



LABOR MANAGEMENT PROCEDURE (LMP)

**Dili Urban - Water Supply Project
P176687**

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Abbreviation

BTL, E.P	Bee Timor-Leste Empresa Publica
CCA	Climate Change Adaptation
CESMP	Contractor – Environmental and Social Management Plan
CoC	Code of Conduct
COVID-19	Coronavirus Disease of 2019
DED	Detailed Engineering Design
DiMA	Dili Metropolitan Area
ES	Environmental and Social
ESCP	Environmental and Social Commitment Plan
ESF	Environment and Social Framework
ESS	Environmental and Social Standard
FSM	Faecal Sludge Management
GBV	Gender-Based Violence
GRM	Grievance Redress Mechanism
GoTL	Government of Timor Leste
HR	Human Resources
ILO	International Labor Organization
JSA	Job Safety Analysis
LOTO	Lock Out/Tag Out
LMP	Labor Management Procedure
MoH	Ministry of Health
MPW	Ministry of Public Works
OHS	Occupational Health and Safety
PMU	Project Management Unit
PPE	Personal Protective Equipment
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SEP	Stakeholder Engagement Plan
SOP	Standard Operating Procedures
WHO	World Health Organization
WSS	Water Supply System

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Glossary of Key Terms

Affected Communities - Refers to groups of people living in close proximity to a project that could potentially be impacted by a project (“Stakeholders,” in contrast, refers to the broader group of people and organizations with an interest in the project).

Child Labor - A worker who is above the minimum age of 14 (or as specified by national law) and under 18 years of age that is employed or engaged in connection with the project.

Community Workers - People employed or engaged in providing community labor.

Consultation - The process of gathering information or advice from stakeholders and taking these views into account when making project decisions and/or setting targets and defining strategies.

Contracted Workers - People employed or engaged through third parties to perform work related to core functions of the project, regardless of location.

Direct Workers - People employed or engaged directly by the Project to work specifically in relation to the project.

Engagement - A process in which a company builds and maintains constructive and sustainable relationships with stakeholders impacted over the life of a project. This is part of a broader “stakeholder engagement” strategy, which also encompasses governments, civil society, employees, suppliers, and others with an interest in the Project.

Environmental and Social Impact Assessment - An assessment comprising various social and environmental studies which aim to identify project impacts and design appropriate mitigation measures to manage negative impacts, and to enhance positive ones.

Forced Labor - A worker who perform any work or service to the project not voluntarily, without the free and informed consent of the worker, under threat or other circumstances of restriction or deceit.

Grievance Redress Mechanism - a process for receiving, evaluating, and addressing project-related complaints from citizens, stakeholders and other affected communities.

Non-governmental Organizations - Private organizations, often not-for-profit, that facilitate community development, local capacity building, advocacy, and environmental protection.

Partnership - In the context of engagement, partnerships are defined as collaboration between people and organizations to achieve a common goal and often share resources and competencies, risks and benefits.

Primary Suppliers - Those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential to the core functions of the project.

Stakeholders - Persons or groups who are directly or indirectly affected by a project, as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively (IFC’s Handbook on Stakeholder Engagement (2007)); workers, local communities directly affected by the project and other stakeholders not directly affected by the project but that have an interest in it, e.g. local authorities, neighboring projects, and/or nongovernmental organizations, etc.

1. Introduction and Project Overview.

1. The current water supply system in Dili Metropolitan Area (DiMA) has experienced significant shortfalls due to, among others, aging infrastructure, poor operation and maintenance, and substantial numbers of illegal water connections. There is a significant portion of DiMA's population that does not have access to the piped water supply or receives an intermittent supply of less than six hours per day. The existing distribution network experiences up to 70% leakage and 50% of illegal connections. Only around 27% of the water supply connections are registered and billed. The primary source of water supply in DiMA is groundwater from the Comoro basin, accounting for about 85% of the total supply and the remaining 15% is supplied from the rivers. Shallow groundwater wells have also been installed by individuals to provide water needs to their residences.

2. Therefore, the Dili Water Supply project (the project) is prioritized and announced as a priority program in the 2018 – 2023 Strategic Development Plan of the Government of Timor-Leste (GoTL). The government recognizes the importance of developing the infrastructure in water sector for the future well-being of its citizen.

3. The Project is a contribution to the US\$1.323 billion 2018-2030 SIP, comprising major infrastructure development and institutional sector reforms. It is expected the project will improve the quality and distribution of reliable water supply services to the urban community living in DiMA while improving the financial viability of BTL as a national water utility. The project activities will focus on the eastern part of DiMA which is the capital of the country.

4. The project aims to (a) address the infrastructure gaps to improve the coverage and the operational performance of BTL in East Dili; (ii) strengthen the climate-resilience of the investments to address floods and droughts, and to reduce NRW and improve water efficiency, (iii) strengthen the capacity of Bee Timor-Leste (BTL) to improve service delivery and long-term sustainability of the infrastructure in collaboration with other technical and financing partners, and (iv) help BTL strengthen its financial viability.

5. The Project Development Objective (PDO) is to improve the coverage of water supply and the operational performance of BTL in the Project Area. The PDO will be measured against the following indicators: (a) People provided with access to improved water sources (number), (b) Percentage samples that meet the water quality test (percentage); (c) Increase in collection ratio of bills (percentage); and (d) Reduction of the non-revenue water (NRW) in the distribution system in the Project Area (percentage).

6. Implementation of this project comprises three components: Component 1: Water Supply and Treatment Infrastructure Development, Component 2: Institutional Strengthening, and Component 3: Project Management.

Figure 1. Project Location Map



1.1 Component 1: Water Supply and Treatment Infrastructure Development.

7. This component will finance the development, upgrading and expansion of the existing water supply system in the project area through inter alia:

- a) Upgrading of water intakes of the Work Package (WP) #6 (Benamauk) and WP #7 (Bemori intakes);
- b) Development and upgrading of pipeline networks and installation of new rising and transmission mains, Installment of 12,480 metered connections included in the WP #4 (Becusi); WP #6 (Benamauk & Culau); WP #7 (Cristal, Lahane and Nahaek) ;
- c) Increase in the capacity of existing and development of new reservoirs, totaling 16,000 m3 spreading in 6 locations of the WP #5,6, and 7;
- d) Construction of new booster pump stations and the replacement of old and inefficient groundwater and booster pumps with new, more efficient ones;
- e) Establishment of surface and groundwater monitoring system, installation of SCADA system and command center.
- f) Construction, expansion and relocation of two WTPs (WP#6 Benamauk and WP#7 Nahaek).
- g) Supervision, through the PMC of all civil work contracts

1.2 Component 2: Institutional Arrangement

8. This Component 2 will strengthen institutional capacities and provide incentives to ensure the sustainability and resilience of water supply infrastructure financed under Component 1 and the financial viability of BTL through technical assistance, capacity building, training, and goods through inter alia:

- a) Strengthening of BTL's capacity, systems, and procedures to manage, operate, and maintain the new water supply system technically and financially in sustainable manner ;
- b) Provision of support and strengthening of MPW's capacities in overall water sector governance, and the design, implementation and evaluation of water sector reforms;
- c) Provision of support to BTL for the design and implementation of an asset management plan;
- d) Provision of technical assistance to BTL in the preparation of the Sustainability Improvement Plan including improvements in billing and collection to ensure the technical and financial sustainability of the infrastructure financed under the Project;
- e) Preparation and implementation of a disaster management and resilience program to strengthen BTL's capacity to manage disaster and climate-related risks and mainstream disaster risk management (DRM) and climate change adaptation (CCA) consideration into strategic, operational and investment plans;
- f) Capacity building, education, and public awareness campaigns to conserve water and manage adversity such as climate-related disasters;
- g) Provision of technical assistance to BTL to implement its Business Plan and conducting a biannual evaluation and update of the implementation of BTL's Business Plan;
- h) Conducting a program to increase the capacity of ANAS and BTL in determining tariffs and improving water efficiency, including tariff policy, price setting and structures, metering, affordability and enforcement frameworks;
- i) Provision of support for the preparation of a community engagement plan, a customer relations management system, the design and implementation of annual customer satisfaction surveys, the improvement of a corporate website, and strengthening capacities of BTL in customer engagement, behavior change and demand management measures;
- j) Provision of technical assistance to BTL to strengthen water quality monitoring capacities and ensure compliance with Decree 31/2020, including the installation of a laboratory and purchase of goods and services;
- k) Preparation of a rolling 5-year gender and diversity improvement plan, implementation of systematic outreach activities on gender awareness, outreach to universities and relevant

academic institutes to identify female employees, and training for BTL staff. This component will support activities to ensure the sustainability and resilience of WSS services considering climate change-exacerbated risk of extreme heat, droughts, and floods. This will include professional management and efficiently operated services (based on training, technical assistance, and so on) to carry out an effective water demand management strategy that includes NRW, energy efficiency, water tariff, water conservation, enhanced water resources monitoring, preventive maintenance, and asset management, among other activities. This will contribute to reducing both the risk and impacts of service disruptions related to climate shocks. A well-managed Fecal Sludge Treatment Plant (FSTP) and well-maintained public toilets will reduce the local communities' exposure to contaminated floodwaters.

1.3 Component 3: Project Management.

- a) Technical, environmental, and social supervision of contract implementation (including the implementation of the Gender Action Plan [GAP]).
- b) Project audits and monitoring and evaluation (M&E) activities under the project, including the recruitment of a Project Management Consultant (PMC), an M&E consultant, a financial management and procurement consultant, and the establishment of a Management Information System (MIS), including preparation of a data baseline system.
- c) Development of a comprehensive water resources assessment that will identify and evaluate long-term supply alternatives particularly in the Comoro basin to BTL's major water sources including groundwater, artificial recharge and seasonal storage, and alternative non-groundwater sources of water to meet demand as an adaptation to climate change beyond 2030.
- d) Establishment of a Grievance Redress Mechanism

9. In addition, this component will finance activities to support MPW-led sector stakeholders' collaborative platform to develop and implement the sector institutional reform, including the establishment of the national public water and sanitation utility and the regulatory agencies for WSS and water resources. Specific activities to be financed under the project to support the implementation of the sector road map will be defined once the reform process is approved by the Council of Ministers in 2020. General activities envisaged to be supported by this component could include, among others, staffing development and capacity building; the development of utility O&M management system; the establishment of Standard Operating Procedures (SOPs), performance-oriented human resources policies, and billing policies and procedures; and the preparation of the national utility business plan.

2. Overview of Labor Use on the Project.

10. Dili Water Supply Project aims to increase the usage of cleaner and more reliable piped water access and to improve the operational performance of the water utility in the Dili Metropolitan Area (DMA), with the World Bank supporting the Project in the Eastern zone of the DMA (hereinafter referred as "Project"). The Project consists of three Components, which are the Water Supply and Treatment Infrastructure Development (Component 1); Institutional Strengthening (Component 2) and Project Management (Component 3). Based on project design, the environmental and social risk of this project is categorized as substantial.

11. This Labor Management Procedure (hereinafter referred as "LMP") is prepared to identify the main labor requirements from National as well as from the World Bank's Environmental and Social Framework and risks that are associated with the project and determine the mitigation and resources necessary to address the Project's Labor issues. As a living document, this LMP will be updated throughout the Project implementation.

12. This LMP is prepared to guide the Project Management Unit (PMU) that is established under the Ministry of Public Works as the Project Implementing Agency, Contractors/Primary Supply and/or all third parties, and Bee Timor Leste Empresa Publica (hereinafter referred as "BTL") as the operator of the water infrastructure investment, in establishing the approach to identify the potential risks and impacts on Project workers and impacted communities that typically result from construction works under Component 1 and institutional capacity building and technical assistance under Component 2 and Component 3.

2.1 Number of Project Workers.

13. In the implementation, the Project will engage three types of workers, which are the Direct Workers, Contractor Workers, and Primary Supply Workers described in below Table 1. For the Direct Workers, as of Jan 2022, 137 staff have been recruited, consisted of National Staff based in Dili and Municipal Staff based in branch offices located in various municipalities. Dongsung is hired as the DED Consultant will support the PMU's two focal points in managing environmental and social risks of the Project. While for the Contracted Workers from Contractor and Primary Supply, the actual size of the workforce is yet to be determined since the Project is still in design stage and both the Contractor and the Primary Supplier have not been selected. It is anticipated that the workforce from this Contracted Workers to be in a large number compared to the Direct Workers, however the estimated number of workers and construction manpower planning will be provided following the finalization of the DED.

Table 2. Project Workers Categories and Roles

Category	Definition	Type of workers	Expected roles
Direct Workers (Component 2 and 3)	People employed or engaged directly by BTL to work specifically in relation to the project	National Staff, based in headquarter in Dili Municipal Staff, based in branch offices	Responsible for the corporate, strategic and programmatic functions of BTL. Responsible for local and day-to-day operations of sub-systems
Contracted workers: Contractor; and Supervision Consultant (Component 1)	People employed or engaged through third parties	Construction workers employed by selected contractors and sub-contractors; and Consultants employed by Project to supervise the contractor	Perform work related to construction including planning, site clearance and preparation, civil works, electrical installations, IT installations, caters, etc. Supervise the Contractor's day to day work
Primary supply workers (Component 1)	People employed or engaged by Project' primary suppliers (either through contractors or directly by the Project)	Workers employed by construction material suppliers. This includes casual workers.	Provide directly to the project goods or materials essentials for the construction works (i.e. cements, light steels, stones, gravels, sands, timbers, electrical appliances, etc.)

2.2 Characteristics of Project Workers.

14. The existing Project's Direct Workers supporting the Component 2 are staff and/or skilled worker, working in the office and also performing site supervision mainly as administrative, technical (engineering, planning, and management). These staff and skilled workers are mostly consisting of national workers with several foreign workers hired as the Consultants. For Contracted Workers supporting Component 1, skilled workers such as engineers are likely to be hired by the contractors from overseas, while the construction workers are expected to be sourced from Dili local community and other parts of the Country. During the Project's social risk assessment, it is noted that local communities in Dili request that local workers be mobilized/utilized for the project implementation/operation. Therefore, BTL will encourage the selected Contractor and Primary Supplier to give a local people preference and priority in project employment when they meet the minimum skill requirement.

15. BTL will require minimum age of workers to be 15 years old in the hiring criteria and ensure that no children under the age of 18 will be employed for doing hazardous work. Following the more stringent requirement from both national regulation and ESS 2.

2.3 Timing of Labor Requirements.

16. The timing and sequencing of labor will depend on the skill requirements and stages of construction work that will be finalized following the consultation with the selected contractors. Skilled workers, such as civil engineers, project managers, plumbers, welders, and electricians may likely to be engaged in the longer-term of the construction period and rotated in and out of multiple locations within

the Project (for instance moving from Becusi to site Benamauk for upgrading the groundwater pumping stations). The semi-skilled and unskilled worker (i.e. helps or basic masons) recruitment will be prioritized from local community surrounding the Project locations and are employed on project activity or subproject basis.

2.4 Contracted Workers.

17. Contracted workers will be employed directly by the selected Contractors and Primary Suppliers, as well as the sub-contractors for both skilled and semi-skilled works, while the supervision consultant will be hired by the Project. The project may involve moderate influx of workers to serve the construction activities. Skilled workers such as engineers to be recruited by the Contractor/Primary Supplier and supervision consultant are likely to be hired from overseas and from wider area of Timor-Leste, while the construction workers are expected to be sourced from Dili and other parts of the Country.

3. Assessment of Key Potential Labor Risks.

3.1 Key Labor Risks.

18. Under Component 1, the construction works will expose workers to health and safety hazards. Hazards from construction activities such as utilization of heavy equipment, mobilization of material as well as hazards from workers' improper behaviour such as improper use of Personal Protective Equipment (PPE), poor housekeeping of facilities, and inadequate construction debris management may lead to workplace injuries. For environment, the construction works may result in loss of terrestrial ecology, occurrence of runoff and soil erosion, increase turbidity in river system, increase the dust and total suspended particles to the air, and increase noise and disturbance to nearby village. It is expected that a site-specific Contractor Environmental and Social Management Plan (CESMP) will be prepared by the selected contractor and will cover (Standard Operating Procedures) SOPs for mitigating environmental impacts and addressing occupational and community health and safety related risks during construction.

19. In the implementation of activities under Component 2, it is expected that the activities would be conducted outside of the construction area, thus the exposure of workers and the community to health and safety hazards would mostly from travelling and interactions activities that may spread a communicable diseases, especially during this COVID-19 pandemic. Safety risks may also arise from the hiring of women trainers, thus specific arrangement preventing the risk will need to be planned and put in place.

20. While for Component 3, the health and safety risk are assumed to be lower than Component 1 and 2, considering the nature of the work, which will most likely be an office-based work. Hazards from construction activities may exposed the worker supporting this component during the Project audits and monitoring, however, the risk is considered to be lower than the workers that will directly supporting Component 1, in terms of the duration of exposure and direct contact to hazard during the audit/monitoring.

21. Detailed identification of risks and mitigation measures are described in Table 3.

Table 3 Labor and Working Condition Risks and Mitigation Measures

Risks	Mitigation measures
General	
Worker hiring practice that is not clear or with disproportionate benefits and non-transparent hiring practice that may lead to worker or community protest	Provision of written contract with clear terms and conditions of employment, provision of benefit in accordance with the national standard and ESS2 requirement, transparent information on work opportunity/job opening to the community for local recruitment. Non-discrimination and equal opportunity policy will be included in the procedure of hiring practice by BTL and/or the selected contractor.
Risk of underage labor (under aged 15) and	Establish minimum age of workers as 15 years

Risks	Mitigation measures
<p>participation of youth labor (under aged 18) is likely and there is a risk that they may be involved in hazardous work or experience interruption of education.</p>	<p>old in the hiring criteria, with workforce in the age between 15-18 not being allowed to conduct hazardous work¹ or work that interferes with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development.</p> <p>Project will conduct a risk assessment of the hazardous work conditions prior to commencement of the work and will conduct regular monitoring of health, working conditions, hours of work and the other requirement of ESS2 of the World Bank ESF with respect to minors.</p> <p>Minimum age requirement for workforce will be incorporated in Human Resources (HR) procedure, bidding documents and worker contracts.</p> <p>Labor supervision and verification on the age of staff and contractor/primary supply workers prior to recruitment and keep records of staff and worker age (copy of ID and statement in the signed contract).</p>
<p>The contractors are likely to mobilize skilled workers from abroad and unskilled workers from local areas. Refer to similar project in Manatuto, around 12 foreign workers and around 50 local workers were mobilized. The influx of people may bring communicable disease to the project area, including sexually transmitted disease (STDs). Incoming workers may be exposed to diseases to which they have low resistance. This can result in an additional burden on local health resources.</p>	<p>Health screening arrangement for worker during the hiring process (via interview or medical check - to be determined in the contract), OHS and communicable diseases awareness training, labor supervision, provision of recreational activities and work-life balance arrangements.</p>
<p>Potential transmission of COVID-19 among workers or to nearest community</p>	<p>Screening of vaccinated workers, initial and periodic COVID-19 test, screening of worker entering work area (i.e. temperature and health/symptoms report) and prior mobilization to or in-between project sites, provision of mask and hand sanitizer/soap, limitation on the number of worker in the same area of work, reporting and follow up procedure for worker experiencing symptoms of COVID-19. Protocol of COVID-19 prevention in public settings, according to WHO and Ministry of Health</p>

¹Examples of hazardous work prohibited for children are work (a) with exposure to physical, psychological or sexual abuse; (b) underground, underwater, working at heights or in confined spaces; (c) with dangerous machinery, equipment or tools, or involving handling or transport of heavy loads; (d) in unhealthy environments exposing children to hazardous substances, agents, or processes, or to temperatures, noise or vibration damaging to health; or (e) under difficult conditions such as work for long hours, during the night or in confinement on the premises of the employer .

Risks	Mitigation measures
	standards will be referred in the Contract. See Section 12 for the Project COVID-19 Protocol.
Emergency situation arise from work incident/accident (i.e. fire, chemical spill, medical) or natural disaster (i.e. flood, landslide, earthquake).	Provision, socialization and training of emergency response procedure to the worker and affected community (as applicable).
Specific to Component 1 Works	
OHS risks from the use of third-party contractors and primary suppliers with workers' different level of awareness and experience to identify hazards and manage risks associated with construction activities that can lead to incident/accident	<p>Screening and selection of contractors and primary suppliers and their workers with skill/experience criteria to be described in bidding documents and contracts.</p> <p>Socialization of BTL Health and Safety Policy, provision of OHS training, mandatory general ES inductions, job specific inductions to all workers. Performing Job Safety Analysis (JSA)² system, routine safety briefing/toolbox meeting. Provision of OHS inspector(s)/supervisor(s) by the Contractor/Primary Supplier with relevant experience and sufficient with the number of workers and area of work.</p>
Office-based work OHS risk	Arrangement of routine and overtime working hours and leave arrangement to maintain work-life balance of the worker.
Moderate influx of worker from overseas and other parts of Timor-Leste may create risk and community protest. The influx of workers and suppliers into communities may increase the rate of crimes and/or a perception of insecurity by local communities. Such illicit behavior or crimes can include theft, physical assault, substance abuse and compulsive alcohol use, and prostitution. Local law enforcement may not be sufficiently equipped to deal with temporary increase in local population.	Community engagement, construction workforce management, which will be defined in the CESMP in accordance with the subproject ESMP, to provide basic services, health and recreational services, mandatory consent and socialization of the Project's Code of Conduct, labor supervision, implementation of community grievance mechanism.
Delivery of supplies and mobilization of heavy equipment for construction activities can lead to an increase in traffic and a higher risk of road accident.	Traffic management and announcement board as further defined in ESMP. This will be complemented by socialization to local communities as suggested in Stakeholder Engagement Plan.
Use of tools, equipment and vehicles during the construction work (including power tools, heavy vehicles, lifting equipment, etc.) that may cause incident/accident and health issue (i.e. from noise, vibration, chemical) to the workers and also to community nearby	Screening of operator and skilled worker for the respective work, JSA, routine safety briefing/toolbox meeting, work permit (as applicable), provision of Lock out/ Tag Out (LOTO) system, provision and enforcement on the use of PPE, routine supervision and

² While the hazard identification and risk assessment is conducted for the overall working activity (e.g. construction works), Job Safety Analysis (JSA) is conducted to identify potential hazards in each basic step of the specific work or job-specific risk (e.g. JSA for excavation work), and recommend the safest way to do the work. As guided by OSHA, JSA is highly recommended to be conducted for work with (1) highest injury or illness rates; (2) potential to cause severe or disabling injuries or illness even if there is no history of previous accidents; (3) which simple human error could lead to a severe accident or injury; (4) new type of work or have undergone changes in processes and procedures; (5) complex work requiring written instruction; (6) unusual work/use of new tools or machinery; (7) task that require interaction of multiple people or systems; and (8) any task in which the worker/supervisor has safety concerns.

Risks	Mitigation measures
	inspection, provision of fence/barricade and signage to prevent unauthorized access from community to the construction area. Detail arrangement on responsibility for provision of safety equipment and PPE will be written in the contract.
Inadequate construction work area facility for the worker and the possibility of construction work at night to limit high traffic from community.	Provision of accessible basic sanitation facility (i.e. toilet, cleaning/washing facility) and temporary shelter onsite or offsite, provision of adequate lighting and power supply, safe access and safe areas for worker to move within the construction site (including at the time of heavy equipment utilization).
Improper hygiene facility (i.e., sanitation facility and food from catering) and practice that may lead to health issue of the workers (i.e. water borne disease and food poisoning) and impacting the productivity	Provision and periodic maintenance of proper sanitation facility, selection and periodic monitoring of provided food from contractor (caterer service), socialization on good hygiene practice.
<p>The presence of construction workers and suppliers (and in some cases family members of either or both) can generate additional demand for the provision of public services, such as water, electricity, and medical services. This is particularly the case when the influx of workers is not accommodated by additional or separate supply systems.</p> <p>Based on the information from Project, the worker camps will be provided for the workers. In this case, the estimated risk would be in adequacy of provided camps and other basic need services that relates with impacts on the health and safety of the workers thus impacting the productivity.</p>	<p>Clear information on work benefits to be provided to the worker at the hiring (including clear arrangement for benefit of the worker's family member). Specification of the workers camp to be defined in the CESMP, following the WB group EHS guidelines. The workers camps will consider the COVID-19 prevention (i.e. in number of person per room, arrangement of common room/utilities, health screening of worker entering the camp, first aid and medical emergency response, socialization on health and hygiene awareness especially on COVID-19 and other communicable diseases); arrangement for vulnerable workers (i.e. women, person with disabilities, etc.) for separated sleeping/room/camp, sanitary and washing facilities and socialization and implementation of grievance mechanism (esp. in relation with SEA/SH); arrangement on provision of basic need services such as food/catering, drinking water, laundry, and etc. No family member is allowed to stay in the worker camp especially to prevent risks on COVID-19, thus leave day arrangement is given in the workers' contract. See Section 12 for the Project COVID-19 Protocol.</p> <p>Medical services arrangement and medical benefit to be defined in the contract (i.e. for case of work related incident/accident, COVID-19 response and non-work related illness).</p>
Health and safety risk for female workers, including SEA/SH and GBV risks.	<p>Provision of PPEs that are comfortable to wear and fit properly or specifically made for women and appropriate to their working area hazards.</p> <p>Provision of separated sanitary and washing facilities at the working area, taking into consideration the access to the facilities, lighting (not located in dark/remote area), and good lock system.</p>

Risks	Mitigation measures
	Socialization and implementation of code of conduct (especially on SEA/SH and GBV) and grievance mechanism. If working at night is applicable for the female workers, additional arrangement to be implemented as appropriate such as on transportation security, working group/buddy system.
Despite the risk is relatively low, separation from families especially among construction worker who are away from home may encourage undesired behaviors such as exploitative sexual relations and illicit sexual relations with minors from local community.	Mandatory consent and socialization of the Project's codes of conduct (Refer to SEA/SH action plan) in working contract, SEA/SH awareness to (construction) workers and the community.
Specific to Component 2 Works	
Field based work OHS risks, from travelling and interactions with community.	<p>Conduct preliminary assessment on health and safety risks of each locations that will be visited, to understand the route that will be taken, the nearest medical / police / emergency responder from the local authority that can be contacted in case of emergency, local customary to follow while conducting consultation and ensure on safe travel arrangement (i.e. minimizing night travel, vehicle speed limit, appointed/dedicated staying facility and appropriate vehicle while on site).</p> <p>Provision of PPE suitable with the safety hazard of area to be visited.</p> <p>Health arrangement including for COVID-19 prevention (i.e. health status screening, medical emergency contact and procedure), by limiting the number of work teams and consultant participant and maintain a proper social distancing while interacting with community. See Section 12 for the Project COVID-19 Protocol.</p> <p>Arrange for emergency contact from Project team to allow for immediate reporting and follow up, in case of emergency or if there is an unpleasant situation during the interaction with community (i.e. protests, riot, etc.) and allow for "stop work" should the situation becomes unsafe for the facilitator/Project worker.</p>
OHS risks of female facilitator, while conducting facilitation to community	<p>Provision of PPEs that are comfortable to wear and fit properly or specifically made for women and appropriate to their working area hazards.</p> <p>Prevent night travel and consultation during night hours with the community.</p> <p>Female facilitator shall be accompanied by male facilitator during the interactions with the community and if possible accompanied by the local lead, to provide initial explanation on the purpose of facilitation activity.</p>
Specific to Component 3 Works	
Office-based work OHS risk	<p>Arrangement of routine and overtime working hours and leave arrangement to maintain work-life balance of the worker.</p> <p>Ergonomic arrangement of the working station (i.e. desk, chair, screen viewing distance, etc.) and worker position and movement (i.e.</p>

Risks	Mitigation measures
	socialization of proper sitting posture, stretching exercise, etc.). In relation to COVID-19, health screening of worker entering office, vaccine obligation, arrangement on the number of worker in the same office room/meeting room and other common room (i.e. pantry, toilet, smoking area, etc.) and reporting and follow up procedure for worker experiencing symptoms of COVID-19.
Field-based work OHS risk, i.e. while conducting Project audit and monitoring.	Safe travel arrangement (i.e. minimizing night travel, vehicle speed limit, appointed/dedicated accommodation facility and appropriate vehicle while on site). Provision of PPE suitable with the safety hazard of area to be visited. Health arrangement including for COVID-19 prevention (i.e. health status screening, medical emergency contact and procedure). Worker conducting field supervision to follow the applicable OHS procedure implemented onsite and to be accompanied by dedicated OHS or appointed officer during the visit.

22. Risks and mitigation measures mentioned in (Table 2) will be updated throughout the Project implementation according to the development of the project design. The Project will conduct regular monitoring of health, working conditions, hours of work, as well as the implementation of mitigation measures required by this LMP. Outcomes from the monitoring will be documented and included in the project's regular reporting.

4. Brief Overview of Labor Legislation.

23. This section covers summary of Timor-Leste national regulatory framework and the World Bank Labor and Working Condition standard (ESS 2) on workers protection and working conditions.

4.1 National Legislation.

24. Labor and working conditions shall be in compliance with Government of Timor-Leste Labor (GoTL) Law No. 4 of 2012 that is applicable throughout the territory of Timor-Leste, to all workers and employers and respective organizations in all sectors of activity. This Labor Law addresses the basic requirements on labor relations applicable to individual and collective labor relations. The followings are the specific requirement taken from the Articles of this Law:

- a) **Article 6** on Principles of Equality, where it regulates all workers (men and women) to have the right to equal opportunities and treatment in access to employment, vocational training, and professional development, working conditions and remuneration. This includes requirement on non-discriminative behavior during work application, arrangement for disadvantaged workers, equal arrangement on salary/benefit and grievance.
- b) **Article 7** on Harassment Prevention that applies to both job applicant and worker, verbally, non-verbally or physically offensive and include sexual harassment. This Article also requires the employer to put in place all necessary measures to prevent harassment, especially sexual harassment from occurring in the workplace.
- c) **Article 8** on Prohibition of Forced Labor, in which the Article define the scope of forced labor or compulsory labor as all work or service which is exacted from any person under menace or coercion, and which has not been offered voluntarily in such cases as:
 - Way of repaying an actually incurred or inherited debt;

- Means of political coercion or as punishment for expressing certain political or ideological views;
 - Method of mobilizing and utilizing labor for economic development purposes;
 - Measure of racial, social, national, or religious discrimination.
- d) **Articles 19, 20, and 21** on Mutual Duties and Responsibilities of Employers and Workers, which provides requirements on obligations and rights of both employers and workers to be included in collective agreement or in the employment contract. This comprises good working condition, provision of training, fair remuneration, arrangement of worker's organization and arrangement of health, safety and hygiene at work.
- e) **Article 34 until Article 37** on Occupational Health, Hygiene and Security that includes the hierarchy of control approach in the management of Occupational Health, Hygiene and Security risks, worker's obligation and development of health and safety committee.
- f) **Article 68** on Minimum Age for Work Admission, that regulates 15 years old as the minimum age for admission with exclusion of young person in the age between 13 to 15 years old may perform light work.
- g) **Article 69** on the definition of Light Work, where this means an activity that comprises simple defined tasks calling for basic skills, not requiring any physical or mental effort that would put the young person's health and development at risk, and not jeopardizing their schooling participation in Government-approved vocational training programs.
- h) **Article 70** on Medical Examination, for requirement of young person that will perform work that shall be repeated annually in order to ensure that the work causes no harm to the young person's health and physical and mental development.
- i) **Article 71 until Article 75** for arrangement on Workers with Disabilities, applicable to worker/job applicant who has a disability or chronic illness, covering requirement on medical test exclusion, confidentiality arrangement, safety precautions in the workplace and suitability of the type of work and working hours.

25. Timor-Leste has also ratified the ILO fundamental conventions, including Forced Labor Convention (C029); Freedom of Association and Protection of the Right to Organize Convention (C087); Right to Organize and Collective Bargaining Convention (C098); Equal Remuneration Convention (C100); Discrimination Convention (C111); and Worst Form of Child Labor Convention (C182).

4.2 The World Bank ESS 2.

26. The World Bank's requirement related to labor are outlined in Environmental and Social Standard 2 (ESS2) on Labor and Working Conditions under the Environment and Social Framework (ESF) and promotes sound worker-management relationships and enhances the development of benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions.

27. Key objectives of the ESS2 are to:

- a) Promote safety and health at work.
- b) Promote the fair treatment, non-discrimination, and equal opportunity of project workers.
- c) Protect project workers, including vulnerable workers such as women, persons with disabilities, young people (of working age, in accordance with ESS2), migrant workers, contracted works, community workers, and primary supply workers, as appropriate.
- d) Prevent the use of all forms of forced labor and child labor.
- e) Support the principle of freedom of association and collective bargaining of project workers in a manner consistent with national law, and
- f) Provide project workers with accessible means to raise workplace concerns.

28. ESS2 applies to all project workers including full-time, part-time, temporary, seasonal, and migrant workers. BTL workers under BTL's authority in this Project are responsible for implementing written labor management procedures applicable to the Project. The procedures will address how the ESS2 will

apply to different categories of project workers including direct workers, and how the BTL will require third parties to manage their workers.

29. Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor law and ESS2 requirements (which will include collective agreements), including their rights related to hours of work, wages, overtime, compensation, and benefits. This information will be provided prior to the commencement of work and when there is any changes occur.

30. Comparison of the World Bank requirements in ESS2 with Timor-Leste legal framework above shows that major requirements in ESS2 have been addressed in the Timor-Leste legal framework. For requirements that are not regulated under the Timor-Leste legal framework, BTL will develop a standard operating procedure (SOP) specifically designed to address this gap prior to implementing activities in the field. In case that Timor-Leste legal framework and the ESS2 require different approach on the same issue, more stringent requirements are to follow by the BTL Procedures. Please see Policies and Procedures in Section 5 of this LMP. Detail summary of the comparison and identification of key gaps between the Timor-Leste Legal Framework and ESS2 is presented in Annex 1 of this LMP.

5. Responsible Staff.

31. The following is the identified responsibility for each role in the implementation of LMP (including Occupational Health and Safety/OHS and Grievance Redress Mechanism/GRM) and as part of the Environmental and Social (ES) Management System within this Project:

5.1 Environmental and Social (ES) Specialist (from PMU).

- a) Oversee the implementation of ES Management System, including LMP and GRM, by conducting periodic review to the Project LMP implementation and ensuring that compliance with applicable national regulation and ESF are met by the Project
- b) Oversee the implementation of annual induction of ES Management System, including LMP and GRM, for staff at headquarter and Project office and for worker at project sites, aiming to introduce and refresh their awareness on applicable ES Management System procedures
- c) Responsible to review and provide input to the compiled periodic implementation report of ES Management System including LMP and GRM as part of overall Project progress report
- d) Review and approve the ES management system work plan and organizational arrangement set by the Supervisor Consultant that also covers arrangement for LMP and GRM implementation at the project sites

5.2 Supervision Consultant.

- a) The Supervision Consultant will oblige to manage the ES management system (including LMP) implementation by the Contractor/Primary Supplier in all Project sites. Ensuring compliance to the applicable ES Management System procedures as well as compliance with the applicable national regulations and World Bank's ESF.
- b) The Supervision Consultant will involve in the development of Bidding Document for the Contractor selection, ensuring that the requirement of ES management system (including requirement in LMP, GBV protocol and OHS) for the Contractor are included
- c) The Supervision Consultant will report directly to ES Specialist by submitting monthly implementation report of ES Management System (including LMP).
- d) Develop ES management system (including LMP) work plan and organizational arrangement involving BTL staff and Contractor/Primary Supplier worker as necessary (i.e. in grievance redress mechanism and/or emergency response organization).
- e) Review and provide input to the periodic ES management system (including LMP) implementation report submitted by the Contractor/Primary Supplier.

- f) Conduct routine site inspection to check on the actual implementation of ES management system (including LMP, GBV protocol, and OHS) by the Contractor/Primary Supplier in the Project sites
- g) Assist the ES Specialist in monitoring the implementation of GRM at the project sites. The implementation of GRM is under the responsibility of the ES Specialist (PMU). Responsibilities related to GRM are as specified in Section 8 of this LMP.

5.3 Contractor and Primary Supplier (at Project site).

- a) The Contractor will develop a site-specific CESMP that will cover the LMP, GRM and other relevant SOPs for mitigating ES risks and impacts and addressing occupational and community health and safety related risks and impacts during construction.
- b) The Contractor and Primary Supplier are responsible for the day-to-day implementation and monitoring of the ES management system (as agreed in the Contract) of their workers, sub-contractor workers and other third-party workers that are under their authority, including the implementation and monitoring of this LMP and GRM.
- c) The Contractor and Primary Supplier will provide periodic reports (daily and emergency) to the ES Specialist through the Supervision Consultant.

6. Policies and Procedures.

32. This section summarizes key policies and procedures to be followed in compliance with the national regulations and ESS2 requirement, with further detailed of the provisions are defined in the following documents.

- a) BTL has developed its own internal labor regulations (the “Internal Rules and Regulations”, 2021) that is in compliance with applicable laws and regulations in the Democratic Republic of Timor-Leste (RDTL-Tetum);
- b) OHS procedure has been established separately (BTL Health and Safety Policy) that describes BTL commitment to ensure all employees and contractors are provided with good working conditions (physical, mental well-being, and health, hygiene and safety) and commitment to prevent the risk of occupational health and injury, raise awareness of safety issues and issue appropriate safety equipment to protect all staff ; and
- c) Code of Conduct for Workers, which is proposed as part of this LMP, as presented in the Annex 2.

33. The employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to the employment relationship, such as on recruitment, working conditions and terms of employment, compensation and benefit and promotion or termination of employment.

34. Project will include into the bidding documents specific OHS standard requirements that all contractors will comply that are consistent with the local regulations, BTL Health and Safety Policy and the World Bank ESF. Contractor will need to develop OHS Management Procedure that comprises identification and assessment, prevention and mitigation, monitoring, reporting and continual improvement procedures for OHS risks. Contractors will be required to perform a health screening to the workers during the hiring process, provides sufficient PPEs, conduct OHS training, prepare and implement the Risk Assessment procedure and provide OHS supervision that are relevant with the level of risks and number and area of works.

35. The Contractor shall develop and implement CESMP in accordance with the Project ESMP and the Code of Conduct (CoC) that will reflect the Contractors’ core values and overall working culture. The CoC will include provisions relating to GBV, SEA/SH and work ethics and will have to be understood and signed by all workers. Contractor will not employ workers under the age of 15 and will not allow workers under the age of 18 to perform high risk/hazardous works and will not implement any forms of forced labor.

7. Age of Employment.

36. Article 68 of the GoTL Labor Law No. 4 of 2012 set 15 years as minimum age for admission to work. However, allowing age between 13 and 15 to perform light work that would not put their health and development at risk or jeopardizing their schooling or participation in the Government-approved vocational training programs. Meanwhile, the ESS 2 requires minimum age of 14 with no child under the age of 18 allowed to conduct hazardous work.

37. Following the more stringent requirement, under the HR Procedure and in the worker contract document, BTL will require minimum age of workers to be 15 years old in the hiring criteria and ensure that no children under the age of 18 will be employed to conduct hazardous work. The minimum age requirement for Contractor/Primary Supplier worker will be incorporated in the bidding documents and worker's contract.

38. Any breach to the age of employment criteria will result in disciplinary action in accordance with BTL's Internal Rules and Regulations, which may include dismissal and criminal prosecution depending on the case. If hazardous work found to be performed by children under the age of 18, the worker concerned or the worker who finds the case, to report following the GRM procedure.

8. Terms and Conditions.

39. The terms and conditions for workers in Timor-Leste are governed by the provisions of Law No 4/2012 on Labor Code. This provides requirements on:

- a) **Part II, Chapter I, Section I** for the employment contract requires the worker to have a written contract that is signed by both parties and arrange the type of work activities, location, working hours and rest period, remuneration and duration of contract (Article 10). Duration of contract may be open-ended or fixed-term in which the fixed-term contract may not exceed 3 years (Article 11 - 13). Suspension of contract or reduction of normal hours of work is described in Article 15, while the alterations to the employment contract (roles, location, company ownership) is described in Article 16-18.
- b) **Part II, Chapter II, Section II** of the Labor Code describes the duration of normal working hours (not exceed 8 hours per day or 44 hours per week), overtime works (shall not exceed 4 hours per day or 16 hours per week during working day and not exceed 8 hours per day on weekend or public holiday), overtime compensation (to be paid at the normal hourly rate plus 50% on working day and normal hourly rate plus 100% on weekend or public holiday), night work (from 21.00 to 6.00 the following day) and compensation (normal hourly rate plus 25%), shift work to not exceed the maximum limits of normal working hours.
- c) **Part II, Chapter IV** prohibits the termination of the labor contract due to unfair dismissal (Article 45), describes arrangement for employment contract termination (Article 46), termination due to expiry of contract (Article 47), termination due to mutual consent (Article 48), termination by the worker (Article 49), and termination due to just cause and rescission (Article 50-54), with compensation as described in Article 55-57.
- d) **Part III** of the regulation describes the freedom of association and trade unions (Chapter I), where it allows all workers and employers without discrimination or need for prior authorization to set up and join organizations for the purpose of promoting and defending their rights and interests (Article 78), right to collective bargaining (Chapter II), right to strike and lockout (Chapter III), and principles and resolution in case of labor disputes (Chapter IV).

40. In addition, the BTL's Internal Labor Regulations describes provisions of (including but not limited to) condition of recruitment, working condition and payment, right and obligation of worker, leave, compensation and benefit of worker, disciplinary action, worker's protection rights, and health and safety measures, such as:

- a) Recruitment Conditions (Article 3) require all applicants to be assessed through the Company's recruitment process, taking into account the basic skill required to perform the job provided by the Company and minimum conditions to be met;
- b) Probationary Period (Article 4) for requirements of some newly recruited workers that may work under probationary period that shall not exceed 3 (three) months;

- c) Working Hours (Article 5) as arranged by the document is classified as regular working hours which are five days a week, from Monday until Friday with a total of 40 hours per week. The regular working hours is from 8:00 to 17:30, with one and a half hours of break time. Working in shift, overtime and variation to the working hours occurs to specific demands of the position, i.e. for the water and sanitation system operators;
- d) Wage and Benefit (Article 6) define remuneration that will be in accordance with the Company's payroll procedures and in accordance with the labor law. Wage will be informed to the workers at the time of hiring and shall include wage under the employment agreement, and/or other compensation that the Workers are entitled to, such as overtime pay if any. Provisions of wage and benefit for Contractor and Primary Supplier are not specifically regulated in the BTL's Internal Regulation. However, it will be under the authority of the selected Contractor and Primary Supplier (with reference to the national regulations on the minimum salary rate), with BTL having the authority to request for specific terms and conditions arrangement through the Contract (i.e., issues of child labor, PPE provision) to be followed by the selected Contractor and Primary Supplier.
- e) Employment Agreement (Article 8) describes requirement for fixed duration contract or an unspecified duration contract for the employment agreement, subject to the probationary period and subject to applicable laws and regulations in force;
- f) Leave arrangements (Article 14-16) covers steps of proposing leaves, paid annual leave and other specific leave (i.e. illness, maternity, sick);
- g) Appeal Resolution Procedure (Article 19) specifies arrangement of grievance resettlement;
- h) Employee Termination (Article 23) defines termination or non-renewal of employment agreement and compensation arrangement;
- i) Hygiene, Health, Safety, Accident Prevention and Social Security Scheme (Article 24-29) describes the requirement, accommodation and reporting arrangement; and
- j) Women Work provisions (Article 30) provide additional arrangement for women who is willing to breast-feed their children.

9. Grievance Redress Mechanism.

9.1 General Grievance Redress Mechanism.

41. BTL will ensure the selected Contractor and Primary Supplier will develop and implement Grievance Redress Mechanism (GRM) for the Project in an accessible, equitable, and respectful manner, and in accordance with the requirements of national requirements and World Bank ESS2.

42. GRM will be managed by PMU, under the direct responsibility of the ES Specialist, supported by the Supervision Consultant for the implementation at project sites. Depending on the complexity of the GRM later during the Construction, BTL may consider hiring additional GRM officer for project workers who will assist in managing and recording grievances at the Project site.

43. The ES Specialist will ensure that identity of the worker who submits the grievance will be kept confidential and will not be disclosed unless they provide consent to allow further verification and investigation, and there will be no retaliation against the worker that raised the grievance. If investigation is required, ES Specialist will ensure that there is no conflict of interest between the workers raising the concern with the officer/team conducting the investigation. Anonymous grievance may also be submitted and will be given all due and appropriate consideration.

44. The following worker grievance resolution hierarchy will be followed in case a grievance is raised. This means, whenever possible, grievances will be resolved at the lower-level prior to escalating it to the upper-level. It provides stages to help address the potential complexity and to enable the correct level of management to be involved. It is aimed at addressing concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned, without any redistribution.

9.2 Process of GRM.

45. **Stage 1 - Disclosure of GRM.** Disclosure of GRM (including LMP) during induction program and through written poster/flyer posted on visible and accessible area to all workers, including contractors.

46. **Stage 2 - Receiving and keeping track of grievances.** Receiving and keeping track of grievances that consist of:

- a) Step 1: Discuss Complaint with Direct Line Manager/Supervisor. Worker who has a grievance, should raise the matter with his/her direct line manager/supervisor immediately either verbally or in writing. If the matter itself concerns the staff member's line manager/supervisor, then the grievance should be taken to his/her superior.
 - The line manager who receives the grievance to report to Social Management & Gender Consultant at the project sites, to then respond within three (3) working days.
 - The response will give a full written explanation of the grievance resolution and the follow up mechanism if still aggrieved.
 - The Social Management & Gender Consultant to record the grievance report in the complaints registry forms (see Annex 3) and submitted into the tracking system. If the grievance can be resolved at this step, then it will be marked as resolved/closed in the tracking system.
- b) Step 2: Submit Complaint letter to HR and the next Line Manager/Supervisor. Complaint can be submitted through a grievance box or through labor union that will be collected or informed directly to the HR team. In most instances the direct line manager's/supervisor's decision would be final, and the matter closed. However, in some circumstances the staff member may remain aggrieved and can appeal against the decision of the line manager/supervisor concerned.
 - The worker appeal, to HR and the next line manager assisted by the Social Management & Gender Consultant, must be made within ten (10) working days of the receipt of the Step 1 response in writing.
 - The next line manager, HR and Social Management & Gender Consultant will review the employee appeal and attempt to resolve the grievance. A formal response and full explanation of how to solve the grievance will be given in writing within seven (7) days.
 - Where the 'next in line' manager at this stage is the PMU Coordinator/Manager, then the grievance should immediately progress from step 1 to step 3.
 - Grievance logged in the tracking system to be updated in accordance with the result from this step.
- c) Step 3: Submit Complaint letter to the PMU Coordinator/Manager. after step 2, if the employee remains aggrieved, he/she can appeal to the PMU Coordinator.
 - This appeal must be made in writing enclosing a copy of the original appeal in the previous steps to the PMU Coordinator/Manager and to the Social Management & Gender Consultant within ten (10) working days of receipt of the step 2 responses.
 - The PMU Coordinator/Manager with the advised of the ES Specialist will choose a person who will direct the complaint and decide whether the complaint needs an investigation or not. The ES Specialist must ensure that there is no conflict of interest between all people involved in the investigation process.
 - The PMU Coordinator/Manager with the Social Management & Gender Consultant, assisted by the investigation team, will arrange, and hear the appeal from all relevant people and respond formally with a full explanation within twenty (20) working days.
 - After the investigation process is completed, the Social Management & Gender Consultant will organize the GRM records and update the Grievance logged in the tracking system with the result from this step.

47. **Stage 3 - Reviewing, consulting and investigating Grievances.** Reviewing, consulting and investigating Grievances through coordination between proponent and parties involved such as contractor/supplier or government agencies as applicable.

48. **Stage 4 - Developing resolution options, preparing and consulting/conveying response.** Developing resolution options, preparing and consulting/conveying response through coordination between involved parties.

49. **Stage 5 - Monitoring, Reporting and Evaluating a Grievance Mechanism.** Timeframe of grievances may be extended if required and as agreed by both parties. The worker may require support to accompany them to the meetings. The worker can withdraw his/her complaint at any time. While the grievance resolution process is underway, normal Project work will continue, with reasonable care for health and safety. The concerned worker is not excluded from carrying out his/her usual work at the same or another workplace that is safe and appropriate for his/her work.

9.3 Grievance Investigation and Resolution Process.

50. GRM at the Project level will be maintained during the entire period of Project implementation. The GRM will ensure that the all stakeholders can effectively be engaged in the Project design, implementation, provide project staff with practical suggestions/feedback on Project activities allowing them to be more accountable, transparent, and responsive.

51. This mechanism will follow the following principles:

- a) Grievances will be treated confidentially, assessed impartially, and handled transparently.
- b) The submitting and readdressing of the grievances will be free of charge for complainants.
- c) The MPW/ BTL/PMU will ensure that all project-affected parties will have equal opportunity to submit their grievance in accessible way. The Project beneficiaries may use a range of contact options (telephone number, e-mail address and postal address, etc.). The GRM is accessible to all stakeholders.
- d) The channels for filling in grievance form should be disclosed on official sources;
- e) The MPW/ BTL/PMU will provide an opportunity to submit a grievance anonymously;
- f) Affected persons may raise a complain at any time of project related activity.
- g) The GRM is designed to be responsive to the needs of all complainants, including anonymous ones.
- h) All grievances, simple or complex, will be addressed and resolved as quickly as possible. The action taken on the grievance will be swift, decisive, and constructive.
- i) In cases where the aggrieved individuals or group is not satisfied with the outcome of the amicable mechanism, they will always be able to file to the court at any stage in the resolution process;
- j) All grievances will be registered and documented, and each grievance resolution process and communication will be systematically tracked;
- k) The channels for filing complaints will be listed in SEP and communicated to the public during the consultations.

52. The MPW/BTL will ensure equal and non-discriminatory access to grievance mechanisms, but the special attention will be given to the most vulnerable groups: people less informed, with limited legal knowledge, the poorest community members, with limited or no access to internet; the people that have the least access to education and the infrastructure required for proper understanding of how to file complaints through conventional channels. The project team will be working together with LPA, social assistances and community mediator to provide access for complaints and ensure that the most vulnerable groups views are taken into account. Main findings from Feasibility studies and ESIA / ESMP will also be consulted with the public and the project team will ensure that all proposals, including those from disadvantaged groups are analyzed and if the suggestions, requirements are reasonable will be included in the project design. The representatives of the vulnerable groups (NGOs, community leaders) will be included in the communication channels for ensuring the dissemination of information to diver's communities about Project preparation activities and also about planned public consultations.

53. The Social Management & Gender Consultant will serve as Grievance Focal Point(s) who will register the submitted grievances in the Grievance Log (database) and review within 15 (fifteen) calendar days, including the information verification, cross-checking, and analysis, and follow-up with the applicant as needed. As necessary, the Grievance Focal Point will involve the other relevant units' specialists in this activity.

54. Channels to Make Complaints: Due to COVID-19, the project has to provide the extend ways whereby grievances would be received. The suggestions/complaints can be submitted by e-mail, website, online platform, telephone, mail, grievance box on the site etc. The template for grievances will be provided. To make grievance mechanisms accessible to all stakeholders, it is helpful to make the procedures to submit grievances simple and easy to understand and provide an opportunity to submit a grievance anonymously. The channels for filing complaints will be listed communicated to the public during the consultations. The MPW/BTL/PMU

55. intends to establish the following channels through which citizens/beneficiaries/ PAPs can make complaints/suggestions/compliments regarding MWSSP activities:

- a) In writing:
 - by email: MPW/BTL/PMU
 - letters: MPW/BTL/PMU address /post box where the letters should be sent
- b) Oral/verbal (which should be recorded in writing by the receiver):
 - by phone
 - verbal complaints addressed to the LPA, RDA, MPW/BTL/PMU
- c) Both audio and written forms on online Platform.
 - Via MPW official Facebook page
 - Via PMU official Facebook page

9.4 Grievance Log.

56. It is important that all complaints, including the anonymous ones, to be recorded in writing and stored in a database. Complaints received should be assigned a number that will help the assigned specialist to track progress via the database. The database should at least contain relevant information on the date of submission, sphere of issue, responsible party, deadline for the problem solving and feedback (positive or negative). The Grievance log will be submitted to the Bank of quarterly basis for review.

57. WB's Grievance Redress Service: Stakeholders may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Information on how to submit complaints to the WB's GRS is available at <http://www.worldbank.org/GRS>.

58. All complaints should be recorded in a log system and will be maintained as a database. The log system consists of the following information:

- a) Number reference to database
- b) Name of subproject
- c) Name of contractor
- d) Name of the complainant
- e) Spouse name
- f) Address and phone
- g) Occupation
- h) Date of birth
- i) Date and time of receipt of complaint
- j) Recording date of complaint

- k) Name of person recorded the case
- l) Scope of complaint
- m) Category of complaint
- n) Type of action
- o) Status of grievance process (delegate, fact finding, appeals, settlement, close, unable to complete)
- p) Delegated units (and responsible staff) as necessary
- q) Status of final report
- r) Status of providing information to the complaining party
- s) Feedback status of a person who is complaining
- t) Status of final report

9.5 Awareness Building.

59. The information about the Grievance Redress Mechanism will be available at the online platform and will be included in the communications conducted with the project stakeholders through the communications methods and tools that are part of this stakeholder engagement plan and communications plan under the project, including emails, website, workshops, meetings, focus groups discussions etc.

9.6 Roles and Responsibilities for GRM.

60. The responsibilities for the management of the GRM system include the following and may be updated from time to time in consultation with BTL, PMU, MPW and the World Bank task teams.

- a) Overall management of the GRM system
- b) Developing and maintaining awareness-building
- c) Collection of complaints
- d) Recording complaints
- e) Notification to the complainant on the receipt and timeline to review a complaint
- f) Sorting/categorization of complaints
- g) Thorough review of the issues, including the causal link between project activities and alleged damage/harm/nuisance
- h) Decision-making based on such examination
- i) Processing appeals or continuous communication with complainants with the purpose to resolve issues amicably
- j) Publishing responses to complaints, unless otherwise is requested by complainants due to privacy or other concerns
- k) Organization and implementation of information materials and awareness campaigns
- l) Reporting and feedback on GRM results.

9.7 Monitoring and reporting on GRM implementation.

61. Policies, procedures and regular updates on the GRM system will be made available for all stakeholders. The BTL/PMU will regularly track and monitor the status of complaints to ensure that all grievances are resolved within the established time-frame. The BTL/PMU will also provide and publish reports available to the World Bank team, and all stakeholders that would contain the following information:

- a) Status of establishment of the GRM (procedures, staffing, awareness building, etc.); Quantitative data on the number of complaints received, the number that were relevant, and the number resolved;
- b) Qualitative data on the type of complaints and answers provided, issues that are unresolved;
- c) Time taken to resolve complaints;
- d) Any issues faced with the procedures/staffing or use;
- e) Factors that may be affecting the use of the GRM/beneficiary feedback system;
- f) Any corrective measures suggested/adopted.

62. The PMU will compile a report summarizing SEP results on annual basis. This report will provide a summary of all public consultation issues, grievances and resolutions. The report will provide a summary of relevant public consultations' findings from informal meetings held at community level. This report will be available on-line for general population. Stakeholders should be reminded once again that the grievance mechanism is available and important. The SEP will be revised and updated, supplemented as needed with project-specific arrangements and will be publicly disclosed.

10. Contractor/Primary Supply Management.

63. All Contractors and Primary Supplier must follow the relevant HR Procedure (BTL Internal Rules and Regulations), OHS Procedure (BTL Health and Safety Policy) and this LMP, and must submit annual report on the implementation to the ES Specialist.

64. This will be explicitly stated on the bidding documents, with anticipation that Contractor/Primary Supplier should include the budgeting for implementing, monitoring, and reporting of Labor Management related activities.

65. All queries related to LMP from Contractor/Primary Supplier can be addressed to:

- a) ES Specialist;
- b) Supervision Consultant;
- c) PMU Coordinator; and
- d) Human Resources (HR) Department/Division of the project company/Contractor

10.1 Role and Responsibility of Contractor.

66. The roles and responsibilities of contractors may be slightly different from a project to another, but a general roles and responsibilities of contractors are nearly the same which are presented below:

- a) Project Planning Responsibilities.
 - Plan important project development and implementation in advance.
 - Determination and estimation of various issues in the project such as needed materials, equipment.
 - Anticipation of any potential modification in the project.
 - Making sure that health and safety specifications are followed.
 - Practicing excellent communication between all parties involved in the construction such as client and subcontractors.
 - Determine legal and regulatory requirements.
- b) Project Management. A general contractor is liable to complete the construction process within the specified time frame. General contractors are also required to work with different stakeholders while coordinating with employees, operating within budget, and monitoring the entire construction project. Various activities and tasks that need to be accomplished on time include:

- Manage the budget for the completion of construction activities.
 - Main contractor is responsible to find and hire right subcontractors and individuals to complete the job.
 - Main contractor with cooperation of subcontractors need to manage equipment, materials, and other services required for smooth flow of the project.
 - Manage generated waste
 - Submit bills based on terms of contract documents.
- c) Project Monitoring.
- Monitor project in terms of time schedule, safety, work quality, and other project-related details as specified in the project contract.
 - Review, modify, and update the project program dependent on latest changes and feedback.
 - Practice economic construction techniques
 - Monitoring safety related issues.
- d) Legal and Regulatory Responsibilities.
- Contractor is responsible for building permits application
 - Ensure that the project is in compliance with required legal and regulatory issues
 - Making sure the project is in compliance with all the necessary legal and regulatory issues.
- e) Health and Safety Responsibilities.
- Guarantee viable safety policy to ensure health and safety in the workplace. This may involve risk management strategies, emergency response system, and other preventive means for construction site safety.
 - Make sure that all individual at construction site utilize safety equipment.
 - Provide safety awareness to workers.
- f) Building Permits and Building Codes. General contractors deal with a handful of responsibilities in the field of legal and regulatory issues, one of which includes acquiring building permits and licenses from the concerned authorities. Apart from these, they are accountable for:
- Informing property owners about arranging necessary facilities, ensuring premise security, managing site waste, etc.
 - Understanding the legal requirements for the building and meeting all statutory obligations applicable to construction, design, and operations
 - Ensuring that legal rights are not challenged in any way and applicable building codes are followed throughout the construction process.

11. Covid-19 Protocol for Labor.

11.1 Protocols of COVID-19.

67. Protocols of COVID-19 prevention in public settings according to WHO and MoH standards will be disseminated to all project staff, project participants and community volunteers. In the case of community transmission, the Project will follow the GoTL protocol, as advised under the State of Emergency.

68. In visiting health facilities, project participants, community volunteers and Project Staff will have to follow the protocol in health facilities.

69. In working on the Project, all staff, and consultants (workers) are required to follow the WHO and MoH Standard Protocols as per the situation in Timor-Leste. These can include:

- a) Regularly and thoroughly washing hands with soap and water.
- b) Avoid going to public spaces, if presenting symptoms.
- c) Make sure that all workers and surrounding people follow good respiratory hygiene. This means covering mouth and nose with their bent elbow or tissue when they cough or sneeze
- d) Stay home and self-isolate even with minor symptoms such as cough, headache, and mild fever occurs until recover. Have someone bring the person with symptoms supplies. If it is required to leave the house, the workers should wear a mask to avoid infecting others.
- e) If the workers have a fever, cough and difficulty breathing, they should seek medical attention by calling by telephone in advance if possible and follow the directions of the local health authority.
- f) Keep up to date on the latest information from trusted sources, such as WHO or the local and national health authorities.
- g) Follow Government regulations as per social distancing and public mask wearing.
- h) The workers are required to follow WHO and MoH standard protocol to prevent the spread of COVID-19 in the office. This includes ensure that the workplaces are clean and hygienic, and wipe and disinfectant the working surfaces (e.g. desks and tables) and objects (e.g. telephones, keyboards) regularly.
- i) Promote regular and thorough hand-washing:
 - Provide hand washing stations (with soap and water) in the workplace
 - Display information promoting hand-washing
 - Combine this with other communication measures such as offering guidance from Safety and Security, briefings at meetings and information to promote hand-washing
- j) Promote good respiratory hygiene in the workplace:
 - Display posters promoting respiratory hygiene and other communication measures such as offering guidance from Safety and Security, briefing at meetings and information sharing;
 - Ensure that face masks and/or paper tissues are available at workplaces for those who develop a runny nose or cough at work, along with closed bins for hygienically disposing of the waste
- k) Follow national advice regarding travel and seek approval from the Project authority prior to any travel.
- l) Brief all the workers that if COVID-19 starts spreading in their community, anyone with even a mild cough or low-grade fever (37.3 C or more) needs to stay at home. They should also stay home (or work from home) if they have had to take simple medications, such as paracetamol/acetaminophen, ibuprofen or aspirin, which may mask symptoms of infection.
- m) In the event that a worker is tested as positive for COVID-19, Project to arrange with hospital/medical services for proper treatment and provide notification to related government agency as necessary. Works shall not be performed in suspected working area until it is properly sanitized by the authorized personnel.
- n) Record and investigation for the worker's COVID-19 cases shall be conducted and reported to BTL and relevant government authority.

11.2 Community Transmission Protocol.

70. In the event of detected community transmission in Timor-Leste, the workers should consider the following, aligned with WHO and MoH protocol:

- a) Before Travelling Protocol.
 - The workers have the latest information of where COVID-19 is spreading.

- Based on the latest information, assess the benefits and risks related to upcoming travel plans;
 - Avoid sending workers who may be at higher risk of serious illness (e.g. older workers and those with medical conditions such as diabetes, heart and lung disease) to areas where COVID-19 is spreading;
 - Make sure all workers travelling to locations reporting COVID-19 are briefed by a qualified professional (e.g. staff health services, health care provider or local public health partner);
 - Provide the workers who are about to travel with small bottles (under 100 CL) of alcohol based hand rub. This can facilitate regular hand washing.
- b) While Travelling Protocol.
- Encourage the workers to wash their hands regularly and stay at least one meter away from people who are coughing or sneezing;
 - Ensure the workers know what to do and who to contact if they feel ill while traveling;
 - Ensure that the workers comply with instructions from local authorities where they are traveling. If, for example, they are told by local authorities not to go somewhere they should comply with this. All workers should comply with any local restrictions on travel, movement or large gatherings.
- c) When Returning from Travelling Protocol.
- The workers who have returned from an area where COVID-19 is spreading should monitor themselves for symptoms for 14 days and check their temperature twice a day;
 - If they develop even a mild cough or low-grade fever (i.e. a temperature of 37.3o C or more) they should stay at home and self-isolate. This means avoiding close contact (one meter or nearer) with other people, including family members. They should also call their healthcare provider or the local public health department, giving details of their recent travel and symptoms.

11.3 COVID-19 Infection Prevention and Control Plan.

71. In addition, the COVID-19 infection prevention and control plan are summarized as below:

- a) **Adjusting consultation approaches** based on GoTL health advice and provisions under the State of Emergency, this may include:
- Decreasing the size of work teams and limiting the number of consultation participants at any one time;
 - Utilizing online/ telephone where available;
 - Provision of PPE to prevent COVID-19, use mask at minimum;
 - Continue with safety and security training, includes adding on self-hygiene and COVID-19 related trainings as appropriate;
 - In the event of community transmission, assess the extent to which consultation and fieldwork schedule needs to be adjusted (or stopped) to reflect prudent work practices, potential exposure of both the Project workers and community to public health risks.
- b) **General hygiene** should be communicated and monitored, to include:
- Training of project workers, facilitators and community stakeholders on the signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular hand washing and social distancing); and what to do if other people have symptoms;
 - Placing posters and signs in Project locations, with images and text in local language;
 - Ensuring hand washing facilities are supplied with soap and running water, especially at central entry/exits, toilets and food distribution.

- c) **Regular cleaning and waste disposal:** Conduct regular cleaning of the Project offices and provide project workers with adequate PPE. Disposable PPE should be collected safely in designated containers or bags and disposed by following relevant requirements (e.g. national, WHO). In the case COVID-19 is reported in project locations, extensive cleaning should take place where any project consultation or activities have taken place, prior to any further project activities at the same venue.
- d) Identify accessible local medical facilities, with preparation for this includes:
- Obtaining information on resources and capacity of local medical services and selecting which medical facilities to be referred to for specific level of illness;
 - Discuss with specific medical facilities, to agree what should be done in the event of ill project workers and people involved in consultations needing to be referred, and method of transport for sick workers;
 - Establishing an agreed protocol for communications with local emergency/medical services;
 - Agreeing with the local medical services/specific medical facilities the scope of services to be provided, the procedure for in-take of patients and (where relevant) any costs or payments that may be involved;
 - If testing for COVID-19 is available, project workers with COVID-19 symptoms should be tested on site. If a test is not available at site, the worker should be transported to the available local health facilities to be tested;
 - An emergency response procedure should also be prepared for when a project worker ill with COVID-19 dies, in coordination with relevant local authorities, including any reporting or other requirements under national law.
- e) Communication and contact with the community should be carefully managed:
- Communications should be clear, regular, based on fact and designed to be easily understood by community members through forms of communication other than face-to-face; posters, pamphlets, radio, text message, electronic meetings. The communication means used should take into account the ability of different members of the community to access them. Existing grievance redress mechanism should be utilized to manage feedbacks and grievances from the communities;
 - The community should be made aware of all measures being implemented to limit contact between project workers and amongst community members themselves, procedure for social distancing measures, the training being given to project workers and the procedure that will be followed by the project if a worker or consultation participant becomes sick;
 - If project workers are interacting with the community, they should practice social distancing and follow other COVID-19 guidance issued by relevant authorities, both by national and international agencies (e.g. WHO).

12. Addressing Social Stigma Related To Covid-19.

72. Besides protocols to prevent the spread in public settings and in the office, protocol to prevent social stigma associated with COVID-19 is also important to follow. This protocol on social stigma will be disseminated to all project workers and other relevant stakeholders such as project participants. The current COVID-19 outbreak has provoked social stigma and discriminatory behaviours against people of certain ethnic backgrounds as well as anyone perceived to be in contact with the virus. How they communicate about COVID-19 is critical in supporting people to take effective action to help combat the disease and to avoid fuelling fear and stigma.

73. An environment needs to be created in which the disease and its impact can be discussed and addressed openly, honestly and effectively. Project workers should follow the tips below to address and avoid compounding, social stigma:

- a) Words matter: certain words (i.e. suspect case, isolation) and language may have a negative meaning for people and fuel stigmatizing attitudes. This can drive people away from getting screened, tested and quarantined. We will use a 'people-first' language that respects and empowers people in all communication channels, including the media. Words used in media are especially important, because these will shape the popular language and communication on the new coronavirus (COVID-19). For example, do not refer people with disease as COVID-19 cases or victims and do not talk about people transmitting, infecting, or spreading COVID-19. Instead, use "people who have or are being treated for COVID-19" and talk about people acquiring or contracting
- b) When appropriate, all team members and consultants will take part to drive stigma away, such as spreading the facts. Stigma can be heightened by insufficient knowledge about how the new coronavirus disease (COVID-19) is transmitted and treated, and how to prevent infection. In response, prioritize the collection, consolidation and dissemination of accurate country and community specific information about affected areas, individual and group vulnerability to COVID-19, treatment options and where to access health care and information. Use simple language and avoid clinical terms. The Project team can also contribute through:
- Correct misconceptions, at the same time as acknowledging that people's feelings and subsequent behavior are very real, even if the underlying assumption is false;
 - Promote the importance of prevention, lifesaving actions, early screening and treatment;
 - Share sympathetic narratives, or stories that humanize the experiences and struggles of individuals or groups affected by the new coronavirus (COVID-19);
 - Communicate support and encouragement for those who are on the frontlines of response to this outbreak (i.e. health care workers, volunteers, community leaders
 - Share facts and accurate information about the disease;
 - Challenge myths and stereotypes;
 - Choose words carefully.

ANNEX 1:
Summary of GAP Assessment between ESS2 and National Legislation.

ESS & Topic	Major WB requirements	Key requirements/gaps in legal framework	Principles to be followed by the Project
ESS 2 – Labor and Working Conditions			
Working conditions and management of worker relationships	Terms and Conditions of Employment	<p>Law No 4/2012 – Labor Code This Regulation covers the terms and conditions of employment as required by the ESS2, covering requirement on payment, leaves and termination have been regulated under the Labor Code.</p>	<p>Project to provide a clear and understandable information and documentation of terms and conditions given to all Project workers (direct workers, contracted workers, primary supply workers, community workers); Project workers to be paid on a regular basis, provided with adequate periods of rest and leaves; Termination of employment and details of severance payment to be given to Project workers in written.</p> <p><i>The abovementioned requirement to be written in a Procedure (i.e. HR Procedure), ensuring that all Terms and Conditions of Employment requirement are well described and Project to ensure on compliance of this Procedure application to all Project Workers.</i></p>
	Nondiscrimination and Equal Opportunity	<p>Convention for the Elimination of all Forms of Discrimination against Women (CEDAW) Timor Leste has signed various international conventions that promote gender equality including the CEDAW, followed by adaptation of Labor Code.</p> <p>Law No 4/2012 – Labor Code The regulation includes international labor standards' clauses on equal remuneration for men and women for equal work and non-discrimination in employment and occupation, starting from the hiring/screening process and also adds in specific arrangement during the employment (i.e. provision of training, career</p>	<p>Project to ensure that the employment of Project Workers will be based on the principle of equal opportunity, fair treatment, and non-discrimination.</p> <p><i>This requirement to be written in a Procedure (i.e. HR Procedure), ensuring that Non-discrimination and Equal Opportunity requirement are well described and Project to ensure on compliance of this Procedure application to all Project Workers.</i></p>

ESS & Topic	Major WB requirements	Key requirements/gaps in legal framework	Principles to be followed by the Project
		development, working conditions) for person with disabilities or chronic illness.	
	Worker's Organization	<p>Law No 4/2012 – Labor Code</p> <p>The regulation provide requirements on freedom of association and trade unionism, where all workers and employers are allowed to set up and join organization for the purpose of promoting and defending their rights and interests.</p>	<p>Project to ensure that the Project Workers have rights to establish and/or join workers' organizations/ associations.</p> <p><i>The arrangement is to be written in a Procedure (i.e. HR Procedure), ensuring that the Project Workers are having their rights in Worker's Organization.</i></p>
Protecting the Workforce	Child Labor and Minimum age	<p>Law No 4/2012 – Labor Code</p> <p>The Regulation regulates 15 years old as the minimum age for admission (at a higher age than the ESS2 requirement), however allows young person in the age between 13 to 15 years old to perform light work.</p>	<p>The Project to follow the more stringent requirement between the ESS2 and the Labor Code, thus to arrange the minimum age of workers to be 15 years old in the hiring criteria and ensure that no children under the age of 18 will be employed for conducting hazardous work.</p> <p><i>This minimum age requirement to be written in a Procedure (i.e. HR Procedure), ensuring that the no child under the age of 15 years old is recruited and no children between age of 15-18 is conducting hazardous work, if hired.</i></p>
	Forced Labor	<p>Law No 4/2012 – Labor Code</p> <p>The Regulation prohibits forced labor, with additional description of cases considered as non-forced labor such as work due to compulsory of military service, work as part of the civil obligations of community members, work as consequence of a conviction in a court of law, works conducted in cases of emergency (i.e. fire, flood, famine, epidemic) and minor services in the community for the benefit of the community itself. Meanwhile in the ESS2, the prohibition of forced labor covers any kind of involuntary or compulsory</p>	<p>Forced labor, following the definition of ESS 2 (considered as more stringent), is not allowed in the Project.</p> <p><i>This to be stated under the Project Procedure (i.e. HR Procedure), ensuring that no forced labor is performed by the Project.</i></p>

ESS & Topic	Major WB requirements	Key requirements/gaps in legal framework	Principles to be followed by the Project
Grievance Mechanism	Grievance Mechanism for all direct workers and contracted workers	labor. Law No 4/2012 – Labor Code The regulation provides requirement of collective bargaining mechanism and requirements regarding labor dispute resolution. However, no individual grievance mechanism stated in the regulation.	Grievance mechanism is required to allow the workers to submit their concerns related to work place and employment without fear of retaliation. <i>Grievance mechanism as stated in the LMP to be socialized to all Project Workers and implemented by the Project.</i>
Occupational health and safety (OHS)	OHS, including potential hazard identification, provision of preventive and protective measures, training of workers, occupational accidents/incidents reporting, ERP, remedies for adverse impacts and OHS records maintenance	Law No 4/2012 – Labor Code This Regulation provides specific section for requirements of occupational safety, hygiene and health, describing measures that are required by the ESS2, and also requires a setup of joint health and safety committee for companies with more than 20 workers and/or companies with activities that pose particular risks to health, safety and hygiene of the workers. Specific protection requirements are given on health and safety of pregnant or nursing worker, young worker and workers with disabilities or chronic illness.	All parties who employ or engage project workers are required to develop and implement procedures to establish and maintain a safe working environment. The standards and guidelines are available in general EHSs and industry-specific EHSs and other GIIP ³ . <i>OHS Management Procedures shall be developed and implemented by the Project, in accordance with the result from the hazard identification process from Project activities.</i>
Contracted workers	Contracted workers management and monitoring	Law No 4/2012 – Labor Code The Regulation requires health and safety promotion and monitoring of the workforce including affected third parties inside or outside of the workplace, and detailed requirements of contract with worker. However, no specific requirement of having a labor management procedures and performance	Project to ensure that third parties who engage contracted workers are legitimate and reliable entities and have in place labor management procedure. The contracted workers must have access to grievance mechanism. <i>The ESS requirements will be incorporated in the contractual agreement with such third parties. Project will</i>

³<https://www.ifc.org/wps/wcm/connect/9aef2880488559a983acd36a6515bb18/2%2BOccupational%2BHealth%2Band%2BSafety.pdf?MOD=AJPERES>.

ESS & Topic	Major WB requirements	Key requirements/gaps in legal framework	Principles to be followed by the Project
Community workers	Community workers (if present)	<p>monitoring, and to have individual grievance mechanism.</p> <p>Law No 4/2012 – Labor Code No specific requirement on community worker present in the Labor Code or other regulations of Timor Leste. However, the community worker is considered as not applicable for the Project.</p>	<p><i>develop procedure to monitor the performance of the third parties (i.e. C-ESMP).</i></p> <p>Community worker is considered as not applicable for the Project. However in case that community workers are involved, labor management procedures will be developed to identify terms and conditions of the community labor involvement include working hours and compensation (if applicable), access to grievance mechanism; to set out roles and responsibilities for monitoring community workers, including potential risk of child labor and/or forced labor and measures to address if such cases exist. The Project must provide a safe environment condition for the community workers to perform their work in accordance with the relevant requirements of the General EHSs and industry-specific EHSs.</p>
Primary supply workers	Primary supply workers	<p>Law No 4/2012 – Labor Code The Labor Code regulates on promotion and monitoring of the health and safety of the workforce as well as the affected third parties. No specific requirement on primary supply workers as required by the ESS2 mentioned in the Labor Code.</p>	<p>Assessment of potential risks of child and forced labors in primary suppliers are required and relevant remedies to address those must be established.</p> <p>The labor management procedures are required to set out roles and responsibilities for monitoring primary suppliers' performance.</p> <p>In case that the Project's control over such cases is limited and remedy is not possible, the Project will shift the project's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements within a reasonable period.</p> <p><i>Project to conduct the</i></p>

ESS & Topic	Major WB requirements	Key requirements/gaps in legal framework	Principles to be followed by the Project
			<i>abovementioned requirement to monitor the performance of the primary suppliers, including on the prohibition of child labor and forced labor (i.e. in C-ESMP).</i>

ANNEX 2:**Code of Conduct**

Note: The following Code of Conduct to be regularly reviewed and updated, as necessary, in accordance with the Project development.

ES Code of Conduct for Worker

We are the Worker, *[enter name of Worker]*. We have signed a contract with *[enter name of Company]* for *[enter description of the Project]*. These Works will be carried out at *[enter the Site and other locations where the Project will be carried out]*. Our contract requires us to implement measures to address environmental and social risks related to the Project, including the risks of sexual exploitation, sexual abuse and sexual harassment.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Project. This will apply to all the staff, labors and other worker at the Project Site or other places where the Project is being carried out. It will also apply to the personnel of each Contractor and subcontractor and any other personnel assisting us in the execution of the Project. All such persons are referred to as “**Worker**” and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that is required from all Workers.

Our workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

REQUIRED CONDUCT

Worker shall:

- c) Carry out his/her duties competently and diligently;
- d) Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Worker and any other person;
- e) Maintain a safe working environment including by:
 - Ensuring that workplaces, machinery, equipment and processes under each person’s control are safe and without risk to health;
 - Wearing required personal protective equipment;
 - Using appropriate measures relating to chemical, physical and biological substances and agents; and
 - Following applicable emergency operating procedures.
- f) Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
- g) Respect diversity and treat all individuals, including women, children (under 18 years of age), and men with respect regardless of culture, ideas, opinions, limitations, gender, ethnicity, origin, political beliefs, religious beliefs, generation, citizenship status, social class, sexual orientation, and education level;
- h) Do not use inappropriate language or behave in an inappropriate manner towards anyone, including women and children, such as being rude, sexually harassing, demeaning, or other actions that are inappropriate for the local community or general culture;
- i) Not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Workers;

- j) Not engage in Sexual Exploitation, which means any actual or attempted abuse of 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 another;
- k) Not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
- l) Not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
- m) Complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH) and Gender Based Violence (GBV);
- n) Report violations of this Code of Conduct; and
- o) Not retaliate against any person who reports violations of this Code of Conduct, whether to the Employer, or who makes use of the grievance mechanism for Worker or the Project's Grievance Redress Mechanism.

Raising Concerns

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

- a) Contact [enter name of the appointed Project Coordinator. The case of violation related to GBV and SEA/SH will be forwarded to the engaged institutions/service provider with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases] in writing at this address [Avenida 20 de Maio, Caicoli - Dili Timor Leste, Postal No. 194] or by telephone at [3311539] or in person at [Carlito Amaral (Environment & Social Safeguard of PMU), 670 7801 2571]; or
- b) Call [.....] to reach the Project's provided hotline number (if any) and leave a message.

The person's identity will be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. The Project takes seriously all reports of possible misconduct and will investigate and take appropriate action. The Project will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

Consequences of Violating the Code of Conduct.

Any violation of this Code of Conduct by Worker may result in serious consequences, up to and including termination and possible referral to legal authorities.

FOR WORKER:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [enter name of Project's appointed contact person(s) with relevant experience] requesting an explanation.

Name of Worker: [insert name]

Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Worker:

Signature: _____

Date: (day month year): _____

Attachment to the Code of Conduct Form:

Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) and Gender-Based Violence (GBV)

- a) SEA/SH, as part of Gender-based violence (GBV) is a serious offence and must be sanctioned. Sanctions may be given in the form of punishment and/or termination of employment, and if necessary, they may be reported to the police if the case has entered the realm of law.
- b) Any form of gender-based violence is unacceptable regardless of whether it occurs in the workplace, around the workplace, or in the surrounding community.
- c) Sexual harassment of workers and staff (e.g., by flirting, making unwanted sexual advances, and other verbal or physical behavior of a sexual nature, or sexual gestures or written messages) is a form of gender-based violence that is strictly prohibited for all parties in the project.
- d) Prohibition of promising or giving rewards for the purpose of obtaining sexual favors (e.g., promising promotions, or threatening to terminate employment), making payments in kind or cash for the purpose of obtaining sexual favors, and all other forms of exploitative behavior.
- e) Prostitution in any form and at any time in the workplace or in the surrounding community is strictly prohibited.
- f) Sexual contact or activity with children under 18 — including through digital media, is strictly prohibited. The lack of information or misunderstanding about the child's age cannot be used as an excuse/justification for violence cases that occur. In addition, the child's consent cannot be used as an excuse/justification for violence cases.
- g) In addition to being subject to sanctions by the company, perpetrators of gender-based violence may also be prosecuted if they are proven to have done so.
- h) All employees, workers, and parties involved in other projects are strongly encouraged to report suspicions or acts of gender-based violence and violence against children committed by fellow workers, both in the same company/institution or in different companies/institutions. Reports must be made in accordance with the project's existing gender-based violence reporting procedures.
- i) The project manager (project leader) is obliged to report and handle gender-based violence, both suspected and occurred because the project manager has the responsibility not only to carry out company commitments but also to hold workers accountable in fulfilling their obligations in accordance with applicable regulations.

Behaviors Constituting Sexual Exploitation and Abuse (Sea), Sexual Harassment (SH) and Gender Based Violence (GBV)

The following non-exhaustive list is intended to illustrate types of prohibited behaviors.

- a) Examples of sexual exploitation and abuse include, but are not limited to:
 - A Worker tells a member of the community that he/she can get them jobs related to the work site (e.g. cooking and cleaning) in exchange for sex.
 - A Worker that is connecting water supply to households says that he can connect women headed households to the water supply in exchange for sex.
 - A Worker rapes, or otherwise sexually assaults a member of the community.
 - A Worker denies a person access to the Site unless he/she performs a sexual favor.
 - A Worker tells a person applying for employment under the Project Contract that he/she will only hire him/her if he/she has sex with him/her.
- b) Examples of sexual harassment in a work context

- Worker comment on the appearance of another Worker (either positive or negative) and sexual desirability.
- When a Worker complains about comments made by another Worker on his/her appearance, the other Worker comment that he/she is “asking for it” because of how he/she dresses.
- Unwelcome touching of a Worker by another Worker.
- A Worker tells another Worker that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself.

Category 3 Complaints related to violations of policies, guidelines, and procedures

Category 4 Complaints related to breach of contract Complaints regarding misuse of funds/lack of transparency, or other financial

Category 5 Management problems

Category 6 Complaints related to abuse of power/intervention by the project or government

Category 7 Complaints regarding staff performance

Category 8 Force majeure report

Category 9 Complaints about Project intervention

Category 10 Others

Complaints Investigation Form

Notes: Consent from the complainant on disclosure of the grievance information (incl. to third parties) shall be received prior to conducting the investigation activities.

Grievance ID	Brief Description and Category of Grievance	Personnel/Department in Charge	Targeted timelines	Investigation Status
<i>[Fill in name/ID of grievance and the status (open or close) and date]</i>	Category: Related Activity: Location: Source:	<i>[Name and signature of person/department in charge of handling the grievance]</i>	Investigation date: Discussion with complainant date: Close out date:	<i>[Mark with open or close following the timeline dates]</i>
<p>Investigation</p> <p>Direct Cause of Grievance:</p> <p>Root Cause Analysis:</p>				
<p>Follow Up:</p> <p>Action Plan:</p> <p>Result at the Close Out Date: <i>[closed or remain open/requires additional investigation]</i></p>				
<p>Date and Signature of Involved Parties [after considered as Closed]</p> <p><i>[Complainant]</i> <i>[Investigation officer/team representative]</i> <i>[Project Coordinator/GRM Officer]</i></p>				