TEMPLATE

LABOR MANAGEMENT PROCEDURES

How to Use this Template

Under ESS2 on Labor and Working Conditions, Borrowers are required to develop labor management procedures (LMP). The purpose of the LMP is to facilitate planning and implementation of the project. The LMP identify the main labor requirements and risks associated with the project, and help the Borrower to determine the resources necessary to address project labor issues. The LMP is a living document, which is initiated early in project preparation, and is reviewed and updated throughout development and implementation of the project.

The Template is designed to help Borrowers identify key aspects of labor planning and management. The content is indicative: where the issues identified are relevant in a project, Borrowers should capture them in the LMP. Some issues may not be relevant; some projects may have other issues that need to be captured from a planning perspective. Where national law addresses requirements of ESS2 this can be noted in the LMP, and there is no need to duplicate such provisions. The LMP may be prepared as a stand-alone document, or form part of other environmental and social management documents.

A concise and up to date LMP will enable different project-related parties, for example, staff of the project implementing unit, contractors and sub-contractors and project workers, to have a clear understanding of what is required on a specific labor issue. The level of detail contained in the LMP will depend on the type of project and information available. Where relevant information is not available, this should be noted and the LMP should be updated as soon as possible.

In preparing and updating the LMP, Borrowers refer to the requirements of national law and ESS2 and the Guidance Note to ESS2 (GN). The template includes references to both ESS2 and the GN.

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1. OVERVIEW OF LABOR USE ON THE PROJECT

This section describes the following, based on available information:

Number of Project Workers: The total number of workers to be employed on the project, and the different types of workers: direct workers, contracted workers and community workers. Where numbers are not yet firm, an estimate should be provided.

Characteristics of Project Workers: To the extent possible, a broad description and an indication of the likely characteristics of the project workers e.g. local workers, national or international migrants, female workers, workers between the minimum age and 18.

Timing of Labor Requirements: The timing and sequencing of labor requirements in terms of numbers, locations, types of jobs and skills required.

Contracted Workers: The anticipated or known contracting structure for the project, with numbers and types of contractors/subcontractors and the likely number of project workers to be employed or engaged by each contractor/subcontractor. If it is likely that project workers will be engaged through brokers, intermediaries or agents, this should be noted together with an estimate how many workers are expected to be recruited in this way.

Migrant Workers: If it is likely that migrant workers (either domestic or international) are expected to work on the project, this should be noted and details provided.

2. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

This section describes the following, based on available information:

Project activities: The type and location of the project, and the different activities the project workers will carry out.

Key Labor Risks: The key labor risks which may be associated with the project (see, for example, those identified in ESS2 and the GN). These could include, for example:

- The conduct of hazardous work, such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials
- Likely incidents of child labor or forced labor, with reference to the sector or locality
- Likely presence of migrants or seasonal workers
- Risks of labor influx or gender based violence
- Possible accidents or emergencies, with reference to the sector or locality

- General understanding and implementation of occupational health and safety requirements

3. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

This section sets out the ***key aspects*** of national labor legislation with regards to term and conditions of work, and how national legislation applies to different categories of workers identified in Section 1. The overview focuses on legislation which relates to the items set out in ESS2, paragraph 11 (i.e. wages, deductions and benefits).

4. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

This section sets out the ***key aspects*** of the national labor legislation with regards to occupational health and safety, and how national legislation applies to the different categories of workers identified in Section 1. The overview focuses on legislation which relates to the items set out in ESS2, paragraphs 24 to 30.

5. RESPONSIBLE STAFF

This section identifies the functions and/or individuals within the project responsible for (as relevant):

- engagement and management of project workers
- engagement and management of contractors/subcontractors
- occupational health and safety (OHS)
- training of workers
- addressing worker grievances

In some cases, this section will identify functions and/or individuals from contractors or subcontractors, particularly in projects where project workers are employed by third parties.

6. POLICIES AND PROCEDURES

This section sets out information on OHS, reporting and monitoring and other general project policies. Where relevant, it identifies applicable national legislation.

Where significant safety risks have been identified as part of Section 2, this section outlines how these will be addressed. Where the risk of forced labor has been identified, this section outlines how these will be addressed (see ESS2, paragraph 20 and related GNs). Where risks of child labor have been identified, these are addressed in Section 7.

Where the Borrower has stand-alone policies or procedures, these can be referenced or annexed to the LMP, together with any other supporting documentation.

7. AGE OF EMPLOYMENT

This section sets out details regarding:

- The minimum age for employment on the project
- The process that will be followed to verify the age of project workers
- The procedure that will be followed if underage workers are found working on the project
- The procedure for conducting risk assessments for workers aged between the minimum age and 18

See ESS2, paragraphs 17 to 19 and related GNs.

8. TERMS AND CONDITIONS

This section sets out details regarding:

- Specific wages, hours and other provisions that apply to the project
- Maximum number of hours that can be worked on the project
- Any collective agreements that apply to the project. When relevant, provide a list of agreements and describe key features and provisions
- Other specific terms and conditions

9. GRIEVANCE MECHANISM

This section sets out details of the grievance mechanism that will be provided for direct and contracted workers, and describes the way in which these workers will be made aware of the mechanism.

Where community workers are engaged in the project, details of the grievance mechanism for these workers is set out in Section 11.

10. CONTRACTOR MANAGEMENT

This section sets out details regarding:

- The selection process for contractors, as discussed in ESS2, paragraph 31 and GN 31.1.

- The contractual provisions that will put in place relating to contractors for the management of labor issues, including occupational health and safety, as discussed in ESS2, paragraph 32 and GN 32.1
- The procedure for managing and monitoring the performance of contractors, as discussed in ESS2, paragraph 32 and GN 32.1

11. COMMUNITY WORKERS

Where community workers will be involved in the project, this section sets out details of the terms and conditions of work, and identifies measures to check that community labor is provided on a voluntary basis. It also provides details of the type of agreements that are required and how they will be documented. See GN 34.4.

This section sets out details of the grievance mechanism for community workers and the roles and responsibilities for monitoring such workers. See ESS2, paragraphs 36 and 37.

12. PRIMARY SUPPLY WORKERS

Where a significant risk of child or forced labor or serious safety issues in relation to primary suppliers has been identified, this section sets out the procedure for monitoring and reporting on primary supply workers.