewith and marked as Annex 4. Workers shall maintain the PPE properly by cleaning dirty ones and contractors should replace damaged ones. PIU will require the contractors to prepare and implement Occupational Health & Safety Plan (OHSP) following the World Bank Group Environment, Health and Safety (EHS) Guidelines and local legislations to be monitored by PGCB and/or its consultant.

4.1 Labour influx and gender-based violence

Contractors will need to maintain labor relations with local communities through a CoC. The CoC commits all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable standards of behavior. The CoC must include sanctions for non-compliance, including non-compliance with specific policies related to gender-based violence, sexual exploitation and sexual harassment (e.g., termination). The CoC should be written in plain language and signed by each worker to indicate that they have:

- received a copy of the CoC as part of their contract;
- had the CoC explained to them as part of induction process;
- acknowledged that adherence to this CoC is a mandatory condition of employment;

- understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities. A copy of the CoC shall be displayed in a location easily accessible to the community and project affected people. It shall be provided in English and Bangla.

Contractors must address the risk of gender-based violence, through:

- Mandatory training and awareness raising for the workforce about refraining from unacceptable conduct toward local community members, specifically women. Training may be repeated;
- Informing workers about national laws that make sexual harassment and gender-based violence a punishable offence which is prosecuted;
- Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence;
- Developing a system to capture gender-based violence, sexual exploitation and workplace sexual harassment related complaints/issues.

This process will be under the portfolio of the ES Social Monitor with exclusive communication with the Project Director who shall identify and engage the relevant stakeholders on GBV.

The risk of GBV will be mitigated by implementing a Code of Conduct (CoC)¹ before employing any labor in the project and ensuring necessary training. The Contractor's monthly training program will also cover topics related to CoC such as sexual harassment, particularly towards women and children, violence, including sexual and/or gender-based violence and respectful attitude while interacting with the local community. This should be monitored by PGCB on a regular basis by consulting with the female workers. However, a standalone Gender-Based Violence Prevention Plan (GVP) action plan has been prepared to deal with the such issues. Contractors must address the risk of gender-based violence, through:

- Mandatory training and awareness raising for the workforce about refraining from unacceptable conduct toward local community members, specifically women. Training may be repeated. All such training should be conducted in Bengali;
- Informing workers about national laws that make sexual harassment and gender-based violence a punishable offence which is prosecuted;
- Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence;
- Developing a system to capture gender-based violence, sexual exploitation and workplace sexual harassment related complaints/issues.

PGCB or its consultant shall identify and engage the relevant stakeholders on GBV issues and shall keep regular communication with the project director in this regard. A separate GBV prevention plan is prepared for this project which will be followed during implementation of any GBV related case.

¹ See Annex 1 as an example

4.2 Terms and conditions

The terms and conditions of employment in Bangladesh are governed by the provisions of Bangladesh Labour Act, 2006 in connection with The Control of Employment Ordinance, 1965. For this project, contractors will be required to provide all its employees with written particular of employment. The contractor shall certify in writing that the wages, hour and conditions of work or persons to be employed by him on the contract are not less favorable than those contained in the most current wages regulation issued by the government recommended by the Wages Board Chairman. The employer shall maintain worker's register which will be available for inspection during working hours. In ensuring full compliance with the law in this regard, contractors will be required to furnish PGCB with copies of the Service Book or copies of contract of its entire workforce. Contractors will not be allowed to deploy any employee to work in the project if such copy of employment of that employee has not been handed to PGCB. As a monitoring mechanism, a contractor shall not be entitled to any payment unless he has filed, together with his claim for payment, a certificate: - a) stating whether any wages due to employees are in arrears; b) stating that all employment conditions of the contract are being complied with. It will be a material term of the contract to allow PGCB to withhold payment from contractor should the contractor not fulfil their payment obligation to their workers.

4.3 Grievance mechanism

Section 33 of Bangladesh Labour Act, 2006 explicitly states that every employer, including contractors, to have a Formal Grievance Procedure which should be known and explained to the employee.

- 1) Any worker including a worker who has been laid-off, retrenched, discharged, dismissed, removed, or otherwise terminated from employment, who has any complaint in respect of anything and intends to get redress thereof, shall send his complaint in writing to his employer, by registered post within 30 (thirty) days of being informed of the cause of such complaint: Provided that if the appointing authority accepts the complaint directly and acknowledges the receipt thereof in writing, such complaint shall not be required to be sent by registered post.
- 2) The employer shall within 30 (thirty) days of receipt of the complaint, make enquiry into the complaint and shall after giving the concerned worker an opportunity of being heard, communicate with him in writing his decision thereon.
- 3) If the employer fails to give any decision, or if the concerned worker is dissatisfied with such decision, he may submit a complaint in writing, to the Labour Court within 30 (thirty) days from the date of expiry or, as the case may be, within 30 (thirty) days from the date of the decision of the employer.
- 4) The Labour Court shall, on receipt of the complaint, give notice to both the parties and hear their statement on the complaint, and considering the circumstances of the case shall pass such order as it may deem just.
- 5) The Labour Court may amongst other reliefs, direct for reinstatement of the complainant in service, with or without arrear wages and convert the order of dismissal, removal or discharge to any minor punishment specified in section 23(2).
- 6) Any person aggrieved by an order of the Labour Court, may, within thirty days of the order, prefer an appeal to the Tribunal, and the decision of the Tribunal on such appeal shall be final.
- 7) No Court-fee shall be payable for making any complaint or preferring an appeal.

- 8) No complaint shall amount to a criminal prosecution under this Act.
- 9) No complaint shall lie against an order of termination of employment, unless such order is alleged to have been made for his welfare society activities or passed with an ill motive or unless the worker concerned has been deprived of the benefits specified in that section.

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

4.4 Contractor management

PGCB and/or its consultant shall make sure that contractors monitor, keep records and report on terms and conditions related to labour management. The contractor must provide workers with evidence of all payments made, including social security benefits, pension contributions or other entitlements regardless of the worker being engaged on a fixed term contract, full-time, part-time or temporarily. The application of this requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to PGCB and AIIB:

Labour conditions: records of workers engaged under the Project, including contracts, service book, registry of induction of workers including CoC , 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 (for example, revised job safety analysis, new or different equipment, skills training, and so forth).

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).

Training/induction: dates, 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 including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken—grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.

The Project's oversight of contractors is set out in this LMP. The following procedures are to be followed by PGCB for contractor management, adhering to LMP provisions and the project management unit shall be liable to comply with these procedures:

- 1) Ensure that Contractors have valid contracts with clearly define service level agreement and all environmental and social clauses
- 2) Contractor induction to PGCB standards and LMP
- 3) Monthly submission of records: Contractor submission to Project Management Unit, copied to Project Management Unit. This includes:
 - (a) Incidents and accidents, the Incident Reporting and Investigation Procedure is followed, and the Incident/Accident Monitoring Register is used to monitor (see Annex
 - (b) Contractor employees recorded using Contractors Employee List
- 4) Monthly site visits (at a minimum) and reports
- 5) Concerns or issues tracking using monitoring register.
- 6) Evaluation of contractor requirements. These includes training, OH&S files, certifications and other. The evaluation results in Portfolio Reports which includes recommendations for contract extension or termination.
- 7) Training needs identification recorded in Contractor Training Schedule
- 8) Annual Contractor Management Plans

Further guidance on Social and Environmental Mitigation Measures in Contracts is found in Annex 2.

4.5 COVID Management by the contractors

Contractors should develop specific procedures or plans so that adequate precautions are in place to prevent or minimize an outbreak of COVID-19, and it is clear what should be done if a worker gets sick. A sample reporting form is attached with Annex 7. Details of issues include:

- Assessing the characteristics of the workforce, including those with underlying health issues or who may be otherwise at risk
- Confirming workers are fit for work, to include temperature testing and refusing entry to sick workers
- Considering ways to minimize entry/exit to site or the workplace, and limiting contact between workers and the community/general public
- Training workers on hygiene and other preventative measures, and implementing a communication strategy for regular updates on COVID-19 related issues and the status of affected workers
- Treatment of workers who are or should be self-isolating and/or are displaying symptoms
- Assessing risks to continuity of supplies of medicine, water, fuel, food and PPE, taking into account international, national and local supply chains
- Reduction, storage and disposal of medical waste
- Adjustments to work practices, to reduce the number of workers and increase social distancing
- Expanding health facilities on-site compared to usual levels, developing relationships with local health care facilities and organize for the treatment of sick workers
- Building worker accommodations further apart, or having one worker accommodation in a more isolated area, which may be easily converted to quarantine and treatment facilities, if needed

- Establishing a procedure to follow if a worker becomes sick (following WHO guidelines)
- Implementing a communication strategy with the community, community leaders and local government in relation to COVID-19 issues on the site.

5. Responsible Staff

PGCB should appoint project management unit in order to oversee the whole project and should have the overall responsibility to oversee all aspects of the implementation of the LMP, particularly to ensure contractor compliance. The contractor is subsequently responsible for management in accordance with contract specific Labour Management Plans, implementation of which will be supervised by PGCB's Project Management Unit and/or its consultant on a monthly basis or at shorter intervals as defined by specific Plans. The detailed approach is described in the following sections.

Occupational Health and Safety: Contractors must engage a minimum of one health & safety representative. Smaller contracts may permit for the health & safety representative to carry out other assignments as well. The health & safety representative ensures the day-to-day compliance with specified safety measures and records of any incidents. Minor incidents shall be reported to PGCB on a monthly basis, serious incidents shall be reported immediately. Minor incidents will be reflected in the quarterly reports to the AIIB, major issues will be flagged to the AIIB immediately. Sample forms on training record on fire, OHS incident record, accident reporting forms are attached with Annex 4, 5 and 6.

Labour and Working Conditions: Contractors will keep records in accordance with specifications set out in this LMP. PGCB may at any time require records to ensure that labor conditions are met. The Project Management Unit and/or its ES monitoring consultant will review records against actual at a minimum on a monthly basis and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the AIIB.

Worker Grievances: Contractors will be required to present a worker grievance redress mechanism which responds to the minimum requirements in this LMP. The Project Management Unit's or its consultant will review records on a monthly basis. Where worker concerns are not resolved, the national system will be used as set out in the section, but the Project Management Unit will keep abreast of resolutions and reflect it in quarterly reports to the AIIB. Given the anticipated number of the project workers the labor GRM will be a separate document apart from the Project level GRM, though personnel in the committees (GRC) on both the GRMs may have overlapping functions. Reporting Channels for the GRMs may also be same.

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

Table 2: Summary of Risks, Mitigation Measures and Responsible person

Potential Impacts/Risks	Mitigation Measures	Responsibility
Engagement of child and forced labor	<ul style="list-style-type: none"> Contractor will be prohibited to employ anyone under the age of 14 and policies stated above will apply for children aged above 14 and below 18 years for employment. Verify NID cards and/or birth certificate Sessions on awareness raising within the local community and contractors Prepare and implement code of conduct Engagement of labor expert/focal point An age verification form is attached with Annex 3. 	<p>Implementation: Contractors/sub-contractors</p> <p>Supervision: PMU, and relevant local PGCB offices where construction related activities will be conducted. PMU will supervise the construction of SS and TLs</p> <p>Monitoring: PGCB or its consultant</p>
Risk of potential transmission of COVID-19	<ul style="list-style-type: none"> Conducting pre-employment health check controlling entry and exit from site/workplace; adequate and designed accommodation arrangements to reduce contact with the community; reviewing contract durations, to reduce the frequency of workers entering/exiting the site; rearranging work tasks or reducing numbers on the worksite to allow social/physical distancing, or rotating workers through a 24-hour schedule; providing appropriate forms of personal protective equipment (PPE); putting in place alternatives to direct contact, like tele-medicine appointments and live stream of instructions; quarantining immediately of any suspected COVID 19 employees. Contractor is under an obligation to designate a Covid 19 focal point. 	
Risk of labor Influx	<ul style="list-style-type: none"> Engagement of unskilled labors from the local community If available, engagement of skilled labors from the community Screening and assessment of the type and significance of potential social and environmental impacts that may be generated by labor influx; Development of a management plan for social and environmental impacts in consultation with affected communities; Implementation of appropriate mitigation and monitoring programs, which includes development and implementation of a stakeholder engagement program; Establishment of a grievance redress mechanism (GRM) for workers and host community; and Monitoring and supervision, and, as needed, adaptive management actions. 	
Sexual exploitation and abuse and sexual harassment	<ul style="list-style-type: none"> The risk of GBV and discrimination will be mitigated implementing a code of conduct, contract before employing any labor in the work and ensuring necessary training. The Contractor's monthly training program will also cover topics related to Code of Conduct such as discrimination, sexual harassment, particularly towards women and children, violence, including sexual and/or gender-based violence and respectful attitude while interacting with the local community. Contractor engaged Labour Expert will be responsible to ensure the mitigation measure. 	
Hazardous work and process	<ul style="list-style-type: none"> The Risk will be mitigated by Contractor, providing personal protective equipment (PPE) for workers, such as safety shoes, helmets, safety vests, masks, gloves, protective clothing, goggles, full-face eye shields and ear protection based on the work requirements. Workers shall maintain the PPE properly by cleaning dirty ones and replacing damaged ones. 	

Potential Impacts/Risks	Mitigation Measures	Responsibility
	<ul style="list-style-type: none"> Contractor must engage a minimum of one Occupational Health and Safety representative who will be responsible to ensure the mitigation measure. 	
<p>Accidents or emergencies: exposure to unsafe machineries, flammable chemicals/fuel, construction materials, landslide at workplace.</p>	<ul style="list-style-type: none"> The Risk will be mitigated by Contractor hiring trained operators for the safe operation of specialized vehicles such as forklifts, including safe loading and unloading. Moving equipment with restricted rear visibility shall be outfitted with audible back-up alarms. Flagman will be provided to each moving equipment operator to guide the movement of equipment. Contractor shall mark all energized electrical devices and lines with warning signs. Contractor shall mark the fire escape routes and train the workers on emergency evacuation from the terminal in case of fire. Emergency drills shall be conducted on a regular basis. Contractor engaged Occupational Health and Safety representative will be responsible to ensure the mitigation measure. 	

6. Provision of LMP in bidding document

This Labour Management Plan will be included in the general specification of the bidding documents. The preparation and implementation of site-specific Labour Management Plan by the contractor will be incorporated in the Bill of Quantities (BoQ) as a component of the general items of bidding document. Moreover, LMP can be incorporated in the “Scope of Works and Particular Requirement” under the section “Work Requirements” along with Environmental.

7. Monitoring and evaluation

PGCB and or its consultant will conduct day to day monitoring in coordination with contractors and sub-contractors. This will be done through setting a special score board approach based on the activities accomplished during project interval. This will be done annually and applies both for the project including project parties and labors as well based on the set criteria.

Annex I

Sample Labor Code of Conduct covering the GBV/SEA/SHA related risks

Introduction

The company is committed to ensuring a work environment which minimizes any negative impacts on the local environment, communities, and its workers. The company also strongly commits to creating and maintaining an environment in which Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) have no place, and where they will not be tolerated by any employee, sub-contractor, supplier, associate, or representative of the company. The purpose of this Code of Conduct is to:

- Create a common understanding of what constitutes Sexual exploitation and abuse, and sexual harassment.
- Create a shared commitment to standard behaviors and guidelines for company employees to prevent, report, and respond to SEA and SH, and
- Create understanding that breach of this code of conduct will result in disciplinary action.

Definitions

Sexual Exploitation and Abuse (SEA)²

is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another³.

Sexual Abuse: “The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”

Sexual Harassment:⁴

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of sexual nature.

Sexual Harassment versus SEA⁵

SEA occurs against a beneficiary or member of the community. Sexual harassment occurs between personnel/staff of an organization or company and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. The distinction between the two is important so that agency policies and staff trainings can include specific instruction on the procedures to report each.

Consent is the choice behind a person’s voluntary decision to do something. Consent for any sexual activity must be freely given, ok to withdraw, made with as much knowledge as possible, and specific to

² As defined in the UN Secretary’s bulletin – Special Measures for protection from sexual exploitation and abuse October, 9, 2003 ST/SGB/2003/13

⁴ Inter-Agency Standing Committee *Protection against Sexual Exploitation and Abuse (PSEA): Inter-agency cooperation in community-based complaint mechanism. Global standard Operating Procedures.* May 2016

⁵ Ibid

the situation. If agreement is obtained using threats, lies, coercion, or exploitation of power imbalance, it is not consent. Under this Code of Conduct⁶ consent cannot be given by anyone under the age of 18, regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of the child is not a defense.

There is no consent when agreement is obtained through:

- the use of threats, force or other forms of coercion, abduction, fraud, manipulation, deception, or misrepresentation
- the use of a threat to withhold a benefit to which the person is already entitled, or
- a promise is made to the person to provide a benefit.

While all forms of violence against a community resident or a co-worker are forbidden, this code of conduct is particularly concerned with the prevention and reporting of sexual exploitation and abuse (SEA) and sexual harassment which constitute gross misconduct, are grounds for termination or other consequences related to employment and employment status:

Examples of sexual exploitation and abuse include, but are not limited to:

A project worker tells women in the community that he can get them jobs related to the work site (cooking and cleaning) in exchange for sex.

A worker that is connecting electricity input to households says that he can connect women headed households to the grid in exchange for sex.

A project worker gets drunk after being paid and rapes a local woman.

A project worker denies passage of a woman through the site that he is working on unless she performs a sexual favor.

A manager tells a woman applying for a job that he will only hire her if she has sex with him.

A worker begins a friendship with a 17-year-old girl who walks to and from school on the road where project related work is taking place. He gives her rides to school. He tells her that he loves her. They have sex.

Examples of sexual harassment in a work context include, but are not limited to:

Male staff comment on female staffs' appearances (both positive and negative) and sexual desirability. When a female staff member complains about comments male staff are making about her appearance, they say she is "asking for it" because of how she dresses.

A male manager touches a female staff members' buttocks when he passes her at work.

A male staff member tells a female staff member he will get her a raise if she sends him naked photographs of herself.

Individual signed commitment (to be translated in a language understood by the person signing):

I, _____, acknowledge that sexual exploitation and abuse (SEA) and sexual harassment, are prohibited. As an (employee/contractor) of (contracted agency / sub-contracted agency) in (country), I acknowledge that SEA and SH activities on the work site, the work site surroundings, at workers' camps, or the surrounding community constitute a violation of this Code of

⁶In accordance with the United Nations Convention on the Rights of the Child.

Conduct. I understand SEA and SH activities are grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit SEA and SH may be pursued if appropriate.

I agree that while working on the project I will:

Treat all persons, including children (persons under the age of 18), with respect regardless of sex, race, color, language, religion, political or other opinion, national, ethnic or social origin, gender identity, sexual orientation, property, disability, birth or other status.

Commit to creating an environment which prevents SEA and SH and promotes this code of conduct. In particular, I will seek to support the systems which maintain this environment.

Not participate in SEA and SH as defined by this Code of Conduct and as defined under (country) law (and other local law, where applicable).

Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

Not participate in sexual contact or activity with anyone below the age of 18. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense. I will not participate in actions intended to build a relationship with a minor that will lead to sexual activity.

Not solicit/engage in sexual favors in exchange for anything as described above.

Unless there is the full consent by all parties involved, recognizing that a child is unable to give consent and a child is anyone under the age of 18, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” under this Code.

I commit to:

Adhere to the provisions of this code of conduct both on and off the project site.

Attend and actively partake in training courses related to preventing SEA and SH as requested by my employer.

If I am aware of or suspect SEA and SH, at the project site or surrounding community, I understand that I am encouraged to report it to the Grievance Reporting Mechanism (GRM) or to my manager. The safety, consent, and consequences for the person who has suffered the abuse will be part of my consideration when reporting. I understand that I will be expected to maintain confidentiality on any matters related to the incident to protect the privacy and security of all those involved.

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

Informal warning or formal warning

Additional training

Loss of salary

Suspension of employment (with or without payment of salary)

Termination of employment

Report to the police or other authorities as warranted

I understand that it is my responsibility to adhere to this code of conduct. That I will avoid actions or behaviors that could be construed as SEA and SH. Any such actions will be a breach this Individual Code of Conduct. I acknowledge that I have read the Individual Code of Conduct, do agree to comply with the standards contained in this document, and understand my roles and responsibilities to prevent and potentially report SEA and SHA issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Sample Text in Bangla

ঠিকাদারের (কন্ট্রাক্টরের) কর্মীদের জন্য আচরণবিধি

আমরা ঠিকাদার, [ঠিকাদারের নাম]। আমরা [নিয়োগকর্তার নাম] এর সাথে [কাজের বিবরণ] জন্য একটি চুক্তি স্বাক্ষর করেছি। এই কাজগুলি [প্রকল্প এলাকা এবং অন্যান্য স্থানে যেখানে কাজ করা হবে তার নাম] এ পরিচালনা করা হবে। আমাদের চুক্তিতে যৌন নিপীড়ন ও নির্যাতন, লিঙ্গ-ভিত্তিক সহিংসতার ঝুঁকিসহ কাজের সাথে সম্পর্কিত পরিবেশগত ও সামাজিক ঝুঁকি মোকাবিলার ব্যবস্থা গ্রহণ ও বাস্তবায়নও আবশ্যিক।

এই আচরণবিধিটি শ্রম শিবির এবং কর্মক্ষেত্রে শ্রমিকদের সাথে জড়িত পরিবেশগত ও সামাজিক ঝুঁকি মোকাবেলার জন্য নেওয়া পদক্ষেপসমূহের একটি অংশ। এটি মূলত কর্মএলাকা কিংবা অন্য যেসকল স্থানে কাজ করা হবে সেখানে আমাদের সকল কর্মী, শ্রমিক এবং অন্যান্য কর্মচারীদের জন্য প্রযোজ্য। এই নীতিমালা টি প্রত্যেক সাব-কন্ট্রাক্টরের কর্মী এবং কার্য সম্পাদনের ক্ষেত্রে আমাদের সহায়তা করা অন্য যেকোনো কর্মীদের ক্ষেত্রেও প্রযোজ্য। এই আচরণবিধি অনুযায়ী এই ধরনের সকল ব্যক্তিকে "ঠিকাদারের কর্মী" হিসাবে উল্লেখ করা হয়। এই আচরণবিধিটি যে সমস্ত আচরণ বা নীতিমালা নির্ধারণ করে তা ঠিকাদারের সকল কর্মীদের জন্য আবশ্যিক।

আমাদের কর্মক্ষেত্রে এমন একটি পরিবেশ যেখানে অনিরাপদ, আপত্তিকর, আপত্তিজনক বা হিংসাত্মক আচরণ সহ্য করা হবে না এবং যেখানে প্রতিশোধের ভয় ছাড়াই সকলের সকল প্রকার সমস্যা বা উদ্বেগ উত্থাপনে স্বাচ্ছন্দ্য বোধ করবে।

কন্ট্রাক্টরের কর্মীদের ক্ষেত্রে যা অনুসরণীয়:

নিয়োগকর্তার নির্দেশ অনুসারে এই আচরণবিধি, অন্য কোনো নথি এবং প্রশিক্ষণে তাঁর দায়িত্বগুলি বিশদভাবে বোঝার জন্য আন্তরিকভাবে সচেতন থাকার আচরণবিধিটি কঠোরভাবে মেনে কাজ সম্পাদন করার ব্যাপারে সক্রিয় থাকা।

প্রদেয় দায়িত্বসমূহ দক্ষতা এবং পরিশ্রমের সাথে সম্পাদন করা।

অন্য ঠিকাদারের শ্রমিক এবং অন্য কোনো ব্যক্তির স্বাস্থ্য, সুরক্ষা ও মঙ্গলের জন্য এই আচরণবিধি এবং প্রযোজ্য সকল আইন, বিধি এবং অন্যান্য প্রয়োজনীয় বিষয়াদি মেনে চলা।

নিম্নোক্ত উপায় অনুসরণের মাধ্যমে নিরাপদ কর্মপরিবেশ বজায় রাখা:

কর্মক্ষেত্র, যন্ত্রপাতি, সরঞ্জামাদি ও প্রতিটি ব্যক্তির নিয়ন্ত্রণে থাকা প্রক্রিয়াসমূহ নিরাপদ এবং স্বাস্থ্যের জন্য ঝুঁকিবিহীন আছে কিনা তা নিশ্চিত করা।

নির্ধারিত ব্যক্তিগত প্রতিরক্ষামূলক সরঞ্জাম পরিধান করা।

সমস্ত কাজ সুরক্ষা ছাড়পত্রসহ এবং যথাযথ তত্ত্বাবধানে পরিচালন করা।

রাসায়নিক, বাহ্যিক, জৈবিক পদার্থ ও এজেন্টসমূহের সাথে সম্পর্কিত বিষয়াদির ক্ষেত্রে প্রয়োজনীয় নিরাপত্তা সামগ্রী ব্যবহার করা।

প্রয়োগযোগ্য জরুরি কর্মপরিচালনা পদ্ধতি অনুসরণ করা।

প্রকল্প এলাকায় কর্মরত মহিলা এবং পুরুষদের জন্য পৃথক, নিরাপদ এবং সহজেই অভিগমনযোগ্য কাজ এবং আবাসন সুবিধা সরবরাহ করা।

যে সকল কর্মী বিশ্বাস করেন যে তার কর্মক্ষেত্র নিরাপদ বা স্বাস্থ্যকর নয় এবং তিনি নিজেকে এমন একটি কাজের পরিস্থিতি থেকে সরিয়ে নিতে চান যেখানে তিনি দৃঢ়ভাবে বিশ্বাস করেন যে তার জীবন বা স্বাস্থ্যের জন্য এই কর্মক্ষেত্র একটি আসন্ন এবং গুরুতর বিপদ ডেকে আনতে পারে তাহলে কাজের এই পরিস্থিতি সম্পর্কে প্রতিবেদন জমা করা।

সবার সাথে বিনয়ের সাথে আচরণ করা এবং নির্দিষ্ট গোষ্ঠী যেমন মহিলা, সমকামী, প্রতিবন্ধী ব্যক্তি, অভিবাসী কর্মী বা শিশুদের সাথে বৈষম্যমূলক আচরণ না করা।

যৌন হয়রানির সাথে জড়িত যেকোনো অযাচিত মৌখিক বা শারীরিক আচরণ বা কর্মকান্ড থেকে বিরত থাকা।

সম্প্রদায় বা প্রকল্প ক্ষতিগ্রস্ত ব্যক্তিদের সাথে কোনো ব্যাপারে জড়িত হওয়ার সময় পেশাদারিত্ব এবং সম্মান বজায় রেখে চলা। ভয় দেখানো, হুমকি দেওয়া এবং জবরদস্তি আচরণ সহ্য করা হবে না।

যৌন নিপীড়ন ও নির্যাতনের সাথে জড়িত না হওয়া, যার অর্থ হলো দুর্বল অবস্থা, ভিন্ন শক্তি বা বিশ্বাসের অপব্যবহারের মাধ্যমে যৌন উদ্দেশ্য চরিতার্থ করা বা তার চেষ্টা করা, তবে তা কেবল এতেই সীমাবদ্ধ নয় বরং অন্যের যৌন নিপীড়নের মাধ্যমে আর্থিক, সামাজিক ও রাজনৈতিকভাবে লাভবান হওয়াও এর অন্তর্ভুক্ত।

যৌন নিপীড়নের সাথে জড়িত না হওয়া, যার অর্থ পারস্পরিক সম্মতিবিহীন যৌনমিলনে লিপ্ত না হওয়া।

১৮ বছরের কম বয়সী ব্যক্তিদের সাথে কোনো ধরনের যৌনাচারে লিপ্ত না হওয়া।

পার্শ্ববর্তী সম্প্রদায় বা জনবসতিসমূহের কারো প্রতি অনুপযুক্ত এবং অযাচিত যৌন বাসনা প্রকাশ বা স্থাপন স্থাপন না করা।

নেশাজাতীয় কোনো দ্রব্য যেমন এলকোহল কিংবা ড্রাগ দ্বারা প্রভাবিত/ মাতাল অবস্থায় কাজ না করা কিংবা কর্মক্ষেত্রে উপস্থিত না হওয়া।

কাজে কিংবা শ্রম শিবিরে থাকাকালীন অ্যালকোহল বা অন্য কোনো মাদকদ্রব্য গ্রহণ না করা।

রাতের শিফটে কাজ না থাকলে রাত ১০ টা (২২:০০ ঘটিকা) এর ভিতরে শ্রম শিবিরে ফিরে আসা।

স্বাস্থ্য ও সুরক্ষা সম্পর্কিত বিষয়াদি, লিঙ্গ-ভিত্তিক সহিংসতা (GBV), যৌন নির্যাতন, অপব্যবহার এবং হয়রানি (SEAH) সহ চুক্তির পরিবেশগত ও সামাজিক দিকগুলির সাথে সম্পর্কিত প্রশিক্ষণ কোর্সগুলি সম্পূর্ণ করা।

এই আচরণবিধি লঙ্ঘিত হলে তার প্রতিবেদন জমা দেওয়া।

এই আচরণবিধি লঙ্ঘনের প্রতিবেদন AIIB, নিয়োগকর্তা, যে ঠিকাদারের কর্মীদের অভিযোগ ব্যবস্থা নিয়ে কাজ করে তার নিকট কিংবা অভিযোগ নিরসন ব্যবস্থার নিকট যে ব্যক্তিই দিক না কেনো তার বিরুদ্ধে প্রতিশোধ পরায়ণ না হওয়া।

উদ্ব্বেগসমূহ উত্থাপন

যদি কোনো ব্যক্তি কারো আচরণ পর্যবেক্ষণ করে মনে করেন যে তার এই আচরণ উল্লেখিত আচরণবিধি লঙ্ঘন করতে পারে বা তাকে / তার সম্পর্কে উদ্ভিগ্ন করে তোলে, তবে তাকে অবিলম্বে বিষয়টি উত্থাপন করা উচিত। এটি নিম্নলিখিত যে কোনো একটি উপায়ে করা যেতে পারে:

এই ঠিকানায় [X] বা টেলিফোনে [X] বা ব্যক্তিগতভাবে [X] যোগাযোগ করুন [ঠিকাদারের সামাজিক বিশেষজ্ঞের নাম]; বা

ঠিকাদারের কাছে পৌঁছানোর জন্য হটলাইনে কল [X] করুন এবং একটি ক্ষুদেবর্তা (যদি থাকে) পাঠিয়ে দিন।

অভিযোগের প্রতিবেদন দেশের আইন কর্তৃক বাধ্যতামূলক না করা হলে অভিযোগ প্রদানকারী ব্যক্তির পরিচয় গোপন রাখা হবে। বেনামী অভিযোগ বা নালিশও জমা দেওয়া যাবে এবং এতে যথাযথ বিবেচনা দেওয়া হবে। সম্ভাব্য অসদাচরণ সংবলিত সমস্ত প্রতিবেদনকে আমরা গুরুত্ব সহকারে নিয়ে থাকি এবং তদন্ত করে যথাযথ

ব্যবস্থা গ্রহণ করে থাকি। আমরা পরিষেবা সরবরাহকারীদের সুপারিশ প্রদান করবো যেনো তিনি অভিযোগে বর্ণিত ঘটনাটির শিকার হওয়া ব্যক্তিকে সহায়তা করতে পারেন।

এই আচরণবিধি দ্বারা নিষিদ্ধ যে কোনো আচরণ সম্পর্কে বিশ্বাস ও আন্তরিকতার সাথে যদি কেউ উদ্বেগ প্রকাশ করে তার বিরুদ্ধে কোনো প্রতিশোধমূলক ব্যবস্থা গ্রহণ করা হবে না। এই ধরনের প্রতিশোধমূলক ব্যবস্থা গ্রহণ করা এই আচরণবিধির লঙ্ঘন হবে।

আচরণবিধি লঙ্ঘনের ফলাফল

ঠিকাদারদের কর্মীদের দ্বারা এই আচরণবিধি লঙ্ঘনের ফলাফল মারাত্মক হতে পারে, এর ফলে আইনী কর্তৃপক্ষের কাছে সম্ভাব্য সুপারিশ যেতে পারে কিংবা কাজ থেকে বহিষ্কারও হতে পারে।

ঠিকাদারদের কর্মীদের জন্য:

আমি [X] ভাষায় লিখিত এই আচরণবিধিটির একটি অনুলিপি পেয়েছি যা বুঝতে আমার কোনো সমস্যা হয়নি। আমি বুঝতে পেরেছি যে এই আচরণবিধি সম্পর্কে যদি আমার কোনো প্রশ্ন থাকে তবে আমি [লিঙ্গ-ভিত্তিক সহিংসতা পরিচালনার ক্ষেত্রে অভিজ্ঞ ঠিকাদারের পরিচিত ব্যক্তির নাম লিখুন] একটি ব্যাখ্যার জন্য অনুরোধ করে যোগাযোগ করতে পারবো। ঠিকাদারের কর্মীর নাম: [নাম লিখুন]

ঠিকাদারের কর্মীর নাম: [নাম লিখুন]

স্বাক্ষর:

তারিখ (দিন, মাস, বছর):

ঠিকাদারের অনুমোদিত প্রতিনিধির নাম: [নাম লিখুন]

স্বাক্ষর:

তারিখ (দিন, মাস, বছর):

Annex 2

Suggested Due Diligence for Social and Environmental Mitigation Measures in Contracts

Stage of Contractual Process	Suggested Due Diligence
Before bidding	<p>Ensure that the terms of reference clearly define the supervision engineer’s responsibilities regarding oversight of, and reporting on, labour influx, transmission of infectious disease and workers’ camps. For high-risk projects, have independent safeguards supervision.</p> <p>Ensure the team skills in the terms of reference clearly include key staff qualified and experienced in managing similar projects, and demonstrated capacity to manage social and environmental issues, including issues pertaining to community health and safety.</p> <p>Ensure that the project GRM is established and its use is widely publicized.</p>
Preparation of bidding documents	<p>Review contract conditions included in bidding documents to:</p> <p>Ensure that the relevant mitigation measures in the ESMP are reflected and budgeted in the contract, Ensure the ESMP forms part of, and is explicitly referred to in the bidding documents.</p> <p>Identify relevant provisions (workers, camps, child and forced labour, safety, grievance redress, etc.) regulating the contractor’s responsibility and identify any gaps, inconsistencies or areas of concern that could be addressed through additional provisions in the “particular conditions of contract” and/or technical specifications</p> <p>Include a requirement that all workers sign ‘Codes of Conduct’ governing behavior, and identifying sanctions</p> <p>Clearly identify that training programs on implementing the Codes of Conduct, etc. will be undertaken by external providers</p> <p>Ensure the contract conditions clearly specify what type of penalty the contractor will face if the provisions of the ESMP and CESMP are not adhered to—including by sub-contractors. This may include direct incentives to contractors in the form of penalties for poor performance on social and environmental matters or specific Performance Securities for ESMP and CESMP compliance.</p> <p>Ensure bidding documents make clear the responsibilities of the contractor to prepare and adhere to a CESMP based on the ESMP and that no civil works will commence until the CESMP has been approved by the supervision engineer.</p> <p>Ensure the bidding documents detail how the contractor and supervision engineer will be required to monitor and report on the impacts on the local community, issues related to labour influx and workers’ camps.</p> <p>Propose Key Performance Indicators (KPIs) for Contract Management, reflecting issues and risks specific to the contract and the monitoring plan.</p>
Bidding evaluation	<p>Review the Borrower’s bid evaluation report and request to review the bids where appropriate, to verify for the recommended bidder that documents related to the ESMP, safeguard implementation capacity, and other obligations of the contractor required to be submitted with the bid are sufficiently detailed and cover the contractual requirements.</p> <p>Require the contractor’s representative or dedicated community liaison staff to have the ability to communicate in the language of the Borrower and/or the local language.</p> <p>Verify that the contract management framework identifies clearly lines of communication and that these are formalized and a consistent record is provided.</p> <p>Ensure that the contractor meets the project’s OHS requirements for capability and experience.</p>
After contract signing	<p>Prior to commencing works, the contractor submits site-specific CESMP(s) based on the ESMP, which includes specific management plans for: (i) work activities; (ii) traffic management; (iii) occupational health and safety; (iv) environmental management; (v) social management; and (vi) labour influx.</p> <p>Supervision engineer reviews and approves the CESMP—with inputs from appropriate Government agencies—before any works start. For high-risk projects, the Bank should also review and clear the CESMP. Borrower should disclose the approved CESMP.</p>

Annex 3

Certificate of Age and Fitness

Part-A of the Registered Medical Practitioner

Certificate of Age and Fitness		Certificate of Age and Fitness	
Serial No:		Serial No:	
Date:		Date:	
Name:			
Father's Name:		It is being certified that (Name)....., Father..... Mother..... Address..... has been examined by me. His identifying mark is.....He is willing to be employed in establishment, and it has been found in my examination that his age is..... and he is fit to be employed in establishment as an adult/adolescent worker.	
Mother's Name:			
Sex:			
Permanent Address:			
Temporary/Mailing Address:			
Date of Birth according to Birth Certificate/ School Certificate:			
Physical Fitness:			
Identifying Marks:			
Signature/Thumb Impression of the Concerned Person		Signature/Thumb Impression of the Concerned Person	
Signature of the Registered Practitioner		Signature of the Registered Practitioner	

Annex 4

Record Book on the Training of Fire Extinguishment

Name of Contractor/ Sub- contractor:

Address of Contractor/ Sub- contractor:

Number of Total Workers and Employees:

Male:Female:

Serial No.	Date & Time	Type of Training			Name of the Training Institution	Number of Participants in Training			Duration of Training	Signature of Owner/ Manager	Remark
		Fire Extinguishment	Rescuer	First Aid		Male	Female	Total			

Annex 5

Register of Worker working on or near Machinery in motion, and provided with Personal Safety Materials

Name of Establishment:

Address of Establishment:

Serial No.	Serial No. of Worker's Register	Name of Worker	Age	Type of Work	Description & Date of providing with Tight Garment Personal Safety Materials	Description of Training for Such Work	Signature or Fingerprint of worker	Remark

Annex 6

Final Report of Accident and Professional Injury

(Sent after two months of the accident or joining work after temporal physical inability)

Name of address of institute:

Registration no. of institute:

Telephone, mobile, fax and email address:

Name and address of management authority (with phone number):

Name and address of constructor (if applicable) (with phone number):

Type and nature of the manufactured product/service:

Date and time of the accident:

Place/branch/ division (where the accident has taken place):

Description of the victim of the accident:

Name:

Present address:

Permanent address:

Age:

Sex:

Card/token no:

Post:

Salary:

Type of accident: (mark the suitable gap)

Death:

Permanent total physical inability:

Permanent partial physical inability:

If the worker is absent from work for more than 20 days because of the injury:

If the worker is absent from work for more than 16 hours and less than 20 days because of the injury (if you mark this ..., do not fill up point 9-12)

If the injured person faces permanent physical inability (if applicable) mark the following injury list

Mutilation:

Elbow of right hand or above elbow	Elbow of left hand or above elbow
Below right-hand elbow	Below left-hand elbow
Leg- on the knee or above knee	Leg-below knee
Permanent total hearing	One eye
thumb	All toes of a leg
A bone of thumb	Index finger
Big toe	Any finger except index finger

Class of accident (mark the appropriate option):

Fall of a person:

Fall of an object:

An object hit by other except for the fallen object:

Electricity:

Poison, fatal object or radiation:

Explosive:

Fire:

Incoming of forceful current of water:

Asphyxia due to gas:

Other reason (specify, for example: excessive use of force/excessive movement, etc.):

.....

Responsible object for accident (mark the suitable option):

Main operating machine:

Moderator machine:

Lifting machine:

Operative machine:

Other machine or supporting machine:

Rail or trolley:

Other transportation or goods transportation:

Hand run machine:

Others (please specify, e.g., water, transportation, pressure vessel, plant, oven, kilns etc.):

.....

The time of absence form work (working hour):

The name and address of the medical officer under whose treatment the injured person produced:

.....

Date of sending report:

Sign of manager/representative:

Date:

Annex 7

Report on Toxic and Infectious Disease

[This must be submitted within 24 hours of identifying the disease]

Name of address of Factory/institute:

Registration no. of Factory/institute:

Telephone, mobile, fax and email no:

Name and address of management authority (with phone number):

Name and address of constructor (if applicable) (with phone number):

Type and nature of the manufactured product/service:

Description of the victim of the accident:

Name:

Present address.....

Permanent address:

Age:

Sex.....

Card/token no:

Post:

Salary:

Type of work:

Date of joining work:

Name and address of the physician if he/she is undergoing treatment:

.....

The name of the disease worker is suspected to be suffering from:

.....

Name of the notice provider:

Date:.....

Signature of the assignee or his lawyer or
Authorized officer of the registered trade union