

**REPUBLIC OF TAJIKISTAN**  
**MINISTRY OF EDUCATION AND SCIENCE**

**LABOR MANAGEMENT PROCEDURES (LMP)**

**FOR**

**LEARNING ENVIRONMENT – FOUNDATION OF QUALITY  
EDUCATION (P177475)**

**October2022**

# CONTENT

LIST OF ABBREVIATIONS & ACRONYMS .....	2
<b>1. INTRODUCTION .....</b>	<b>3</b>
<b>1.1. PROJECT BACKGROUND .....</b>	<b>3</b>
<b>1.2. PROJECT PDO .....</b>	<b>3</b>
<b>1.3. PROJECT COMPONENTS .....</b>	<b>3</b>
<b>2. OVERVIEW OF LABOR USE ON THE PROJECT .....</b>	<b>4</b>
<b>3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS.....</b>	<b>6</b>
<b>4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS.....</b>	<b>9</b>
<b>4.1. NATIONAL LABOR LEGISLATION .....</b>	<b>9</b>
4.1.1. <i>Relevant Labor Legal Provisions .....</i>	<i>9</i>
4.1.2. <i>Occupational Health and Safety Legal Provisions .....</i>	<i>12</i>
<b>4.2. THE WORLD BANK ENVIRONMENTAL AND SOCIAL STANDARDS: ESS 2 .....</b>	<b>12</b>
<b>4.3. KEY GAPS BETWEEN NATIONAL LEGISLATION AND ESS2 .....</b>	<b>13</b>
<b>5. RESPONSIBLE STAFF .....</b>	<b>16</b>
<b>6. POLICIES AND PROCEDURES .....</b>	<b>17</b>
<b>7. AGE OF EMPLOYMENT.....</b>	<b>20</b>
<b>8. TERMS AND CONDITIONS .....</b>	<b>21</b>
<b>9. GRIEVANCE MECHANISM .....</b>	<b>22</b>
<b>9.1. GM STRUCTURE .....</b>	<b>22</b>
<b>9.2. LOCAL GRIEVANCE LOGBOOKS .....</b>	<b>22</b>
<b>9.3. MONITORING AND REPORTING ON COMPLAINTS .....</b>	<b>23</b>
<b>10. CONTRACTOR MANAGEMENT .....</b>	<b>24</b>

## List of Abbreviations & Acronyms

AFRD	Accounting and Financial Reporting Department
ASES	Agency on Supervision in the sphere of Education and Science under the GRT
CAC	Committee on Architecture and Construction under the GRT
CC	Code of Conduct
CCD	Capital Construction Department
DGE	Department of General Education
DQE	Department of Quality of Education
E/A	Executive Agency
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
GRM	Grievance Redress Mechanism
IATEW	Institute for Advanced Training of Education workers
ICT	Information and communication technologies
LEARN	Learning Environment – Foundation of Quality Education
LMP	Labour Management Procedures
M&E	Monitoring and evaluation
MOES RT	Ministry of Education and Science of the Republic of Tajikistan
NGO	Non-governmental organization
NTC	National Testing Center under the GRT
PISA	International Student Assessment Program
POM	Project Operations Management
PPE	Personal protective equipment
RT	Republic of Tajikistan
SEP	Stakeholder Engagement Plan
STEM	Science, technology, engineering, and mathematics
WASH	Water, sanitation, and hygiene
WB	World Bank

# 1. Introduction

## 1.1. Project Background

The Government of Tajikistan (GoT) and the World Bank (WB) are engaged in preparing the Learning Environment – Foundation of Quality Education Project that aimed to enhance quality and resilience of learning environments in selected general secondary schools of Tajikistan. The project aims to improve the quality of teaching and learning, carrying out measures for reconstruction and modernization of school infrastructure, including improving access to the use of modern laboratory equipment and information technologies in the educational process, and building capacity in the field of educational assessment.

The LEARN Project will be countrywide as the project seeks to improve the learning environment in and resilience of select general secondary schools. In accordance with the WB environmental and social risk classification (ESRC), the environmental and social risks are moderate. The relevant ESF standards to address risks are ESS1, ESS2, ESS3, ESS4, and ESS10. The Ministry of Education and Science (MoES) of the Republic of Tajikistan, being an Executive Agency (EA) under the Project, has developed this document "Labour Management Procedure (LMP)". The LMP is based on the requirements of the ESS2 "Labor and Working Conditions". The LMP sets out how the project workers will be managed. It includes terms and conditions of employment, nondiscrimination and equal opportunity, workers' organization, occupational health and safety, the prohibition of child and forced labor, and a worker's grievance mechanism. The LMP also covers the legal provisions of the Republic of Tajikistan.

## 1.2. Project PDO

The Project Development Objective (PDO) is to enhance quality and resilience of learning environments in selected general secondary schools in Tajikistan.

## 1.3. Project Components

The Project comprises of the following three components:

***Component 1. Develop National Framework for Teaching and Learning Environment for Better Teaching and Learning Practices.*** The purpose of this component is to develop, test and implement a new national structure of the learning environment, the quality and effectiveness of schools as institutions, as well as improved school monitoring processes supported by training programs for teachers, school leaders and inspectors.

***Component 2. Improve the Quality and Resilience of Teaching and Learning Environments.*** The purpose of this component is to introduce a national structure of the educational environment in selected schools in Tajikistan. The component will support the renovation and capital rehabilitation of schools, including stimulating resilience, green development, energy efficiency and the use of sustainable materials, gender equality, accessibility for students with disabilities, as well as improving WASH and menstrual hygiene management (MHM). The component will also support school equipment to enable schools to develop modern approaches to teaching and learning, including information and information technology (IT) capabilities science, technology, engineering, mathematics (STEM) subjects taking into consideration gender-sensitive issues.

***Component 3. Build Capacity in Education Assessments and Project Management.*** The objective of the Component 3 is to enhance the country's expert and institutional capacity to conduct national and international assessments and to build the government's capacity in project management, monitoring and evaluation.

## 2. Overview of Labor Use on the Project

**Number of Project Workers.** The Project workers will comprise direct workers to be engaged by MoES and contracted workers to be engaged through third parties (consultancies and contractors/subcontracted workers). The contractors/sub-contractors are expected to engage about 630 contracted workers for contraction-related activities of around 90 sub-projects-the sub-projects will be located in districts and cities of the Republic of Tajikistan, including the capital city of Dushanbe. These are preliminary figures and the exact figures can be determined during project implementation. The consultancies are likely to engage 20 staff for surveys, design, and supervision of the rehabilitation and renovation activities of select schools. The MoES-PIG and provincial/district Hukumat will engage about 40 staff (short-term consultants, engineers, environmental and social staff, FM, procurement, etc.) for the implementation Learning Environment – Foundation of Quality Education Project.

**Characteristics of Project Workers.** Given the nature of the project, the contracted workers are likely to be local workers and residents from the same regions, where the construction takes place. The contractors are not expected to engage workers from foreign countries for the small scale renovation and rehabilitation works. The contractors are likely to engage women workers for temporary employment, such as site cleaning, food service workers, etc. The female contracted workers are likely to represent about 5-10 percent of the workers based on the experiences from other similar projects in Tajikistan. In accordance with the Article 216 of the Labor Code of Tajikistan (23.07.2016), № 1329, the employment of women in heavy work and jobs with harmful or dangerous working conditions is prohibited. The direct workers will be skilled and professionals since the PIG will be established to carry out such key functions as coordination, fiduciary, E&S risk management, monitoring and evaluation, and reporting. The PIU staff will include a PIG manager, consultants (procurement specialist, Financial Management Specialist, Social/GRM officer, Environmental Officer), and an M&E specialist. The consulting firm will mainly engage survey teams, design engineers, supervision teams, and E&S specialists. The direct workers will also involve female workers. It is expected that female workers' percentage will be about 30-40% of the labor force (direct workers), and they are most likely to be employees of the departments of the Ministry of Education and Science (MoES), Finance Department, Procurement, E&S and Monitoring, and Evaluation Specialists. Based on experience from previous projects (and the ongoing Higher Education Project), most workers are likely to be in the age category of 25-50 years old.

**Timing of Labor Requirements.** The core project workers (or direct workers to be engaged by the MoES- PIG) will generally be required full-time throughout the project implementation period. The consultants will be hired on the terms reflected in the employment contracts. The civil servants will be regulated by the provisions of the Law of the Republic of Tajikistan "On Civil Service", determining their legal status and social guarantees. The consulting companies' staff can be employed for the whole period of the project or for a certain period. Deadlines for the completion of tasks will be reflected in the contract documentation and technical specifications of organizations. Timing for the involvement of contracted workers for civil works will be for a period of 9 to 12 months depending on local conditions and weather. For small-scale repair work, the terms of the employment relationship can be concluded up to 6 months, depending on the scope of work. All workers involved in the construction will be hired based on an employment contract, with an indication of deadlines. Remuneration will be made in cash, according to the

timesheet in accordance with the amount of work performed, or the funds will be transferred to the settlement accounts of employees.

**Contracted workers.** Based on the requirement in every component, the MoES- PIG will employ contractors who will hire contracted workers based on their level of skills and project needs. If agreed with the PIG, sub-contracts of the work could be given. The sub-contractors recruited may engage workers as per the agreed terms and conditions. Under component 2, the contractors are expected to engage 630 workers for the renovation and capital rehabilitation of select schools. The total sub-projects are likely to be around 90 in several districts, and select cities, including the capital city of Dushanbe.

**Migrant Workers.** The renovation and rehabilitation activities are not expected to involve migrant workers.

***Direct workers.*** The direct workers comprise civil servants from the Ministry of Education and Science (MoES) and regional and local staff, short-term local consultants, and international consultants to be engaged by the MoES-PIG for project management. The MoES's central and provincial units that will be engaged in the project implementation are the Department of General Education (DGE), Department of Quality Education (DQE), Department of Capital Construction Management (DCCM), Procurement Division, Accounting and Financial Reporting Department (AFRD), and Republican Institute for Advanced Training of Educators (RIATE). The units will perform the following functions: a) act as the first contact person and a key employee; and b) ensure timely contribution within their competence.

The civil servants from MoES will mainly focus to perform these key tasks: i) procurement and financial management, monitoring and evaluation of the project (ME), environmental and social management, and translation activities.

The MoES-PIG will hire the following local consultants:

- Monitoring and Evaluation Consultant (1)
- Procurement Consultant (1)
- Financial Management Consultant (1)
- Payment Consultant (1)
- Secretary-translator (1)
- Environmental Consultant (1)
- Social Development Consultant (1)

The following staff will be engaged by the MoES (EP, QED, DCC):

- Education Consultant for the Component (1)
- Chief Engineer for the Component-2 (1)
- Evaluation Consultant for Subcomponent-3.1 (1)
- Training Coordinator to support all training Project activities.

The Education and Science (ASES) and the National Testing Center (NTC) will support developing evaluation tools and capacity support and assessments. The MoES will also engage international experts to support project implementation.

The Project Coordinator (PIG) will have overall responsibility for the implementation of the Project activities. The total number of direct workers is estimated at about 40 staff which will be subject to change.

### 3. Assessment of Key Potential Labor Risks

The project activities under Component 2, " Improve the Quality and Resilience of Teaching and Learning Environments " could cause potential adverse labor impacts and risks. The proposed project would assist selected schools in: (i) rehabilitation or replacement/demolition of buildings to meet minimum standards, (ii) equipping the project schools with IT equipment and other laboratory up-gradation for modernization purposes, (iii) expansion and extension of the number of classrooms, and (iv) up-gradation of improving water, sanitation, and hygiene (WASH) system including access to clean water and rehabilitation of existing sanitation system.

The main labor risks assessed are related to the potentially hazardous work environment and risk due to disposal of chemicals, fuels, other hazardous materials such as asbestos, labor, and working conditions (such as inadequate accommodation for workers, lack of access to potable water, sanitation facilities, lack of functional GM for workers to raise workplace concerns, sexual exploitation, abuse, and sexual harassment (SEA/SH), and child and forced labor issues. The Project can also cause health and personal injuries and fatalities risks at the worksite. Another potential risks that could arise are the spread of COVID-19 infection in the Project's workplace.

**Labor risks associated with the hazardous work environment.** Construction works can lead to adverse risks and impacts related to the health and safety of workers. Construction sites are potentially dangerous, so serious accidents often occur there, especially if safety measures are not provided.

The main negative impacts on health and safety are associated with:

- (i) risks in the performance of construction work (noise, risk of injury).
- (ii) transmission of infectious diseases.
- (iii) pollution of local water supplies; and
- (iv) road safety and use of electrical appliances.

Risks to health and safety in the workplace under the Project can be managed by the implementation of the Occupational, health, and safety (OHS) plan. The OHP plan will be included in the site-specific ESMP prior to issuance of bidding document for civil works. The OHS measures have been identified in the ESMF to prevent injuries and incidents at worksites in the case of negligence including obligations to the MoES and the contractor to follow good housekeeping, national OHS regulations and rules, WB Environmental, Health and Safety Guidelines, and good international practice. The "Policies and Procedures" Section gives a detailed description of the natural policy and practical experience of the Ministry of Education and Science related to the prevention and management of OHS risks.

**Risk of labor and working conditions.** The ESMP and ESMP checklist will include requirements for accommodation for workers, and workers' access to potable water and sanitation facilities. There will also be requirements and contractual obligations included regarding social insecurity in employment and adequate measures relating to the remuneration of temporary workers and women. The risks associated with employment issues and remuneration are expected to be insignificant since subprojects will be implemented mainly by local contractors and most of the contracted workers will be residents. Under the World Bank's Procurement Rules, all contractors will be required to enter into written contracts with their employees which meet the SES-2

requirements. There will be Grievance Mechanism (GM) for project workers in line with ESS2. The worker's GM will be established prior to the start of construction works.

**Risks of SEA/SH are moderate.** There will be civil works and contractors are likely to engage local women workers for temporary employment, such as site cleaning, food service workers, who will form about 5-10 percent of the workers.

The civil work activities under component 2 can have the potential risk of sexual exploitation and abuse and sexual harassment (SEA/SH). There are also potential risks within the learning environment.

Following an assessment an SEA/SH action plan to manage the risks of SEA/SH will be prepared for the project. The SEA/SH action will include measures which will be adopted for each site-specific ESMP for civil work. During revision of a national framework for the learning environment, an institutional code of conduct for teachers and administrative staff will be developed which will include prohibitions against SEA/SH for the entire education system. The project will also support training programs on SEA/SH prevention, management, and responses by education sector personnel to complaints and actions. It will also include initiatives in schools to raise awareness around SEA/SH, including consultations with stakeholders to get their feedback on SEA/SH. Additionally, the project will adhere to the measures proposed in the SEA/SH action plan and stakeholder engagement plan (SEP). The mitigation measures include: i) sensitization of project workers and the MoES-PIG staff and beneficiaries; ii) instituting GR committee and focal points to handle project grievances; iii) sensitize communities on the SEA/SH and the referral pathways, iv) all project personnel will be trained against SEA awareness programs as well as the beneficiary community; and v) the CoC will contain provisions SEA/SH which shall be followed.

The bidding documents will also include requirements for a contractor's code of conduct (CoC) to address SEA/SH. The contractor will be obliged by the contract not to use any violence, and the Code of Conduct (CC) must clearly stipulate that the contractor and his staff must respect and observe local customs and traditions, respect local women, women involved in the construction activities of the project and their privacy.

The MoES-PIG will monitor and report any identified facts or absence of violations.

**Risk of labor influx.** The labor influx risk is moderate, as the civil works are not likely to involve a large workforce, as most workers will be hired from the local workforce.. The ESMF includes labor influx assessment with measures to be incorporated in the site-specific ESMP and the civil work contract to avoid or reduce labor influx risk. The labor influx risks are manageable through appropriate instruments, such as labor influx management plan which will form part of the ESMP

**Risk associated with child and forced labor.** The risks associated with child and forced labor will be moderate, given the implementing agency gained good experience and expertise in implementation of the E&S instruments. There has been no case of child labor from the ongoing (HEP and ECDP) projects which are being implemented by MoES-PIG. The MoES-PIG will ensure effective control over the prevention of the use of forced and child labor. The relevant provisions from the LMP, including the application of age verification procedures will be included in the site-specific ESMP for civil works. The ESMP will also include requirements for the application of age verification procedures by contractors for all its prospective employees. This will be done by using the legally recognized documents such as National Identification Card, and Birth Certificate. The

contractor's Code of conduct will also contain provisions on no use of child and forced labor in the project activities. The MoES-PIG will develop public outreach materials which will be disseminated in the project areas to sensitize the prohibition of child and forced labor. The MoES-PIG will establish a rigorous monitoring to ensure the application of the LMP and fulfillment of child and forced labor requirements. The quarterly progress report (QPR) by the MoES-PIG will include details about child and forced labor implementation compliance.

**Risks associated with the health of project workers** are significant due to the uncontrolled situation with COVID-19 and its mutated strains. A working group has been established at the ministerial level responsible for preventing the spread of infection at the workplace. Personal protective equipment is purchased and distributed to employees, and all premises of the Ministry are sanitized and ventilated on a daily basis. Vaccination activities are carried out.

As part of the preparation and implementation of the LEARN Project, this practice of taking preventive measures will be continued. The project will regularly integrate the latest guidelines and best practices to combat COVID-19.

## 4. Brief Overview of Labor legislation: Terms and Conditions

### 4.1. National Labor legislation

**The Constitution of the Republic of Tajikistan** (adopted on November 6, 1994) on labor conditions and occupational safety provides everyone the right to:

- **Safe labor.** The use of the labor of women and young persons in hazardous and underground work as well as work in hazardous labor conditions is prohibited (Article 35)
- **The right to rest.** That right is ensured by fixing the working hours and providing annual leave, weekly days off and other conditions stipulated under laws (Article 37)
- **Gender Equality:** According to Part 2 of Article 17 of the Constitution of the Republic of Tajikistan, men and women have equal rights
- **Protection of health.** The state takes measures to improve the environment, promote mass sports, physical culture, and tourism (Article 38); and
- **Social security** in old age in the event of disease, disability, loss of a breadwinner, and in other cases stipulated under the law (Article 39).

**The Labor Code of the Republic of Tajikistan** (2016) is the fundamental legislative act aimed to regulate all labor matters arising in the Republic of Tajikistan. This Code governs employment relationships and other relations, directly related, directed to the protection of the rights and freedoms of the parties of employment relationships, and the establishment of the minimum guarantees of the rights and freedoms in the sphere of work. Article 7 of the Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, or property, leading to a violation of equality of opportunities in the field of labor, are prohibited.

#### 4.1.1. Relevant Labor Legal Provisions

**Forced labor and child labor.** Article 8 of the Labor Code prohibits forced labor. Article 4 “principles of the Labor Legislation of the Republic of Tajikistan”, banning discrimination, forced labor and exploitation of labor of women and children in heavy, underground works and work with hazardous conditions. The Code also sets the minimum age at which a child can be employed as well as the conditions under which children can work (Articles 113, 67, and 174). The minimum employment age is 15, but in certain cases of vocational training, mild work may be allowed for 14-year-olds (Article 174). In addition, there are some restrictions on what type of work can be done by workers under the age of 18, and what hours of work are permissible. Examples of labor restrictions include that those between 14 and 15 cannot work more than 24 hours per week while those between 15 and 18 cannot work more than 35 hours per week; during the academic year, the maximum number of hours is half of this, 12 and 17.5 hours, respectively. Article 208 prohibits the use of employees under the age of 18 in heavy, underground and harmful and hazardous works, as well as the works hazardous to their health and moral development. The Government of Tajikistan determines the list of works prohibited for employees under the age of 18 and the minimum norm of freight allowed for manual lifting and delivery by them. It is also prohibited to transfer the employees under the age of 18 from one duty station to another duty station or from one job to another one, where the determined norms are heavy for them to accomplish. Article 213 prohibits employees under the age of 18 to night work, overtime activities,

combined calculation of working time, seconding to business trip and implementation of shift works, as well as recalling from annual paid leave. Based on the local legislation, workers between 15-18 years could be hired for office work, vocational training and mild work as stipulated under Article 174 of the RT with shortened working hours (during out of school time with guardian or parent permission).

**Wages, deductions, benefits, and compensations.** Contracts and collective agreements establish the form and amount of compensation for work performed in accordance with Chapter 12 of the Labor Code of the Republic of Tajikistan, as well as other regulatory documents valid in this area. The Government establishes a minimum wage, which is called a “social norm” (Article 103), and this can be adjusted by an index based on discipline and possibly other factors. Work in the desert, other arid (“anhydrous”) areas, and mountainous areas are subject to additional compensation.

Employers are obligated to pay workers their wages at least once per month (Article 108). If payment is not paid as specified in the contract and this is the fault of the employer, the employer must then pay “additional cash according to the bank discount rate for each day of delay” (Article 108). Employers also must pay for work-related damage to health or property, and families are compensated in case of death. Deductions are allowed for specific reasons but may not exceed 50 percent of the amount owed to the employee, and payment after deductions may not be less than the minimum rate determined by the government (Article 109).

**Women.** Article 162 prohibits overtime, weekend work, and business trips to pregnant women or women, having children under three years old. For women with children from 3 to 14 years old overtime and business trips are allowed, but only with the consent of the woman. Article 216 stipulates that the use of women's labor in heavy and underground work, and work under harmful working conditions is prohibited. The list of jobs in which the use of women's labor and the maximum permissible load standards for them when lifting and moving weights manually is prohibited shall be approved by the Government of the Republic of Tajikistan. Other gender provisions are described in the relevant subsections.

**Working Hours.** The standard working week is 40 hours, and less is allowed for those younger than 18 years old. The number of hours per day and days per week is set in the contract/agreement between the employer and the employee. Employers should provide up to two hours of unpaid free time each working day for “rest and meals”, as well as paid time off in case time is needed, to cool down, warm up, or breastfeed. Details of compensatory time off are established in contracts/agreements.

**leaves.** In addition to public holidays, employees must receive at least 24 days of paid leave per year, with employees under the age of 18 requiring at least 30 days and employees with disabilities- 30 days. In addition, those who work under unhealthy and disadvantaged working conditions receive an additional seven days, and those who work in adverse climatic conditions receive an additional eight days. Leave without pay can also be taken by certain groups of people and can also be included in contracts. Upon dismissal, employees are paid unused holidays, or they can use holidays as their last days of work. Women are granted a maternity leave of up to 70 calendar days or 86 days in the case of difficult childbirth and then granted 100 days of leave after childbirth with payment of benefits from the state social insurance. Maternity leave is calculated cumulatively and is paid in a lump sum, regardless of the actual number of days off before childbirth. After

giving birth, a mother of a child can take additional leave until the child is six months old, again, paid for by social insurance. She can take unpaid leave until the child reaches the age of three. Her position is guaranteed upon return from all these maternity leaves. In addition, this "childcare" leave can be used by the father, grandparents, or other relatives/guardians if they are responsible for caring for the child.

**Overtime.** Overtime can take up to 12 hours a day and is paid at a compensation time or at a rate of at least twice as much exceeding the normal rate. Night work is paid 1.5 times the normal rate. The terms of overtime are defined in the contract.

**Labor disputes.** Labor disputes include "unresolved disagreements between employer and employee on the issues of application of legislative and other normative labor acts of the Republic of Tajikistan and working conditions provided by employment contract (contract), collective agreement and contracts" (Article 189).

Disputes can be considered by commissions that are created "on an equal footing with the employer and structures representing the interests of employees...» (i.e., with equal representation of the employee/employees and the employer), if such commissions are provided for in employment contracts/contracts (Article 191). Commissions must consider issues within 10 days. If the employer, employee, or their representatives do not agree with the decisions of the commission, or if the commission does not consider applications within 10 days, either party can go to the court, but it must be within 10 days from the moment the decision was made (or not made). In addition, the public prosecutor may appeal if the decision is contrary to the law "or other normative acts" (Article 192).

Appeals to the commission or the court must be submitted within a limited period after the event that caused the dispute: within three months for appeals to the commission and for different periods of time for appeals to the court, depending on the nature of the dispute (without restrictions on non-property rights and on compensation for damage to life or health). In such cases, employees are exempt from paying legal costs.

Compared to individual disputes, collective disputes are "unresolved discrepancies between employers (employers' unions) and the team of employees (employee representatives) on establishment and modification of working conditions in enterprises, signing and implementation of collective agreements and contracts, as well as on the issues of application of the terms of legislative and other regulatory legal acts, collective agreements and contracts". Intermediaries are selected by agreement of the parties (that is, representatives of the trade union and the employer). If this does not lead to an agreement, the parties create "labor arbitration" "in cooperation with the administration of the district or city" (Article 209), the parties shall elect the members and chairman of the arbitration. The arbitration must decide within 10 days. If no agreement can be reached, the case is referred to the labor collective or trade union, which can use all the means of the law to resolve the issue, including strikes. If disputes relate to the application of legislative "and other normative acts", then they can be referred to the court of one of the parties.

**Grievances.** Law on Appeals of Individuals and legal entities (of 23 July 2016) contains legal provisions on established information channels, on which citizens can submit their complaints, requests and claims. Article 14 of the Act sets out the time limits for the consideration of complaints: 15 days from

the date of admission that do not require additional review and consideration, and 30 days for applications that require additional review.

#### 4.1.2. Occupational Health and Safety Legal Provisions

Occupational health and safety are also regulated by the Labor Code. Chapter 5 of the Act describes the roles and responsibilities of employers and employees related to occupational health and safety. The law requires employers to:

- Be responsible for ensuring safe working conditions and occupational safety at every workplace.
- Apply personal and collective protective equipment for workers (including protective clothing and equipment).
- Provide an appropriate mode of work and rest.
- Train employees in their work and safe working methods.
- Give instructions on labor protection.
- Test and validate employees' knowledge of safe work.
- Certify workplaces at least once every five years.
- Investigate accidents.
- Provide sanitary and medical services.
- Provide social insurance against accidents and diseases.

Employees, on the other hand, are required to pass initial and periodic tests medical examinations, pass training and periodic checks of their knowledge of their jobs and safety requirements, and carry out medical and health measures that are prescribed by the medical institution if paid by the employer.

Not only do state officials have the right to inspect premises to verify safety conditions. In addition, trade unions “and other representative bodies” also may “freely check” compliance with labor protection requirements and propose measures to eliminate violations, which must be considered by the Employer.

Employers with over 50 employees must establish a Labor Protection Service. This requirement does not apply to the PIG, but it will be one of the requirements for civil works contractors with over 50 workers.

The law gives workers the right to refuse to undertake work that violates labor protection requirements. In addition, workers engaged in hazardous working conditions are entitled to free medical and preventative care, additional paid leave, and other benefits and compensation. In case of disability or death, employers must provide compensation in multiples of average annual earnings as well as other amounts required by law.

#### 4.2. THE World Bank Environmental and Social Standards: ESS 2

The World Bank’s stipulations related to labor are outlined in its Environmental and Social Standard 2 on Labor and Working Conditions (ESS2). This helps the Borrowers in promoting sound worker-management relationships and enhances the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. The key objectives of the ESS 2 are to:

- Promote safety and health at work.

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

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

Working conditions and management of worker relationships. The Borrower will develop and implement written labor-management procedures applicable to the project. These procedures will set out the way in which project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures will address the way in which this ESS will apply to different categories of project workers including direct workers, and the way in which the Borrower will require third parties to manage their workers.

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

#### 4.3. Key Gaps between National Legislation and ESS2

*Table 5.1. Summary of World Bank Requirements and Key Gaps with Tajikistan Legal Requirements*

ESS & Topic	Major requirements WB	Key requirements/gaps in Tajikistan legal framework	Principles to be followed by the Project
Working conditions and management of labor relations	Written labor management procedures - Terms and conditions of employment Non-discrimination and equal opportunity Worker's organizations Elaborate Labor Management Plans	Written employment contract required, including procedures and employment conditions  No provision for Labor Management Plans.	LMP developed for the project.  Terms and conditions in the LMP are harmonized with ESS2 and national law.

	including Contractor's ESMP warranted		
Grievance mechanism (GM)	GM should be in place for direct and contracted workers	No project specific GRM is warranted. However, it is allowed to apply to: a) conciliation commission; b) Labor Inspection under the Ministry of Employment and Labor Relations; and c) court. Grievance registration and follow-up procedures are stated on the Law on Appeals of Individuals and Legal Entities.	The client has to develop project specific GRM for its workers as per ESS2.
Category of workers	Specifies these following categories of workers: direct, contracted, community and primary supply workers.	No reference to Community and Primary Supply Workers.	No community workers and primary suppliers will be involved in the Project.
Minimum age of workers	Persons 14-18 are prohibited from work considered non-hazardous, that will interfere with their education or be harmful to their health or development (physical, mental, spiritual, moral, or social).	Employment permissible for 15 plus age, but for non-hazardous work, with limited hours, and guardian permission.	The Project will allow deployment of people aged 18 years and above, however workers between 15-18 years could be hired for office work with shortened working hours, during out of school time, and with guardian permission as per national legislation. The MoES-PIG will apply a rigorous monitoring system to ensure that the contractors adhere to the child and forced labor requirement. The project will require the implementation of age verification

			<p>procedures by contractors for all its prospective employees by use of National Identity Card and/or Passport. The contractor's Code of conduct will also contain provisions on no use of child and forced labor in the project activities. The MoES-PIG will develop public outreach materials which will be disseminated in the project areas to sensitize the prohibition of child and forced labor. The QPR by the MoES-PIG will include details about child and forced labor implementation compliance.</p>
--	--	--	--

## 5. Responsible Staff

The Project Coordinator will have the overall responsibility for labor-management compliance. The social officer with support from M&E staff will be responsible for the following key areas:

- Implementing these labor-management procedures.
- Ensuring that contractors comply with their contractual commitments toward implementation of this LMP.
- Monitoring to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers as required by Tajikistan legislation and ESS2.
- Monitoring contractors and subcontractors' implementation of labor-management procedures.
- Monitoring compliance with occupational health and safety standards at all workplaces in line with the national occupational health and safety legislation.
- Monitoring and implementing training on LMP and OHS for project workers.
- Ensuring that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it.
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance; and
- Monitoring implementation of the contractor's Code of Conduct.
- Ensuring that contracts incorporate the necessary provisions of LMP and ESMF, ESMP, and contractor's code of conduct.
- Ensuring that each contractor has their own health and safety plans on the construction site prior to the start of construction work. DCC must methodically monitor the fulfillment of labor protection requirements during the contractor's activity.
- Monitoring the provision of protective equipment to the contractor's employees and notification of all incidents with employees (injuries, illnesses, and incidents of the contractor).

The Contractors (Consultants) will be responsible for the following:

- To obey the requirements of the national legislation and this LMP.
- Maintain records of recruitment and employment process of contracted workers.
- Clearly communicate job description and employment conditions to contracted workers.
- Have a system for regular review and reporting on labor, occupational safety, and health performance.
- Implementation of a grievance mechanism for project workers and a feedback mechanism. Informing employees about the purpose and methods of its use.
- The contractors are responsible for the implementation of COVID-19 measures at Construction Sites" and, if it occurs, must take prompt action.

For direct workers, the MoES is responsible for creating a safe environment in offices, providing each employee with the necessary office facilities, and respecting the labor rights of the employee. The MoES will be responsible for providing employees with personal protective equipment (PPE) and support staff, detergents, and disinfectants for the treatment of all surfaces of office premises, as well as carrying out information activities.

The Project Operations Management (POM) will include standard contract templates and general provisions on the construction process and work (technical specifications) which will detail the measures on labor protection and safety and the obligations of contractors to fulfill all conditions reflected in the contract documentation.

## 6. Policies and Procedures

Relations with employees involved in the implementation of project activities will be based on the provisions of the Constitution of the RT, the legislation of the Republic of Tajikistan regulating the sphere of labor, and the World Bank requirements. The procedures for hiring employees will be carried out on the principles of observance and respect for human rights, non-discrimination, and equal opportunities.

The Labor Code of the RT is a fundamental legislative act aimed at regulating all labor relations in the RT, which guarantees all citizens equal rights to work and prohibits discrimination in labor relations.

The MoES is the main body responsible for the implementation of the Project and will implement the project activities in accordance with the provisions and procedures set out in the Project Operational Manual (POM). The MoES has overall responsibility for project management, recruitment, coordination, and working conditions for project workers, responsible for procurement, disbursement, and management of project funds.

Since the employees of the MoES subdivisions involved in the implementation are civil servants, relations with them are regulated by the Law of the Republic of Tajikistan "On Civil Service of the Republic of Tajikistan".

The recruitment of specialists appointed as consultants will be carried out in accordance with the World Bank's procurement standards and guidelines. Terms and Conditions governing employment will be set out in the contract documents and approved by the World Bank. All consultants will be trained in World Bank ESF standards and will receive additional support on the issues related to the implementation of the Project after its implementation.

**Compliance with working conditions, time, and payment.** In accordance with the legislation of the RT and the requirements of the World Bank, the MoES creates normal conditions for its employees to comply with labor standards. The contract will provide for the obligations of the employee and the employer, where the employer is obliged to the following:

- Provide and equip the workplace appropriately for the performance of duties.
- Provide the employee with the necessary equipment, tools, machinery, materials, and technical documentation.
- Timely notify the employee of hiring and dismissal and changes in the terms of the employment contract.
- Provide the employee's workplace with all the requirements of safety, hygiene, and sanitation.
- Ensure the payment of wages specified in the contract.
- Take measures to prevent risks in the workplace and compensate for the harm caused to the life and health of the employee in the performance of his work duties.
- Promote training and professional development of employees.

**Working hours and time for rest.** The duration of working hours must comply with the requirements of the legislation of the Republic of Tajikistan and international standards. Normal working hours should not exceed 40 hours per week. With a five-day working week, the duration of work should not exceed 8 hours per day. During the day, the employee is given a break for rest and meals, weekends (weekly uninterrupted rest), non-working holidays, and vacations.

**The employer will provide annual paid leave to the employee for the following periods:**

- Minimum basic leave 24 calendar days (not less than 24 days).

- Additional holidays 10 calendar days.
- The employer must pay the average salary during the work leave no later than one week before the leave starts.

**Terms of payment.** The official salary must be calculated from the date of signing the contract in national currency for each day worked and paid monthly.

**Grievance Review Mechanism (GRM).** In accordance with the Code of the Republic of Tajikistan, each ministry has a conciliation commission, which is authorized to consider labor disputes of employees. In the event of labor disagreements, every employee, regardless of gender and nationality, has the right to apply with a written application to the MoES. The MoES, on the basis of the application, establishes a commission consisting of representatives of the ministry's administration, members of the trade union committee, and representatives of the HR department and legal department. Applications can also be submitted to other structures, for example, to sectoral trade union committees<sup>1</sup> or directly to the court. As part of the implementation of the Project, a GRM will be introduced for project employees, which will be based on the existing mechanism under the Ministry and will meet all the SES-2 requirements.

**Contractors** involved in project activities should develop and implement written procedures for regulating labor relations, including procedures for creating and maintaining a safe working environment in accordance with the requirements of the legislation of the RT, and the World Bank's SES-2 requirements. The contractor is obliged to:

- Perform their duties in accordance with their contractual requirements and this LMP.
- Give preference to the local population when choosing skilled and unskilled labor.
- Be guided by the recommendations of Jamoat/Mahalla council representatives when hiring local labor.
- Consider the moral and psychological qualities of the hired employee when hiring an employee, in order to avoid incidents.
- The contractor is obliged to comply with all safety standards in the workplace, appropriately equip workplaces and provide uniforms to employees in accordance with the safety and labor protection standards. In addition, the contractor's duties include monitoring compliance with these rules at the project sites.
- As per the legislation of the RT, each contractor/subcontractor must officially register the employment relationship with the employee.
- When interacting with the MoHS, the contractor must develop and comply with the contractor's Code of Conduct (CoC). The contractor must provide each of its employees with a copy of this CoC in a language understandable to the person and obtain a signature confirming its receipt. In addition, training should be provided so that all contractor personnel understand the content of the document and comply with its requirements- further details about the contractor's CoC are given below.

**Labor Influx and SEA/SH.** The MoES-PIG will develop SEA/SH action for the project. The key mitigation measures will include: i) sensitization of project workers and the MoES-PIG staff and beneficiaries; ii) instituting GR committee and focal points to handle project grievances; iii) sensitize communities on the SEA/SH and the referral pathways; iv) all project personnel should be training against SEA awareness programs as well as the beneficiary community; and v) the CoC contains provisions SEA/SH which shall be followed. The labor influx risk will form part of the ESMP for civil work.

---

<sup>1</sup>Trade unions are an organization of workers defending their labor rights, participating in the consideration of individual and collective labor disputes.

Contractors will - maintain labor relations with local communities through a code of conduct(CoC). The CoC oblige all persons engaged by the contractor, including sub-contractors, to acceptable standards of behaviour. The CoC shall include sanctions for noncompliance,including non-compliance with specific policies related to gender-based violence,sexual exploitation, abuse, and sexual harassment SEA/SH (e.g., termination). The CoC shall be written in Tajik and Russian (for the expatriate worker, it'll be usually in English) in a reader-friendly style 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 the 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 Tajik and Russian.

Contractors shall 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 SEA/SH a punishable offense that is prosecuted.
- Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence.
- A system to capture gender-based violence, SEA/SH
- related complaints/issues shall be developed.
- This process shall be under the portfolio of a designated Officer who shall identify and engage the relevant stakeholders on GBV issues.

The MoES has got an established system that ensures regular monitoring and reporting on compliance with labor relations and occupational safety and health.

## **7. Age of Employment**

The national law prohibits child workers under 18 from performing “unhealthy or heavy work” and there are special requirements for leave, work hours, and other conditions of employment (Article 241, Labor Code, RT). It is expected that the people to be hired within the project will be over 18.

The Implementing Agency will ensure that no construction workers under 18 years are employed unless they are hired for vocational training and mild work as stipulated under Article 174 of the RT. Based on the local legislation, workers between 15-18 years could be hired for office work, vocational training with shortened working hours, during out-of-school time, and with guardian permission as per national legislation.

The contractors (including consultants) will be required to apply age verification procedures to identify workers’ age. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, considering the best interest of the child.

## **8. Terms and Conditions**

The terms and conditions applying to MoES-PIG employees are set out in the “HR Regulations.” These internal labor rules and regulations will apply to all PIG employees who are assigned to work on the project (direct workers). The terms and conditions of part-time direct workers are determined by their individual contracts.

The PIG applies two types of employment contracts: one-year employment agreements and short-term service contracts. Most staff are permanent staff with one-year employment agreements with fixed monthly wage rates. All the recruiting procedures are documented and filed in the folders in accordance with the requirements of the labor act of the RT. Under the project, direct workers will be properly paid for any overtime work to be conducted as per the terms of the contract in line with the national law.

The work hours for PIG workers are 40 hours per week, eight hours per workday. It is noted the Labor Code provides for a work week of 40 hours but allows six-day weeks and this may be required for some project workers. Direct workers under the Project will be paid for overtime work they carry out as per the terms of the contract in line with the national law, and all project workers will receive at least one rest day (24 hours) after six consecutive days of work. For contracted workers, the contractors shall fully comply with the terms and conditions stipulated in the LMP, including the Tajikistan Labor Code.

## 9. Grievance Mechanism

In accordance with the World Bank ESS2 and the approved Environmental and Social Commitment Plan (ESCP), the MoES-PIG is required to establish and operate a grievance mechanism for Project workers to raise workplace concerns. The GM for Project workers, and contractor's staff/workers shall be established within 30 days of the project effective date and thereafter maintain and operate it throughout Project implementation. The existing GM of the ongoing Higher Education Project (HEP) will be scaled up to cover all sites under the proposed Project. The worker GM will be accessible to all employees through various means (written, telephone, email, etc.). The grievance database to facilitate tracking, analysis, and monitoring logbook will be maintained in the MoES-PIG office. The Project workers' grievance mechanism will not prevent workers to use judicial procedures. The PIG Manager and the Social and GM Officer will ensure the worker's GM is fully in compliance with this LMP and the approved ESCP.

### 9.1. GM structure

The workers' GM consists of a two-tiered system, which is: i) the central level-MoES level, and ii) the local level. Complaints may be submitted against actions or decisions of employers that, in the applicant's opinion, have not been carried out or are being carried out in an unfair manner. Complaints can be filed anonymously, and confidentiality will be ensured in all cases, including when the complainant is known.

**Central Level:** The Grievance Committee (GC) consists of the Project coordinator, a social/GM officer/consultant, MoES- HR Department, legal department, members of the trade union committee, and any other employees interested in resolution of the complaint. The Deputy Ministers and /or the Head of the Ministry's Affairs Department will chair the GC at the central level. Depending on the nature and complexity of the application, the GC is obliged to address the workers' complaint within 7-15 calendar days from the date of submission of the application, and up to 30 days for appeals that require additional consideration. The applicant will be informed of the result immediately and at the latest within 5 days from the date of the decision. The Social/GM officer, together with the HR Representative will function as the Secretary of the Commission responsible for handling and processing grievances. They will also be responsible for compiling the number and types of all complaints and questions received from project staff from the target regions. If the dispute/complaint is not resolved to the satisfaction of the applicant, he/she can submit his/her application to the sectoral trade union committees or directly to the court. The MoES-PIG will establish a central GM excel-sheet for grievance registration to enable tracking and review.

**Local level:** The regional staff of MoES and the Contractors will establish and maintain the GM for their staff and workers. The local level GM for workers shall be established prior to beginning civil works. The local GC will consist of a sub-project manager (contractor), local social/GM officer (contractor), Regional staff (MoES-PIG), workers' representatives, and a Project engineer (PIG). The contractor will appoint a contact person responsible for handling and processing complaints. They shall also establish a grievance logbook for grievance registration by workers. If the problem cannot be resolved at the contractor level within 15 days, the complaint will be forwarded to the central level in the MoES, where the procedures specified above will be applied.

### 9.2. Local grievance logbooks

The contractor will assign a GM focal point to enter workers' complaints in the local grievance logbook. S/he shall ensure that each complaint has an individual reference number and is

properly tracked, and the recorded actions are performed. GM for a specific project allows anonymous complaints to be submitted. The contractor shall include a summary of workers' grievances in their monthly reports to be shared with the MoES-PIG. The PIG social/GM officer will enter all grievances in the central GM excel-sheet. A summary of workers' GM shall also be included in the QPR on E&S implementation compliance to be submitted to the WB.

The logbook must contain the following information:

- Name, place of living, and details about complaint- anonymous complaints are also acceptable.
- complaint submission date with date of upload into the project database.
- Details of suggested corrective actions.
- Date on which the proposed action was sent to the applicant (if necessary).
- Date when the complaint was closed; and
- Date when the response was sent to the applicant.

### **9.3. Monitoring and reporting on complaints**

The contractor's responsible employee oversees:

- Keeping a logbook of complaints received at the regional level.
- Monitoring of outstanding issues and proposed mechanisms to address them.
- Providing monthly reports on the GM mechanisms to the MoES-PIG.

The MoES Social/GM officer is responsible for:

- Entering all complaints into the central grievance excel sheet or database.
- Provide summary grievances from workers.
- Monitoring of outstanding issues and proposal of measures to address them; and
- Monitoring of work-related grievances will be carried out by the PIG Social/GM officer supported by the HR department focal point assigned. The Social/GM officer will include a short summary of grievances in the quarterly progress reports to WB.

The MoES will provide the World Bank with quarterly reports, which should include a section related to the GM, including workers GM. They should also provide an update on the following: a) GM Status, including information on pending cases; b) provide information on the number of complaints received addressed/unresolved complaints.

The MoES and contractors will use the Bank's Standard Procurement Documents for tenders and contracts that include provisions on labor, health, and safety requirements.

The complainants can also submit their complaints directly through the World Bank's Grievance Service at the following link: <https://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service> or the Representative Office of the World Bank in RT: 48m Aini Str, Business Center «Sozidanie», 3-d floor, tel.: +992 48 701-5810 email: [tajikistan@worldbank.org](mailto:tajikistan@worldbank.org)

The complaint must clearly state the adverse impact(s), allegedly caused or possible damage caused by the Bank-supported project. This should, as far as possible, be supported by available documentation and correspondence. The complainant may also indicate the desired outcome of the complaint. Finally, the complaint must identify the complainant(s) or designated representative(s) and provide contact details. Complaints submitted through the GM, are immediately reviewed so that problems related to the project can be quickly resolved.

## 10. Contractor Management

The MoES-PIG requires that contractors monitor, keep records and report on terms and conditions related to labor management. The contractor must provide workers with evidence of all payments made, including social security benefits, pension contributions, or other entitlements regardless of whether the workers are 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 MoES and the World Bank:

- **Labor conditions:** records of workers engaged under the Project, including contracts, registry of induction of workers including CoC, hours worked, remuneration and deductions (including overtime), and 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, an 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 contract documents will include provisions related to labor and occupational health and safety (OHS) requirements. This LMP and the OHS plan will serve as the basis to develop provisions to be included in the contract document.

The MoES-PIG will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor-management records and reports compiled by any contractors.

Labor management records and reports that may be reviewed would include representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents, and implementation of corrective actions, records relating to incidents of non-compliance with national law, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.

The contractors must carry out rehabilitation work in accordance with the requirements specified in the tender documents.

Due to the uncontrollable situation with COVID-19, the contractor will develop a "Plan of Action to prevent the spread of COVID-19 at Construction Sites" and take prompt action if it occurs. MoES assist contractors in developing an Action Plan for construction sites and developing urgent measures if it occurs. The contractor will appoint a responsible person for COVID-19 infection prevention at the level of foreman/deputy, in case of his illness and will issue internal orders "On approval of the Management Staff in the event of accidents at construction sites, on compliance with requirements and precautions, development of necessary measures". The contractor will

organize the prompt purchase of preventive equipment: non-contact thermometers, personal respiratory protective equipment, soap, disposable paper towels, gloves, hand sanitizers, and means for disinfecting surfaces and premises in quantities, sufficient to provide for all employed workers and to carry out these activities.

The plan of measures, in addition to the purchase and provision of employees with personal protective equipment (PPE) and other preventive measures, should include the following activities:

- a) measures to organize the transportation of employees.
- b) activities related to the organization of access to the construction site and the establishment of workflow.
- c) measures to monitor the state of health of employees.
- d) measures to ensure the personal hygiene of employees.
- e) disinfection of premises, transport, and construction equipment; and
- f) activities related to the organization of meals for employees.

In the event of injury or death in the workplace, the contract of contractors should provide insurance coverage or deductions for accidents at work.

For the untimely and poor-quality performance of work, penalties will be included, including termination of the contract.

The following annexes will be included in the contract and project document annexes:

- Procedures for regulating labor relations (PRLR).
- Construction Site Health and Safety Plan»; contractor's Code of Conduct (CoC) and its Workers» (example).
- Employment contract» (example).
- Plan of measures to prevent the spread of COVID-19 in construction sites» (example).