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## EXECUTIVE SUMMARY

### Background

The Government of Rwanda (GoR) acknowledged that the transport sector as a key driving force to improve productivity and stimulate social and economic growth, with the ambition of becoming an upper middle-income country by 2035 and a higher-income country by 2050. For this reason, the GoR assigns fundamental importance to the development of the economic infrastructure, particularly road transportation, which constitutes an economic development strategy for poverty reduction and stimulating social-economic growth by increasing internal production and facilitating access to domestic and international markets, as well as ensuring favorable conditions for the provision and distribution of imported products within the country. The GoR, in collaboration with the development partner, mainly the World Bank, is initiating the Kigali Logistic Platform Connectivity Development Project (KLPCConnect), including the subproject KLP /Bugesera Connector Roads project that contributes to expanding the logistics lines to/from Tanzania, Burundi, and Eastern DRC by linking the Ngoma-Nyanza Road to the KLP (Dubai Port World) at Masaka/Kigali via the district of Bugesera. The subproject KLP/Bugesera road will also link up the ongoing construction of Bugesera New International Airport and the planned Bugesera industrial park. Under this project (KLPCConnect) additional activities, including small scale roadside investments as well as trade logistics related activities under subcomponents 1.2, 2.1 and 2.2, respectively financed.

The proposed Kigali Logistic Platform Connectivity Development project (KLPCConnect) has four components, include below: **Component 1: Improving physical infrastructure to connect KLP to the Central Corridor, resiliently and safely.** The component will finance *sub-component 1.1*, the upgrading of the KLP/Bugesera connector roads for a total length of 69.45 km of District Roads and *sub-component 1.2*, the environmental and social risk management activities; **Component 2: Trade facilitation and logistics improvement;** *Sub-component 2.1: Socio-economic development opportunities along the corridor (paved road sections); Sub-component 2.2: Quality improvement of Rwanda's traded goods and services along the corridor; Sub-component 2.3: Institutional Support and Capacity Building for MINICOM, SMEs and traders;* **Component 3: Implementation support, project monitoring, capacity building;** *Subcomponent 3.1: Project management and incremental operating costs; Subcomponent 3.2: monitoring and evaluation; Subcomponent 3.3: Institutional support and Capacity building for RTDA and MININFRA;* and **Component 4: Contingency Emergency Response.** The details of project components are discussed in the section 1.4 below.

The implementation of upgrading of the KLP/Bugesera connector roads to be financed under KLPCConnect subcomponent 1.1 will involve four sections of the 69.45km road under two lots. These include lot 1 comprises three sections namely (i) road section of Masaka-Kabukuba (DR73) (16.88 km), (ii) road section of Kabukuba-Nyamata (DR73) (13.72 km), (iii) road section of Gahembe-Kindama (DR76) (19.21 km); and under lot 2 only on section of Riziyei-Kabukuba (DR74) (19.64 km). These two lots of the road sections traverses three districts called Kicukiro in Kigali City, Rwamagana and Bugesera in the Eastern Province.

Due to the nature, scale and type of subproject activities under components 1 and 2 of KLPCConnect, which are mainly focus on the implementation of KLP/Bugesera road, small scale basic infrastructure along the road and investment related to Trade facilitation and logistics improvements, as per the World Bank ESF, the overall project environmental and social risk rating assigned as “High”. This due to the pand risks emmanted from the implementation of these subprojects that adversely impact the nearby biophysical and social environment as well as the limited capacity of the implementing agencies, namely Rwanda Transport Developemnt Agency (RTDA) and Ministry of Trade and Industries (MINICOM), formerly the Ministry of Commerce in managing these environmental and social risks and impacts assoociated with kLPCConnect subproject activities. Thus, to comply



the national and WB ESF requirements as well as to manage anticipated environmental and social risks and impacts and due to the implementation the KLPCConnect subproject activities, currently RTDA has prepared an Environmental and Social Framework instruments such as ESMF, RP, ESIA, RF, SEP, GBV-Action plan, etc. In addition, this Labor Management Procedure (LMP) has also prepared as an integral part of these instruments.

The Labor Management Procedures (LMP) document is part of a manual for the environmental and social management of KLPCConnect. It is prepared following the requirements of the Labor, Occupational Health, and Safety, contracting of workers regulations of Rwanda and the Environmental and Social Framework of the World Bank, Standard 4: Community Health and Safety (ESS4), and the Environmental and Social Standard 2 (ESS2) in particular, as it ESS2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions.

The Labor Management Procedures (LMP) is developed to manage risks under the Kigali Logistic Platform Connectivity Development project (KLPCConnect) financed under the WB and to be implemented by the GoR through RTDA and MINICOM. The LMP sets out the Project approach to meeting national and international requirements as well as the objectives of the World Bank's Environmental and Social Framework, specific objectives of Environmental and Social Standard 2: Labor and Working Conditions (ESS2) and Standard 4: Community Health and Safety (ESS4). The LMP also stipulate the terms and conditions for the employment or engagement of workers on the project, specifies the requirements and standards to be met, follows the policies and procedures, assesses risks, and proposes the implementation of compliance measures, during the project implementation period. The purpose of the LMP is to facilitate planning and implementation of the project which defines the Labor Management procedures as required by the Environmental and Social Framework of the World Bank, and its Environmental and Social Standard 2 which scope includes: Labor and contracts; Management of workers, Occupational Health and Safety, Access of information and grievances mechanisms, etc. The LMP identify the main labor requirements and risks associated with the project and help the project implementer to determine the resources necessary to address project labor issues.

The LMP also identifies the types of workers who will be engaged in the project with tenures of respective groups to be recruited and involved. Direct, contracted (and sub-contracted, as appropriate), and Primary Supply Workers are the major types. The key highlight of this document is to categorically identify, assess, and prescribe on how to address the issues of Child and Forced Labor, Labor Influx, Gender-based Violence, Occupational Health and Safety, and Trafficking.

The project, in general, will dissuade the recruitment of children and practices of forced labor. It will primarily follow national legislation. Furthermore, it will arrange for awareness-raising activities added with periodic monitoring to ensure that the standards set in this procedure are respected. There is a high probability of labor influx from different parts of the country during the implementation of this project. the procedure specifically suggested the project's position in case of gender-based violence and trafficking. Hence, necessary mechanisms are in place with regular monitoring and reporting.

The LMP identified gaps between the World Bank's ESF standards and the present legislation of Rwanda. The LMP with due importance incorporated the issue of Occupation Health and Safety ensuring appropriate implementation of the ESS2. The issues related to the safety of project communities who are exposed to the project activities and other pertains to the exposure and/or increased risks of diseases by the community due to the influx of people during construction and operation phase.



Grievance mechanism (GM) that takes the form of an internal procedure for complaints, followed by consideration and management response and feedback will be established. The GM will provide a clear and transparent framework for addressing grievances related to the recruitment process and labor issues in the project. The GM will cater to all direct workers and contracted workers.

On contractor management in procuring services for the works Contractors to execute the road construction works, RTDA and MINICOM will seek to ascertain their capacity and commitment to adequately address and manage labor risks and impacts. And there will be no provision for community workers in the KLPCConnect project.

During the implementation of KLPCConnect project there will be primary supply workers i.e., Raw Material Suppliers, Equipment Suppliers, Fuel Suppliers, Labor Supply Agencies, Concrete Suppliers, Asphalt Suppliers, Water Supply, Utility Providers etc. The LMP identifies primary supply workers, their associated risks and mitigation measures.

Overall, this LMP document involves 12 sections. Which include Overview of labor use on the project; Assessment of key potential labor risks; Brief overview of labor legislation: Terms and conditions; Brief overview of labor legislation: Occupational health and safety; Responsible staff; Policies and procedures; Age of employment; Terms and conditions; Grievance redressal mechanism; Contractor management; Community workers; Primary supply workers.



## **1 INTRODUCTION**

### **1.1 Background**

The "Kigali Logistics Platform Connectivity Development Project (KLPCConnect)" is a collaborative effort between the government of Rwanda and the World Bank aimed at enhancing connectivity and facilitating the movement of goods and services. The primary goal of the project is to improve the flow of traded goods and services between the Kigali Logistics Platform located in Masaka/Kicukiro district and the Ngoma-Nyanza international corridor. By enhancing connectivity along this corridor, the project aims to boost trade and economic growth in the region.

The project has several objectives that contribute to its overarching goal. Firstly, it aims to upgrade and expand roads infrastructure to enhance their capacity and efficiency. This will be achieved by upgrading of the KLP/Bugesera Connector Roads. The upgrading of the KLP/Bugesera Connector Road is a critical step towards achieving Rwanda's Vision 2050 and the National Strategy for Transformation 2017-2024. The project aims to expand the logistics lines to/from Tanzania, Burundi, and the Democratic Republic of Congo (DRC) by linking the Ngoma-Nyanza Road corridor to the Kigali Logistics Platform (KLP) located at Masaka/Kigali, via the district of Bugesera. The KLP connector roads will increase the length of paved roads, promote socio-economic development, favor public transport, open doors to tourism, and facilitate import-export corridors, promoting large-scale agricultural development. The KLP/Bugesera Connector Road project will also deepen regional integration, increase private sector involvement, and reduce traffic congestion within Kigali. KLP/Bugesera Connector Roads, spanning about 69.45 km, will serve to further enhance the effectiveness of the link between the Ngoma - Bugesera - Nyanza Road and the Kigali Logistics Platform (KLP). This is because the connector roads will provide a direct and efficient route for traffic traveling between these two key transportation hubs, which in turn will improve the overall efficiency and speed of cargo and passenger transportation in the area.

The construction of the KLP/Bugesera Connector Road project is in line with Priority Area 1 of the Transport Sector Strategic Plan, which aims to improve the riding quality and level of service for the road network. The project will contribute upgrading of 69.45 km to the plan's target of upgrading some 440 km of unpaved national roads to paved standards. The project will also link up the planned Bugesera industrial park, which is located on the NR 5 between Ramiro and Kibugabuga towns, contributing to the development of Bugesera District's agricultural and tourism potential. Furthermore, the new Bugesera International Airport, located some 25 km south of Kigali, is expected to generate additional passenger and cargo traffic, making the Nyanza-Ngoma Road critical in facilitating access to the airport for travelers coming from south-western and south-eastern districts.

The beneficiaries of the "Kigali Logistics Platform Connectivity Development Project (KLPCConnect)" are manifold. Firstly, the project will benefit the local communities through upgrading of 69.45km connector roads as well as small scale investment along the road and trade facilitation and logistics improvement activities in Kicukiro, Rwamagana, and Bugesera districts by creating employment opportunities and promoting economic development in the region. Additionally, businesses and industries, both local and international, will benefit from improved regulations, connectivity, and increased efficiency in trade and logistics facilitation, leading to cost savings and enhanced trade opportunities. Moreover, the project will positively impact the national economy of Rwanda by boosting trade volumes, attracting investments, and promoting regional integration. Ultimately, the project's objectives align with Rwanda's broader socio-economic development goals, supporting poverty reduction, sustainable growth, and improved livelihoods for the population.



The project will be implemented within a period ranging between 5 to 6 years. This document provides a description, cost, and active participation in the project components and specific activities.

## **1.2 Objectives of the LMP**

The LMP sets out the terms and conditions for the employment or engagement of workers on the project, specifies the requirements and standards to be met, follows the policies and procedures, assesses risks, and proposes the implementation of compliance measures, during the project implementation period. The LMP is developed to help avoid, mitigate, and manage risks and impacts in relation to project workers and specify how project workers will be managed, in accordance with the requirements of national law and the WB ESS 1 and ESS2. The LMP address the way in which both standards will apply to different categories of project workers including direct workers, and how third parties will manage their workers compliant with this document. The LMP applies to all project workers whether full-time, part-time, temporary, seasonal, or migrant workers.

The objectives of the LMP are to:

- Promote safety and health at work.
- Promote fair treatment, non-discrimination, and equal opportunity for project workers.
- Protect project workers, including direct, contracted, community, and primary supply workers, and vulnerable workers such as women, persons with disabilities, and children.
- as per ESS2, para.1: Prevent the use of all forms of forced and child labor.
- Support the principles of freedom of association and collective bargaining in accordance with the national law.
- Provide project workers with accessible means to raise workplace concerns.
- Prevent the use of all forms of forced and child labor.

This LMP seeks to achieve the above objectives through clear and manageable plans and procedures, underpinned by explicit guiding principles. This LMP is applicable across the proposed KLPCConnect corridor of the entire workforce, which the type of workers are direct, indirectly, contracted(i.e. subcontractors), and Primary supply workers at all skill levels working on the electricity project development and implementation.

## **1.3 Scope and purpose**

The scope of the LMP shall be as outlined as per the national and WB policies and standards ESS2. The engagement will be planned as an integral part of the project's environmental and social assessment during project design and implementation.

This Labor Management Plan (LMP) has been prepared by the RTDA to comply with the minimum Government of Ethiopia and International Labor Standards, which include:

- (i) Freedom of association and collective bargaining;
- (ii) Non-discrimination and equality of opportunity;
- (iii) Freedom from child labor;
- (iv) Freedom from forced labor;



- (v) Retrenchment of which the core requirement of which is to have a retrenchment plan based on consultation and non-discrimination principle;
- (vi) Working relations which should include documentation and communication of conditions;
- (vii) Working conditions which should comply with collective bargains or, where these are not in place, national law minimums on matters such as pay, hours, etc.;
- (viii) Grievance mechanisms whereby an appropriate procedure must be in place for workers; and
- (ix) Human resource policy whereby the Contractor is expected to have a human resource policy in place.

RTDA and MINICOM as a main implementors of the proposed KLPCConnect will ensure that the management of all employees working on the KLPCConnect Project including those who are indirectly employed; Complies with Ethiopian law and meets the requirements of the ESS1 and ESS2; Optimizes the benefits associated with construction employment; and mitigates where possible any negative impacts that might occur as a result of construction employment or subsequent retrenchment.

## 1.4 Project Descriptions

### 1.4.1 Overview

The proposed Kigali Logistics Platform Connectivity Development Project (KLPCConnect) will provide a key physical link in the region's transport system and support the GoRs efforts to become a regional logistic hub. Specifically, the KLPCConnect proposes to expand the regions' logistics lines by linking the KLP located at Masaka/Kigali, with the Nyanza-Ngoma road (itself connected at Ngoma to the regional Central Corridor (Map1)). By doing so, the proposed project will (i) support safer and cost-effective transit of goods from the Port of Dar-es-Salaam to Rwanda, Burundi, and the Eastern DRC, (ii) significantly reduce truck congestion in Kigali, (iii) allow for better road connectivity between the KLP and the future Bugesera Airport 25km south of Kigali, (iv) connect the KLP to the commercial zone at Bugesera under development and link with the next coming railway. The proposed project would therefore leverage the road investment by improving the country's ability to service higher volumes of trade through the integration of multi-modal transportation systems. The proposed project will also support the creation of a local logistical corridor along the proposed road by linking planned industrial parks in the Bugesera, Kicukiro and Rwamagana districts and will help local communities benefit from new employment and livelihood opportunities.<sup>1</sup>

The development of road infrastructure in Rwanda is of fundamental importance to economic development for the reduction of poverty through stimulation of social and economic growth by increasing internal production and facilitation of access to domestic and international markets. The Rwanda Ministry of Infrastructure (MININFRA) through the Rwanda Transport Development Agency (RTDA) planned to overhaul the KLP/Bugesera connector street to National Road standard with black-top substantial surfacing. RTDA is now growing the connecting lines in the Eastern and Southern Provinces of Rwanda, specifically the association between the Kigali Logistics Platform (KLP) in Masaka/Kigali and the Ngoma–Nyanza Road (NR6) that interfaces the Central Corridor to the Republic of Burundi and the Democratic Republic of Congo (DRC).

The KLP is a logistics facility set to boost Rwanda's import and export trade and should therefore be linked to the Central Corridor using a reliable link. In addition, the Connector Road will contribute to the

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<sup>1</sup> The planned Bugesera industrial park, is located on the NR 5 between Ramiro and Kibugabuga towns, and is expected to contribute to the development of Bugesera District's agricultural and tourism potential



achievement of Rwanda's national and district development objectives once completed and connected to the Ngoma–Nyanza Road. The KLP, being a logistic facility set up to help Rwanda's import and export trading, ought to in this way be connected to the Central Corridor with a solid, convenient connection, and hence diminish transport costs between the KLP and the Central Corridor (NR6), including to boost in quantity of heavy trucks and other worldwide travel traffic that needs to go through Kigali City. Also, the Connector Road will add to the accomplishment of Rwanda's public and locale advancement destinations, once completed, and associated with the Ngoma–Nyanza Road.

#### **1.4.2 Project Objective**

The KLPCDP's subproject activities under component 1.1 will upgrade 69.45 km of the existing road corridor Masaka-Bugesera from gravel to asphalt concrete surfacing, support trade and logistics improvement, finance livelihood restoration activities along the roads for local communities and provide technical assistance to the implementing agencies to manage the project. In addition, small scale basic infrastructure subproject activities such as selling points, store houses, markets, health post, agriculture product collection centers, SME parks, laboratory testing, water treatment plant, etc. to be implemented along the main KLP/Bugesera road will be financed under component 1.2-Community driven basic infrastructure and components 2.1 and 2.2-Trade logistics and facilitation of Kigali Logistic Platform Connectivity Development Project (KLPCConnect).

#### **1.4.3 The Project Development Objective and Indicators**

##### **Project Development Objective**

The Kigali Logistic Platform Connectivity Development Project (KLPCConnect) Project Development Objective is to improve the connectivity and increase the flow of traded goods, services, and people between the Kigali Logistics Platform and the regional Central Corridor through the Ngoma to Nyanza highway in a safe and resilient manner.

##### **PDO Level Indicators**

The following indicators are selected to measure progress towards achieving the Project Development Objective (PDO).

##### **Improved connectivity between the KLP and the regional Central Corridor through Ngoma to Nyanza highway:**

- a. Reduced travel time from Masaka (KLP site) to Bugesera (number of hours).
- b. Enhanced access to basic socio-economic infrastructures (number of health centers, schools, markets accessible from the roads).
- c. People with access to reliable transport solutions all year-round (number, disaggregated by gender)

##### **Increased flow of traded goods and services between the KLP and the regional Central Corridor from Ngoma to Nyanza highway:**

- a. SME revenues along the corridor (disaggregated by gender).

##### **Improved safety and resilience of the movement of goods and people:**

- a. Reinforced critical embankments/raised along the road sections (number);



- b. Protected community facilities against erosion/storm water/flooding (number);
- c. Delivered consultation and communication strategy with citizens along the road (number, disaggregated by gender).

#### 1.4.4 Project components:

Component 1: Improving physical infrastructure to connect KLP to the Central Corridor, resiliently and safely (US\$108.50 million, comprising US\$91.49 million IDA and US\$17.01 million GoR funding). The component will finance the design, upgrading, and performance-based maintenance of the KLP/Bugesera connector roads and the associated environmental and social risk management activities.

Sub-component 1.1: Upgrading of the KLP/Bugesera connector roads (US\$94.50 million, comprising US\$77.49 million IDA and US\$17.01 million GoR funding). The upgrading of the KLP/Bugesera connector roads (69.45 km) will comprise: (i) design, upgrading, and five-year Output and Performance-Based maintenance of four road sections, namely, (a) Masaka-Kabukuba (16.88 km), (b) Kabukuba-Nyamata (13.72 km), (c) Gahembe-Kindama (19.21 km); and (d) Kabukuba – Riziyezi (19.64 km), with decreasing financing from IDA for maintenance based on a scale up effort from the country providing matching counterpart financing; and (ii) provision of the supervision and monitoring consultant services. When other linear infrastructure (fiber cables, waterlines, electricity, drainage canals, connector roads, etc.) is planned along these corridors and in the vicinity of the roads, they will be provided as part of road works contract, though provisionally funded. The upgrading of the roads includes approaches for green and resilient construction, including erosion prevention works, water drainage through adequate channels, reduction of water speed, and protection of road embankments.

Sub-component 1.2: Environmental and social risk management, and community-level infrastructure works (US\$14.00 million from IDA funds). This sub-component will finance (i) the compensation fees of the project-affected persons (PAPs) along the road sections and the planned road side infrastructures; (ii) community and stakeholders' engagement including grievance redress committees and electronic grievance redress mechanism (e-GRM); (iii) roadside investments and capacity building for livelihood restoration of communities living along the roads; (iv) comprehensive road safety measures (campaigns and trainings for school children and road users, surveys, personal protection equipment) to reduce fatalities and injuries, as initiated under the LVTP and FRDP road projects; and (v) environmental protection activities, including roadside plantations and management of 7,000 trees adoptable to the area within 10m distance along the 69.45 km, and buffer zone establishment and management for Akagera, Cyohoha, Kidogo and Rugende marsh lands, which are nearest to the road..

Component 2: Trade facilitation and logistics improvement (US\$26.51 million, financed by IDA). Activities under this component will be carried out by the Ministry of Trade and Industries (MINICOM), formerly the Ministry of Commerce.

Sub-component 2.1: Socio-economic development opportunities along the corridor (paved road sections) (US\$17.31 million from IDA funds). The sub-component will finance activities to help residents of the local communities of the three districts along the road - Bugesera, Kicukiro and Rwamagana - and SMEs operating in the project area to economically benefit from the new paved corridor. A community-driven demand analysis will support financing of five types of activities: (i) consultant services to prioritize, select, design and supervise construction/upgrading of the socio-economic infrastructure (US\$1.50 million), (ii) development of basic infrastructure and facilities of at least one SME/Industrial Park that will be selected (US\$9.81 million) among



those in the vicinity of the project area based on potential impacts, (iii) upgrading/constructing of two roadside markets, selected based on technical studies and local consultations (US\$4 million), (iv) upgrading/constructing of four selling points in the selected villages/sectors along the roads (Musenyi, Mareba, Nyamata, Rilima, etc.) to be confirmed after technical studies and local consultations (US\$1 million), and (v) an SME-oriented warehouse and E-commerce hub (with precise design to be discussed with logistics providers and potential beneficiaries) (US\$1 million).

The project expects to provide Private Capital Enabling (PCE) with the infrastructure to be built under Sub-Component 2.1. Once the SME/Industrial Park, roadside market selling points, and the warehouse and E-commerce hub are built or upgraded, it is expected that SMEs will make initial investments of around US\$20.4 million to take advantage of this new infrastructure.

Sub-component 2.2: Quality improvement of Rwanda's traded goods and services along the corridor (US\$5.20 million from IDA funds). The sub-component will support strengthening aspects of country's National Quality Infrastructure (NQI) expected grow along the corridor, including cold chains, trucking, and warehousing. The sub-component will provide equipment, software and training services aimed at strengthening Rwanda Standard Board (RSB)'s quality testing and certification services. Upgraded national testing, calibration, and verification laboratories will ensure safety of goods in warehouses/transit and provide accreditation services for (i) warehouses, cold rooms, deep freezers, and truck coolers, and (ii) warehouse and axle load control weighbridges, and (iii) platform weighing scales in warehouses (US\$3 million). The sub-component will also help SMEs meet international quality standards by supporting RSB's outreach services, mobile laboratories, and testing kits at border posts, airports, and logistics platforms (US\$2.20 million).

Sub-component 2.3: Institutional Support and Capacity Building for MINICOM, SMEs and traders (US\$4 million from IDA funds). Rwanda's aspirations to be a regional trade center and EAC logistics hub requires MINICOM to upgrade its capacity to lead strategy development, provide system oversight and carry out project management, particularly in the areas of private sector partnerships and public agency coordination. As a first step, the sub-component will support MINICOM's in updating the 2012-2022 Logistics and Distribution Strategy. Secondly, the project will support capacity building of MINICOM staff to (i) develop, solicit, negotiate, and manage public-private partnerships for the sector, (ii) carry out risk-based system oversight and calibration to maintain performance standards, and (iii) to provide real time regulatory, logistical, and process-oriented information and capacity building for traders and SMEs. Finally, the component will support MINICOM's improved project management capacity through systems and training covering project management, procurement, financial management and safeguards along with capacity building for relevant thematic areas.

Component 3: Implementation support, project monitoring, and capacity building of RTDA (US\$6 million, financed by IDA). The component will finance the following subcomponents to support implementation of the project:

Subcomponent 3.1: Project management and incremental operating costs (US\$3 million). This subcomponent will finance project management and salaries of competitively recruited experts fully dedicated to the project, as well as travel expenses and other operating costs of the Single Project Implementation Unit (SPIU) at RTDA.

Subcomponent 3.2: Monitoring and evaluation (US\$1 million). This subcomponent will finance the monitoring and evaluation costs of project implementation. The subcomponent will undertake an assessment early in the project life, to identify, clarify, and quantify specific activities subject to private capital investment. It will also undertake as early as possible a SME baseline survey, to avail baseline data for the project implementation and results measurement. The baseline survey will provide SME investment information, SME access to finance



status, and the potential provision of new services (including logistics providers). The studies will provide priority actions to attract private sector in the project zone.

Subcomponent 3.3: Institutional support and capacity building to RTDA and MININFRA (US\$2.50 million). This subcomponent will finance: (i) capacity building of staff from the SPIU RTDA and intern engineers newly trained from the country's engineering schools (of which half being women), staff of MININFRA involved in the project implementation, to enhance and broaden their skills in technical, safeguards, procurement, financial management and project management matters as appropriate; (ii) studies for future development of operations, (iii) an exploration for a center for excellence in testing material for RTDA (feasibility studies and construction), and (iv) an assessment of barriers for women entrepreneurship to develop activities to boost the revenue potential of women-owned or operated businesses.

Component 4: Contingent Emergency Response (US\$0 million). This zero-dollar component will allow for swift reallocation of credit proceeds from the other components to provide immediate emergency recovery support following an eligible crisis or emergency. This CERC will be developed to be triggered only for emergencies and/or disasters that affect an eligible crisis or emergency, to provide immediate and effective response.

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#### **1.4.5 Project Location**

The proposed KLPCconnect project covers three districts, namely Kicukiro, Rwamagana, and Bugesera, which over 80% of the project lying in Bugesera district (Table 2). The description of the physical characteristics will therefore mostly depict that of Bugesera district, which covers a land area of 1337 km<sup>2</sup> and is in the Eastern Province of Rwanda along with six other districts (Figure 2). The overall project area lies between 30° 05' Eastern longitude and 2° 09' Southern Latitude and is bordered by Rwamagana district (Eastern Province) to its North-East, Nyarugenge and Kicukiro Districts (Kigali City) to its North, Kamonyi District (Southern Province) to its North-West, Ngoma District (Eastern Province) to its East, Ruhango and Nyanza Districts (Southern Province) to its West, and finally the Republic of Burundi to its South. The details of administrative locations of the proposed project areas are depicted in the below Table 2.



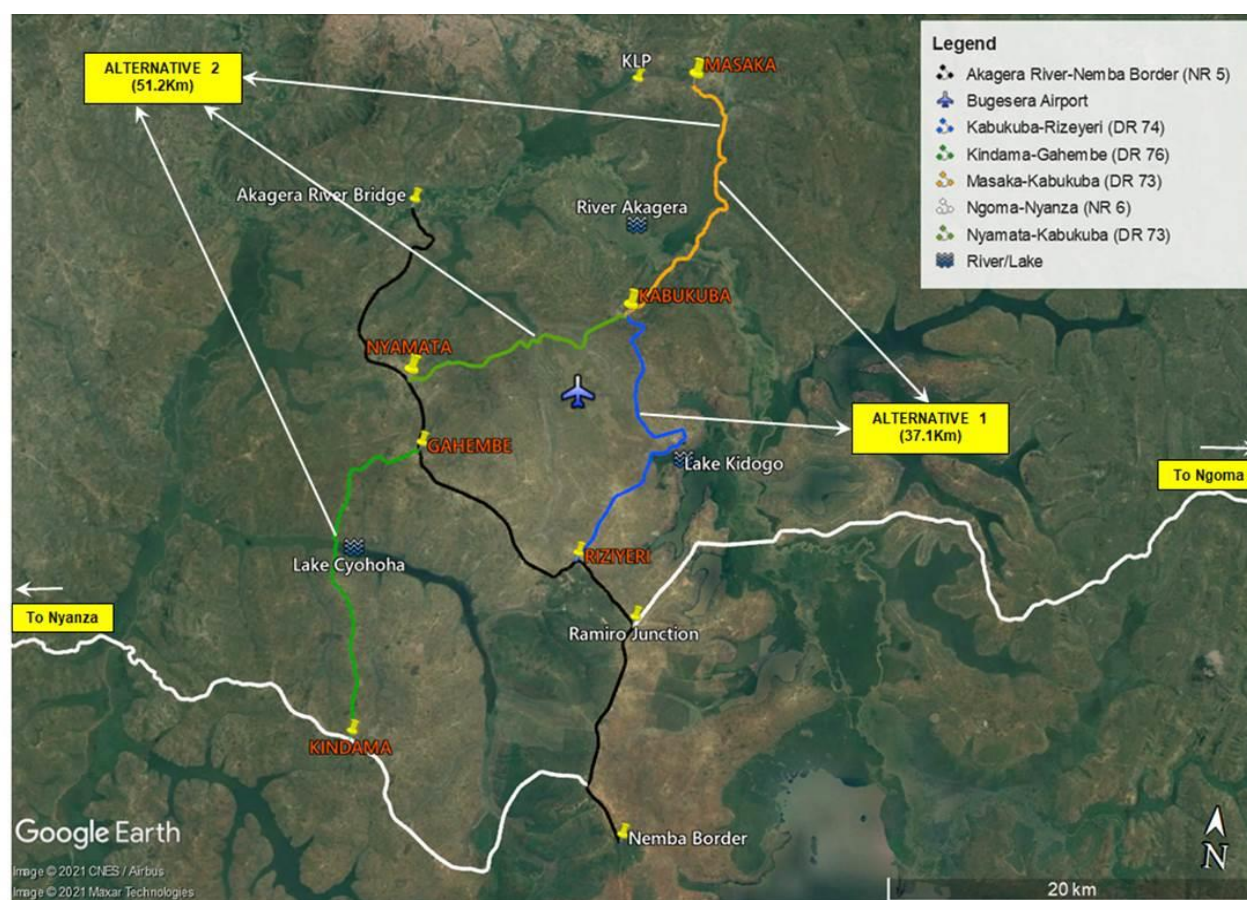
Figure 1: Project Location Road Sections with proposed Road Sections<sup>2</sup>

Table 1: Administrative locations of project areas

Province	District	Sector	Cell
East	Bugesera	Juru	Kabukuba
			Rwinume
		Mayange	Kibirizi
			Mbyo
		Rilima	Kabeza
			Kimaranzara
			Ntarama
Kigali	Kicukiro	Masaka	Nyabagendwa
			Cyimo
East	Rwamagana	Nyakaliro	Gako
			Gatare
			Gishore
			Munini

<sup>2</sup> 69.4 km of total KLP/Bugesera road length, with Road section 1: Masaka-Kabukuba (DR73) road, Kabukuba-Nyamata road (DR73) and Gahembe-Kindama road (DR76); approximately 49.81km in length; Road section 2: Kabukuba- Riziye (DR74); measuring approximately 19.64Km.



Province	District	Sector	Cell
	Bugesera	Juru	Kabukuba
		Mareba	Bushenyi
			Rugarama
		Musenyi	Nyagihunika
		Nyamata	Kanazi
			Maranyundo
			Murama
			Nyamata y' Umujyi
		Rilima	Karera
		Ruhuha	Gikundamvura
			Kindama

### 1.5 Labor Management Requirement

The KLPCConnect project shall be implemented under the World Bank Environmental and Social Framework (ESF). The reviews undertaken by the World Bank at the appraisal stage classified KLPCConnect's environmental and social risks as High. Accordingly, RTDA and MINICOM, as a project main implementer has progressively prepared the requisite safeguards instruments to ensure that the environmental and social risks and impacts are adequately managed in the project.

In response to establishing appropriate safeguards for labor and working conditions, RTDA has prepared the Labor Management Procedures (LMP) in compliance with requirements for investment projects financed by the World Bank. The LMP sets out the approach to meeting national and international requirements on labor and working conditions, and Occupational Health and Safety, specifically in World Bank-supported investment financing. The LMP identifies the main labor requirements in the project and enables the implementing agency to determine the required resources to address labor issues. The LMP further details the type of workers likely to be employed by the project, the associated risks, and the management of related issues thereof. The LMP is presented as a living document that can be reviewed and updated as needed to meet the requirements of the project, as project conditions evolve.

## 2 OVERVIEW OF LABOR USE IN THE PROJECT

Project workers have been categorized into four groups in accordance with the World Bank standards, namely: direct workers; community workers; contracted workers, and primary supply workers. Direct workers, contracted workers, and primary supply workers are relevant groups for this project. Community members may be employed by Contractors and Sub-Contractors, but then they will fall under the category of contracted workers. Community workers are not applicable in the project context. The detail discussed under section 2.2 below.

### 2.1 Number of Project Workers

**Direct Workers:** Total number of workers, the employees of RTDA who are dedicated to the KLPCConnect project as of June 2023 stands at almost 20. In addition, the implementation of the project will involve directly hired technical expertise by the project, as well as some government staff at Ministry of Infrastructure



(MININFRA) and Ministry of Commerce (MINICOM). The number of direct workers fluctuates depending on the project's needs at any given time.

**Contracted Workers:** The cumulative number of project workers who will be contracted for the four road sections, under two lots are not known as of now. However, the expected type of workers shall be comprising professionals, skilled, semi-skilled, and unskilled workers to monitor and execute major civil works.

The KLP/Bugesera connector road subproject financed under component 1.1 of KLPCConnect consists of site construction team mainly skilled staffs, supervisors, and unskilled labor, that should be recruited locally up to 80%. In general, the KLPCConnect might require about 500 and 600 people, and large number of workers involve in the construction activities of the upgrading of 69.45 km KLP/ Bugesera Connector Road which accounted to about 400 to 480 local workers, and this ultimately contribute an employment opportunity to the local community members.

Furthermore, the construction of the KLPCConnect has not commenced, and while the construction of the Kigali Logistic Platform Connectivity Development project has become underway, and the actual number of workers engaged from commencement until the expected completion date shall be updated during project implementation. All direct project workers are required continuously throughout the project life while experts from relevant ministries and agencies will be involved intermittently as required. In addition, the duration of engagement of consultants/contractors varies with the task and implementing areas to be covered

**Primary suppliers:** The precise number of primary suppliers who will be engaged in the KLPCConnect is not known as of now. This will become known when the implementation of the Kigali Logistic Platform Connectivity Development Project is underway. However, during the implementation of the proposed KLPCConnect there will be primary supply workers, which may serve to supply materials to the project implementation, as required. These include Raw Material Suppliers, Equipment Suppliers, Fuel Suppliers, Labor Supply Agencies, Concrete Suppliers, Asphalt Suppliers, Water Supply, Utility Providers, etc. which this list further qualified during implementation period of the KLPCConnect.

## **2.2 Characteristics of Workers**

### **2.2.1 Direct Worker**

According to ESS 2 a “direct worker” are civil servants employed within the implementing agencies, Rwanda Transport Development Agency (RTDA) and Ministry of Commerce (MINICOM) as well as those who have been engaged by RTDA and MINICOM to specifically support KLPCConnect implementation, and may not necessarily be civil servants, but may be project-specific staff and short-term consultants hired to work on contractual basis as part of technical assistance to the project. Terms and conditions of these consultancies will be guided by the national labor laws, without conflicting with the World Bank procurement guidelines for consultants. The consultants will be engaged by the Project to undertake assignments as necessary, and these consultancies will be as per the specific contractual agreements between the Consultants and project implementing agencies (MINICOM and ).

A Single Project Implementation Units (SPIUs) has been established within RTDA and MINICOM to support the implementation of donor-financed projects, including the KLPCConnect. The SPIUs are led by a Coordinator and includes a team of specialized staff responsible for project management/implementation. Staff roles include financial management, procurement, environmental safeguards, social safeguards, monitoring and evaluation, engineering, contract management, and so on. The existing RTDA - SPIU under the unit of compliance and safeguards department has recruited environmental, and social safeguards officers and specialists, community development officers, and safety officers contracted to follow up daily with an



objective of harmonizing the processing of project activities, inclusive monitoring of the project implementation and also to harmonize the job description and staff responsibilities.

Furthermore, professional training/capacity-building experts might be contracted to conduct training needs assessments and administer training programs to strengthen the capacity of staff under SPIUs of RTDA and MINICOM in their different roles.

### **2.2.2 Contracted workers**

Contracted workers are those hired or engaged through third parties to perform work related to the core activities of the project, irrespective of their workstations. Contracted workers are the Monitoring and Supervision Consultant and the civil works Contractor. Based on the specific requirements, RTDA and MINICOM will hire contractors and Monitoring and Supervision Consultants, who will then employ workers based on their level of skills and project needs. If agreed with RTDA and MINICOM, sub-contractors may be engaged, and they will be considered as contracted workers. Sub-contractors may supply laborers as per the agreed terms and conditions. Contracted workers can either be full-time, part-time, temporary, seasonal, or migrant workers, who provide labor to the project.

Given the nature of construction activities, it is likely that the required construction workforce will be largely semi-skilled or low-skilled and predominantly male. However, a considerable number of positions will be filled by female workers within the construction domain as well as within other project components that do not entail actual construction work. The majority of labor will be sourced locally from the Rwandan job market with the exception of a few specialized positions that might be filled by expatriate workers. Priority in recruitment will be given to local communities where the project is under implementation, especially for persons affected by the project to support them towards restoring their affected livelihood.

### **2.2.3 Primary Supply Workers**

A primary supply worker is one employed or engaged by a primary supplier, providing goods and materials to the project, and over whom a primary supplier exercises control for their work, working conditions, and treatment.

Overall, all, under all characteristics of project workers, the MINICOM and RTDA shall monitor labor recruitment to ensure that no children are recruited and supplied as workers and that there are no workers subjected to 'forced labor' in any form. RTDA and MINICOM, as a main KLPCConnect implementers, will be responsible for ensuring that these standards are strictly followed. If any deviation is identified, RTDA and MINICOM will take action as prescribed in the contract/ agreement following the LMP.

## **2.3 Timing of labor requirements**

**Direct workers:** Direct workers are eligible to work either on a permanent basis by virtue of employment terms dictated for civil servants, for a fixed contract period as agreed with RTDA and MINICOM, or on a renewal contract based on satisfactory delivery of services. Consultants will be engaged for specified periods as agreed with the World Bank. The labor requirements including the contract implementation schedule and deliverables will be stipulated in the respective workers' contracts and direct workers will be on the project throughout preparation, construction, operation and maintenance phases, they will be required continuously throughout the project cycle.

**Contracted workers:** Contracted workers are eligible to work for a contract duration determined by RTDA and MINICOM, and as stated during recruitment by the Contractor, MSC, or Sub-Contractors. Their contracts will be renewed during the project duration, if required, based on satisfactory performance. It is expected that



during construction phase, several activities such as construction, upgrading and rehabilitation road, small scale investment along the road, trade facilitation and logistics related activities, etc. for about five years. All semiskilled, skilled, and unskilled labor during the construction, upgrading and rehabilitation activities will be recruited from local communities based on the availability of manpower. All direct project workers are required continuously throughout the project life while experts from relevant ministries and agencies will be involved intermittently as required. In addition, the duration of engagement of consultants/contractors varies with the task and implementing areas to be covered e.g.

**Primary supply workers:** The tenure of service of primary supply workers will be based on procurement agreements with the works Contractors.

### 3 ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The environmental risk rating of the project is considered as “High”. This rating is due to the proposed KLPCConnect project involves upgrading of 69.45km existing gravel road to an asphalt road, small scale basic infrastructure investment and other activities related to trade facilitation and logistics improvements, which among others agricultural production collective centers, SME Parks Markets, selling points, Rehabilitation of Cell administrative office, water points, etc. and these activities generates adverse impacts during project construction and operation phases as well as the limited environmental, and social safeguards and health and safety risk management implementation capacity of the project implementing Agencies (RTDA and MINICOM). The Environmental and Social Framework instruments (ESIA, ESMF, RF, RP, SEP, GBV-Action Plan, etc. which have been prepared highlighting the project monitoring and supervision activities involved in monitoring of issues related to occupational health and safety concerns; temporary project-induced labor influx; GBV particularly, SEA/SH against women, accidents children labor, worker’s organization and absence of grievance redress mechanisms etc. labor, worker’s organization and absence of grievance redress mechanisms etc.

Further, the project ESIA, ESMF, RF and RP help to identify, assess, and address potential environmental and social impacts, ensuring that the project aligns with legal requirements, community expectations, and environmental conservation among others, including transmission of HIV/AIDS and sexually transmitted diseases, worksite health and safety, and dedicates specific attention to laborers’ camps, migrant workers, protection of minors and vulnerable, gender equality, prevention of sexual harassment, labor rights, child labor, and employment of community members. The ESIA and ESMF also mentions accidents and liability for loss of life and injury, among the potential social impacts of the project. Factoring the considerable scope of work, significant labor risks are envisaged. The potential labor risks identified in the project are project-induced labor influx, occupational health and safety risks, child labor, gender-based violence, particularly, SEA and SH, and the spread of communicable diseases, namely STDs.

**Child and forced Labor:** In view of the national legal framework and the project implementation arrangements, it is deemed that the risk of child labor is low in the project. Nonetheless, this risk will be mitigated through verification of laborers’ age using legally recognized methods. Presentation of personal identification documentation that is recognized by law such as the national identification card, passport, or alternatively a birth certificate will be a mandatory requirement worker to be considered for employment in the project. Further, awareness-raising sessions shall be conducted regularly in the local communities to sensitize them to the project’s zero tolerance for child labor.



**Project-Induced Labor Influx:** Given that a considerable number of job opportunities will be created during project implementation, it is expected that the project area will experience an influx of workers from other areas beyond the project corridor. The project will endeavor to hire 80% of its labor force locally as well as will prioritize the recruitment of direct workers, and contracted workers, from the local labor force, with the exception of highly specialized positions that cannot be filled locally. Expatriate workers who will be smaller in numbers, will be accommodated at the campsite established by the works Contractor, as is generally the practice in projects of similar scope.

Out-of-area workers who essentially are Rwandese, will either be accommodated at the laborer's campsite or at existing housing within the host community, depending on arrangements made with either the Contractor or the MSC. Specific measures to manage risks associated with labor influx, such as the spread of transmissible diseases, and gender-based violence, will be managed through contractual requirements, code of conduct, training, and awareness campaigns targeting project workers and local communities.

**Gender-Based Violence, particularly VAC, SEA and SH:** GBV risks can exist in project areas especially where there is an influx of migrant workers, and the workers have considerable disposable income relative to the local community standards. These risks can intensify where workers live within the host community, more so in rural areas. The workers could use their financial advantage to engage in exploitative transactional relationships, sexual harassment, violence or to lure underage children for sex. Workers who are away from home undertaking construction work live separately from their families and are prone to act outside their normal sphere of social control. This may result in inappropriate and criminal behavior, such as sexual exploitation and abuse, and sexual harassment, Violence Against Children and more so of women and girls.

To manage GBV risks and impacts in the Project, the Contractors will be required to prepare and implement a GBV prevention and response plan, and in relation to this, there shall be a project level established system to manage GBV risks, which all workers will be required to adhere to a code of conduct and trainings and awareness campaigns targeted at most risk groups and prevention efforts will be concerted among stakeholders.

**Occupational Health and Safety:** RTDA has existing requirements for contractor's training on health and safety, which contractor will also provide records of training on a monthly basis and this will be monitored to ensure compliance. Construction materials, equipment, furniture, and consumables suppliers are exposed to a number of occupational health and safety risks. Risks on primary suppliers include:

- Risks during extraction or production of materials (each supplier has specific risks associated with its industry)
- Risk during loading and unloading of materials
- Risk during hauling or transport of construction materials including traffic, weather and security risks
- Risk of handling and transporting hazardous materials and products (including petroleum products and medicine)
- Risks during operation of lifting equipment
- Ergonomic and manual handling risks

**Transmission of Sexually Transmitted Diseases:** Civil works sites are generally recognized as prime centers for the transmission of STDs such as HIV/AIDS. The risk of STD spread in such sites are increased by the presence of mobile laborers and migrant workers who typically do not report to the working sites with their



intimate partners. These workers are predisposed to engage in risky sexual behavior involving multiple partners within the workforce and also from the local communities.

In order to counter the risk of HIV/AIDS transmission in the Project, the Contractors will engage parties specialized in voluntary counseling and testing for HIV/AIDS and HIV/AIDS awareness raising. The service providers will develop an HIV/AIDS awareness-raising and prevention strategy that shall spell out sensitization and awareness-creation strategies for at most risk groups. The Contractor will be responsible for conducting regular HIV/AIDS awareness training and sensitizations with project-affected local communities and with all project workers, including workers engaged/employed through sub-contractors and primary suppliers.

**Communicable diseases:** some diseases like Diarrhea, Cholera, etc. can be easily transmitted during work implementation. The contractor will provide mobile latrines for all stations where works are ongoing and provide sanitation measures to avoid the transmission of communicable diseases and hygiene will be ensured and sensitized during awareness campaigns to all works for its effectiveness.

**In adequate availability and use of Personal protective equipment:** The nature and scale of the proposed KLPCD project will involve accidents and incidents to workers who are actively engaged in various types of project construction and upgrading activities. To avoid and or minimize, the contractor will provide personal protective equipment to all workers who are exposed to risks and hazards to ensure that they are protected and avoid injuries, incidents and accidents of workers. Such personal protective equipment includes but are not limited to include Safety jackets, gloves, facemasks, safety shoes, ear protectors, and helmets, etc.

**Trafficking:** this refers to the illegal and exploitative practice of recruiting, transporting, harboring, or receiving people through force, coercion, or deception for the purpose of forced labor or slavery-like conditions. It is a severe violation of human rights and is recognized as a form of modern-day slavery. RTDA and MINICOM in their responsibilities will combat trafficking in labor and promote fair labor practices through monitoring contractors' recruitment process to ensure workers' rights and prevent exploitative practices.

**Dispute over terms of labor risks:** There is possibility of disagreement between workers and contractors over employment conditions such as wages, working hours, extra time remuneration etc.

**Risks of inadequacy in terms and conditions of employment:** risks of exclusions or omissions of basic rights of workers related benefits, work hours, wages, compensations, etc... in employment contracts in violation of national labor law provisions; engaging workers without a valid contract agreement in place; un-clarity in the language of the contract; lack of awareness and understanding on the terms and conditions (rights and obligations); lack of awareness on the relevant labor laws and procedures;

**Risks of discrimination and exclusion of vulnerable/disadvantaged groups:** workers may face this risk during hiring and recruitment of employees and while at work. There might be discrimination of workers based on their identity, physical ability or disability, political affiliation, HIV/AIDS, religion, and gender; discrimination can also happen in relation to provision of compensations, benefits and other opportunities such as access to training, job assignment, promotions; application of disciplinary measures and penalties; termination of employment or retirement, working conditions and terms of employment; discriminations may arise due to favoritism, nepotism and corruption



**Table 2: List of activities that will be anticipated under KLP project and who will be responsible**

No	Activities	Responsible workers
1	Road construction works (civil works, environmental and social works)	Contracted workers and primary supply workers (Contractor and subcontractors)
2	Community Development facilities	Contracted workers (Consultants)
3	Project management and monitoring	Direct workers (RTDA & MINICOM)
4	Upgrading SMEs Park (Civil works, environmental and social activities)	Direct workers (MINICOM)
5	Socio-economic activities (markets, selling points, E-hub)	Direct workers (MINICOM)

#### 4 OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

The legislation of the Republic of Rwanda on labor is based on the Constitution of the Republic of Rwanda of 2003 and consists of the Labor Law n° 66/2018 of 30/08/2018 regulating labor in Rwanda and the National Employment Policy (Revised 2019).

The Constitution of the Republic of Rwanda guarantees fundamental human rights relating to labor conditions and occupational health and safety:

- All Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.
- Freedom of association is guaranteed and shall not require prior authorization. Such freedom shall be exercised under conditions determined by law.
- Every person has the right to free choice of employment. Persons with the same competence and ability have a right to equal pay for equal work without discrimination.
- The right to form and join trade unions for the defense and the promotion of legitimate professional interests, is recognized. Any worker may defend his or her rights through trade union action under conditions determined by law.
- The right to strike. Strikes are permitted and shall be exercised within the limits provided for by the law, but the exercising of this right should not interfere with the freedom to work which is guaranteed for every individual.

Labor Law n° 66/2018 of 30/08/2018 is the fundamental legislative act aimed to regulate all labor matters arising in the Republic of Rwanda. This law governs employment relationships and other relations and is focused on protecting the rights and freedom of parties in employment relationships. This law establishes the minimum guarantees of the rights and freedoms at work.



The National Employment Policy (Revised 2019) contains provisions for creating conducive work environments that promote compliance with the fundamental principles that cover working conditions, promotion of safety and health at work, fair treatment and non-discrimination, prevention of forced labor and child labor, and protection of vulnerable workers.

Ministerial Order n° 02/MIFOTRA/23 of 01/08/2023 on occupational health and safety, organizations employees' organisations and employers' organisations, child employment, employment of a foreigner and leave.

**Minimum Employment Age:** The minimum age at which a child can be admitted to employment is sixteen (16) years however, a child aged between thirteen (13) and fifteen (15) years is allowed to perform only light works in the context of apprenticeship. Where the child has reached the age of fourteen, to respect the provisions of this law, he/she may be hired with special authorization from someone who has parental authority over him/her and under the guidelines of the Minister having labor in his/her attributions.

**Minimum Wage:** The minimum wage as well as payment conditions for work, must be displayed in the employers' offices and at the premises where employees get paid. Where remuneration is made in whole or part of commissions, allowances, or various benefits or representative allowances of these benefits, as long as the latter are not refundable fees, the monthly average of these factors are taken into account in calculating payment for the period of paid leave, notice allowance and damages. However, this computation is done over a period of twelve months preceding the cancellation of the employment contract.

**Salary Payment:** Salary is paid directly to the worker, except when the latter accepts another procedure. Salary is exclusively paid in the currency having legal tender. The law forbids the payment of the whole or part of the salary in kind. When the work contract expires, the salary and all related allowances have to be paid as soon as the work ends. Payment of the salary must be proved by a document established by the employer and signed by every employee concerned or where the latter is illiterate, bearing his/her fingerprint, or signed for by two witnesses. These documents are to be kept by the employer and be immediately presented at every labor Inspector's request. No salary can be seized by the employer. The employer is forbidden to inflict fines. The only penalty based on the employer's disciplinary power that might cause deprivation of salary is suspension, but the worker eventually receives his/her salary for the time he had worked.

**Hours of Work:** The normal working hours are 45 hours per week. Working hours comprise hours worked during the day or night. Official holidays or weekends are considered the same as ordinary hours of work and have the same remuneration cost. Break hours are considered to be part of normal working hours. An employer after consultation with staff representatives must draw a timetable complying with the 45 working hours, including hours at which the working period commences and ends.

**Overtime Work:** Workers may be required to work overtime on mutual consensus. Overtime is calculated as hours exceeding the weekly legal working hours (45 hours) or contractual working hours (if agreed as less than 45 hours per week). Overtime hours are registered in a recognized book by the employer indicating the quantity of overtime worked, the day on which overtime occurred, and the start and end time for overtime hours. If a worker works beyond the stipulated working hours, i.e., 45 hours a week, he/she is entitled to a rest period equal to the hours worked as overtime. Overtime pay is calculated on the basis of basic salary, excluding allowances and other benefits. The modalities for extra hours and the rate of remuneration for overtime are determined under a collective labor convention.

**Lost Productive Hours:** In case working hours are reduced due to an accident, for example, the lost hours are recovered without a reduction in salary. Lost hours are not recovered if such an incident occurred while the



employees were at work and the employer did not authorize them to go back home. Lost hours are recovered by extending the normal working hours within a period of thirty (30) days.

**Night Work:** Work done between seven o'clock in the evening and five o'clock in the morning is considered night work. In Article 61 it is forbidden to employ on night work children under 16 years of age. A decree of the Minister having labor in his/her mandate determines the conditions and employment categories in which pregnant women or women with breastfeeding babies cannot be employed during the night.

**Pregnant and Breastfeeding women:** A pregnant or breastfeeding woman cannot be forced to continue to carry out tasks requiring excessive force or that are dangerous or inconvenient for their condition and health. For delivery purposes, a salaried woman has the right to suspend her work for twelve consecutive weeks, of which two are obligatory before the presumed date of delivery and six weeks obligatory after delivery. The employer should not give notice of termination, which is included in her maternity leave.

During a fifteen-month period starting from the birth of her child, every salaried woman is entitled to two rest periods of half an hour per day, to allow her to breastfeed. In case she is absent from work and stays away for a longer period following an illness certified by a doctor as resulting from pregnancy or delivery and which causes her to be unable to resume work, her employer cannot terminate their contract before the expiry of a six-month period. A salaried woman is entitled, during the suspension of her contract, at the employer's expense, until the setting up of a social security regime, to two-thirds of her usual salary. She continues to benefit from all allowances in kind and from all other advantages related to her contract of employment.

**Maternity leave:** Female workers will get paid maternity leave. An expectant mother would be entitled to 14 weeks of maternity leave and other benefits that are within the referenced labor law and new ministerial order of 01/08/2023.

**Leaves and Holidays:** Every worker is entitled to paid leave at the employer's expense, on the basis of one and a half working days per month of effective continued service. Official holidays are not considered part of the annual paid leave. In positions where work is not regularly distributed all over the year, the service continuity condition is considered as satisfied whenever the employee has affected on average twenty-one days' work per month. A less than sixteen years old employee is entitled to two working days' leave per month of continued work. Any employee who has completed a one-year effective service duration has the right to an annual leave. In the event of contract breach or expiry before the employee has been entitled to his/her leave, a compensation indemnity to be calculated on the basis of rights due is granted in lieu of leave.

**Rest Breaks:** Weekly rest is at least for twenty-four (24) consecutive hours per week and in principle takes place on Sundays. Weekly rest must whenever possible, be granted at the same time to all the staff in every organization.

**Probation:** The probation/trial period may not exceed 6 months and the initial probation period and its renewal must be recorded in writing. probation employment contracts may be terminated without notice and without any or both parties being the right to claim compensation allowances unless stated otherwise in conventional provisions.

**Contracts:** The existence of a contract of employment is ascertained, in a form that is convenient to both contracting parties. All means available may be invoked in its proving. A contract of employment for a determined period exceeding ninety (90) successive working days, or for a well-defined work, must be ascertained in writing before the employee starts working. In the case of a protest between the employee and the employer, due to absence of written contract, the burden of proof lies with the employer. In any case, any foreign employees' contract of employment must be ascertained in writing.



Suspension of a contract exempts parties from their reciprocal obligations of working and paying the salary and allowances. However, in the case of an industrial accident, the employee gets an allowance equal to his monthly salary during a period of six (6) months or until he starts being paid by the social security fund before 6 months.

In the case of termination before its term, the employer must inform the jurisdiction's Government Labor Inspector within fifteen (15) days of the termination. The contract for a non-determined duration can always be terminated by the will of either of the parties but for justifiable reasons. This termination is subject to a prior notice given by the party taking initiative of termination.

Notice of termination must be in writing to the interested party. In the case of breach of contract at the employer's initiative, the dismissal's grounds are mentioned in the letter of notice. During the notice period, parties must respect all the reciprocal obligations that are incumbent upon them from the contract of employment. Notice is not required in the case of mutual agreement between parties.

Dismissal of an employee bound by a contract for a non-determined duration should be based on legitimate grounds and after the employee has had the opportunity to defend himself/herself against allegations leveled against him/her. In the case of protest before the authorized administrative or legal instances, proof for the existence of such legitimate grounds is incumbent upon the employer.

Any termination of the contract for a non-determined duration, without observing the notice period, compels the responsible party to pay the other party an amount equivalent to that which would have benefited the employee during the notice period that has not been respected. However, in a termination of contract due to gross misconduct, notification is given to the other party within forty-eight hours from its observation, by registered or remitted mail against receipt in the presence of two witnesses or by a bailiff.

**Child Labor:** In fulfillment of the international labor Convention n° 138 of developing a national policy to eliminate child labor, the government developed the Rwanda National Policy on Elimination of Child Labor. The Policy aims to protect children from child labor and exposure to hazardous work. The policy assigns employers an important role in the prevention and withdrawal of children from hazardous work, including awareness raising among employers, especially in the informal sector, and supporting direct action with (potential) child workers for demonstration purposes, including time-bound programs to address Worst Forms of Child Labor.

**Forced Labor:** The law prohibits the imposition of forced labor, whether directly or indirectly, that a person be subjected to forced labor. Forced labor, the law refers to any work or service required from an individual by threatening him/her with any penalty for which the said individual has not freely offered himself/ herself.

**Sexual Harassment:** Sexual harassment in any form against the supervisee is prohibited. It is also prohibited to dismiss an employee for having reported or testified to sexual harassment committed by his/her supervisor.

**Employment of Foreigners:** The employment relationship between the employer and foreign employee is governed by labor law unless otherwise provided for by international treaties ratified by Rwanda. There has to be a written contract for a foreign employee. Matters relating to requirements for a work permit for a foreign employee are dealt with according to immigration and emigration laws. A Ministerial order published in the Official Gazette of the government regulates the employment of foreign employees in Rwanda.

**Freedom of Association:** The law guarantees the right to freedom of association regarding working conditions, execution of work, and organization. This freedom includes the right of employees and employers to form, join and participate in employees' or employers' associations respectively. The associations have to be



registered under the law and they enjoy legal personality after publication of their Articles in the Official Gazette of the Republic of Rwanda.

**Collective Bargaining:** The items that a collective bargaining agreement must contain are specified in law. They include conditions for recruitment and termination, employees' right of joining a trade union and freedom of opinion, categories of professional cadres and salary applicable to each, overtime rates, probation period, paid leave, seniority allowance, revision of the collective agreement, how disputes arising from the implementation of the agreement will be settled, and commencement date of the collective agreement. Collective agreements should have more favorable terms for employees, but contracts of employment and internal rules will prevail if they are more favorable.

**Labor disputes.** Disputes are to be settled amicably in the workplace by representatives of workers but if this fails then the aggrieved party should refer the dispute to the Labor Inspector of the area where the organization is located. If the dispute is not settled at that level, then it is referred to either a Court of Law or to the National Labor Inspector depending on the nature and circumstances of the case.

Collective labor disputes are also notified to the Labor inspector of the area where the organization is located and referred to the National Labor Inspector. Still, if not settled owing to the nature of the case or conflict of interests, the dispute is referred to the minister in charge of Labor for settlement. Claims for labor disputes should be lodged promptly otherwise according to Article 104, such a claim arising from work lapses within 2 years unless it is written or referred to workers' representatives, Labor Inspector, or a Court of Law for settlement.

## 5 BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

### 5.1 National Labor Legislation: Terms and Conditions

The Labor Law has dedicated Articles 19, 77, 78, 79, 80, 81, and 82 to occupational health and safety. This law requires an employer to maintain a safe and healthy work environment. In particular, the law requires the following of the employer in regard to occupational health and safety:

An employer must ensure the health, safety, and welfare in the workplace for employees and for all persons who visit the enterprise. An employee is not required to pay any cost in connection with measures aimed at ensuring occupational health and safety.

Occupational health and safety committee is to be set up in the workplace. An Order of the Minister in charge of labor determines general occupational health and safety conditions.

An employer should provide every person entering an area of the workplace where they are likely to be exposed to the risk of injury or harm from contamination, with suitable protective equipment and instructions for their use and verify that PPE is used.

First-aid, firefighting and protective measures to be put in place to prevent possible danger.

Employers are required to combat and prevent occupational accidents and diseases through risk assessment, formulating and implementing a health and safety policy, and utilizing technology to enhance health and safety.



Employers are required to declare occupational disease, accident, and death to Rwanda Social Services Board and to the Labor Inspectorate. The law requires that an employer should contribute to a social security body in Rwanda, otherwise, the employer will be liable to compensate an injured or sick employee to the extent social security would have compensated had the employee had been registered with social security.

The employee affected by occupational disease or injury cannot be dismissed unless a doctor declares in writing that the employee is unfit to resume service; alternative work should be given if fit or dismiss and pay benefits if work is not available. Funeral and death allowances are payable to the family of the deceased employee according to an order of the Minister. In case of a sub-contract, the salary and social security contributions and other obligations of the employer towards employees are guaranteed under the sub-contract.

In reference to Ministerial **Order n° 02/MIFOTRA/23 of 01/08/2023** on occupational health and safety, organisations employees' organisations and employers' organisations, child employment, employment of a foreigner and leave in its chapter II, section one, article 3.

An employer has an obligation to:

- a) ensure health, safety, and welfare of an employee, an intern or an apprentice at the workplace;
- b) provide an employee, an intern, or apprentice with suitable premises and tools for protecting him or her from hazards;
- c) ensure that an employee, an intern or an apprentice wears necessary occupational health and safety protective equipment and that the equipment is used appropriately;
- d) identify and analyse risks that may result from the nature of the work;
- e) have a first aid kit with sufficient materials and train an employee, an intern or an apprentice on how to use it;
- f) put in place and regularly revise an emergency plan based on the potential risks at the workplace;
- g) train employees on occupational health and safety matters at work at least once a year;
- h) train new employees, an intern or apprentice on occupational health and safety matters at work within one month following the starting of work;
- i) inform an employee about risks that may result from the use of new technologies.
- j) inform a new employee, an intern, or apprentice about risks that may result from the use of existing and new technologies;
- k) prepare, in a clear and understandable language for an employee, an intern and apprentice, a document indicating protective mechanisms and display it at appropriate places;
- l) record occupational hazards, diseases, and deaths;
- m) report occupational hazards, diseases, and deaths to the labor inspector of the area of the workplace and to social security organ;
- n) ensure confidentiality of personal and medical data of an employee, an intern or apprentice;
- o) ensure that the workplace is not overcrowded to the extent of causing a risk to the health of an employee, intern, or apprentice;
- p) ensure that the workplace is clean and that waste is put in an appropriate place;
- q) ensure sufficient and permanent lighting, free and clean drinking water and where possible, based on arduous working conditions, provide another soft drink in addition to water and the prevention of noise or vibration;



- r) provide an employee, an intern or apprentice with appropriate easily accessible sanitary facilities separate for both men and women;
- s) provide an employee, an intern or apprentice with clean dressing room separate for men and for women, a workplace and equipment that comply with ergonomic standards; and
- t) hire a staff in charge of occupational safety and health or designate another employee among its employees who assumes the duties and responsibilities of occupational safety and health for an enterprise which has at least 50 employees that use products, machines, and processes which are more likely to cause accidents or diseases.

The project will also adhere to the relevant WBG General and industry-specific Environmental, Health and Safety Guidelines (EHSGs). Some of these are noted in section 7.1 (i). Please also mention other relevant GIIP such as: 1) WB Good Practice Note: Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works; and 2) WB Good Practice Note: Assessing and Managing the Risks of Adverse Impacts on Communities from Project-related Labor Influx.

## **5.2 The World Bank Environmental and Social Standards: ESS 2**

ESS 2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. The objectives are as follows:

- To promote safety and health at work
- To promote the fair treatment, non-discrimination and equal opportunity of project workers
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate
- To prevent the use of all forms of forced Labor and child Labor.
- To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law
- To provide project workers with accessible means to raise workplace concerns.
- To ensure that the LMP addresses the requirements of ESS2, paragraphs 18 and 19

Respective requirements under ESS2 refer to:

- Working conditions and management of worker relationships including (a) terms and conditions of employment, (b) non-discrimination and equal opportunity, and (c) workers organization
- Protecting the work force encompasses the prohibition of forced and child labor
- Grievance Mechanism outlines the requirements of a GRM accessible to workers
- Occupational Health and Safety

The WB ESS2 states that the minimum age of employment is 14 years while the Rwandan Labor Law No. 66 of 30/08 (2018) sets the minimum age at which a child can be employed as well as the conditions under which children can work. Article 5 of this Law stipulates that the minimum age for admission to employment is sixteen (16) years. However, a child aged between thirteen (13) and fifteen (15) years is allowed to perform only light works in the context of apprenticeship. Where the child has reached the age of 14, to respect the provisions of articles 64, 65, 66, and 67 of this law, termed as special considerations for persons under the age of 16, he/she may be hired with special authorization from anyone who has parental authority on him/her. ESS2 of the World Bank ESF provides that project workers will not be retaliated against or otherwise subject



to reprisal or negative action for reporting a dangerous work situation or removing himself/herself from a dangerous work situation. The RTDA and MINICOM SPIUs will ensure that all project workers, including those engaged by contractors, will have the right to report and remove themselves from dangerous work situations without being subject to reprisal or negative action<sup>3</sup>. This and other provisions of the LMP will be part of the awareness raising and training sessions of the project.

### 5.3 The World Bank Environmental and Social Standards: ESS 4

ESS4 recognizes that project activities, equipment, and infrastructure can increase community exposure to risks and impacts. In addition, communities that are already subjected to impacts from climate change may also experience an acceleration or intensification of impacts due to project activities. The objectives of ESS 4 include:

- To anticipate and avoid adverse impacts on the health and safety of project-affected communities during the project life cycle
- To promote quality and safety, and considerations relating to climate change, in the design and construction of infrastructure
- To avoid or minimize community exposure to project-related traffic and road safety risks
- To have in place effective measures to address emergency events
- To ensure that the safeguarding of personnel and property is carried out in a manner that avoids or minimizes risks to project affected community

**Table 3: Gaps analysis between national legislation and ESS2 and ESS4**

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<sup>3</sup> 6 ESS2, paragraphs 26 and 27.



Environmental and Social Standards (ESS)	Status of application to the project	National policy and legislation to fulfill the performance standard	Gaps	Measures to bridge the gap
<b>ESS2: Labor and Working Conditions</b>				
To promote safety and health at work.	TMPs, CESMPs, MSIPs, and OHSMPs shall be prepared by the contractor to ensure health and safety compliance.	Ministerial order No2 of May 17, 2012, determining conditions for occupational and health safety, aims to improve the health, safety, and general wellbeing of workers and workplaces by promoting occupational health and safe practices in order to eliminate occupational accidents and diseases, and, hence, achieve better productivity in the workplace.	The similarity is evident.	The ESS shall be given priority during project implementation.
To promote the fair treatment, non-discrimination, and equal opportunity of project workers.	Rwanda labor law shall be respected during project implementation, and priority shall be given to the local residents from the project area.	The working conditions in Rwanda are governed by Law N° 66/2018 of August 30, 2018, regulating Labour and its implementing orders. This Law applies to all aspect of labour, be it formal and informal, and provides guidelines related to the relationship between an employee and his or her employer in regard to: contract, wages and other benefits, working environment, working hours, and different types of allowed leaves to which the employee is entitled to.	The similarity is evident.	The implementation of the project will apply the ESS2



Environmental and Social Standards (ESS)	Status of application to the project	National policy and legislation to fulfill the performance standard	Gaps	Measures to bridge the gap
To prevent the use of all forms of forced labour and child labour.	Recruiting labour that is under 18 years old shall be prohibited.	As (ii) in this section 2	As (ii) in this section 2	The ESS shall be given priority during project implementation
<b>ESS 4: Community Health and Safety</b>				
To anticipate and avoid adverse impacts on the health and safety of the project-affected communities during the project life cycle		In Rwanda, there is no specific law on community health and safety. Some provisions are included in the environment law (2018) and the Expropriation law (2015)	Project impacts on the hosting community are not well articulated in national regulations. Only impacts on properties is granted.	The ESS4, which is a more comprehensive standard, will be applied regarding the anticipation and avoidance of adverse

## 6 RESPONSIBLE STAFF

This section shall identify the functions and/or individuals within the project responsible for (as relevant): engagement and management of project workers, engagement and management of contractors/subcontractors, occupational health and safety (OHS), training of workers, addressing worker grievances.

The overview of responsible staff and oversight mechanisms has been described in the institutional arrangement of ESIA of KLP/Bugesera Corridor Road financed under component 1 of the main project KLPCConnect Project, as well as the same section of institutional arrangement and responsibilities of ESMF for all components of the KLPCConnect project. Among others, these responsibilities are discussed below but not limited to:

The SPIUs housed in RTDA and MINICOM have the overall responsibility to oversee all aspects of the implementation of the LMP, in particular to ensure contractor compliance. The contractor will be responsible to address LMP as part of procurement for works and subsequently responsible to manage LMP provisions. The construction supervision consultant is responsible to facilitate for the implementation of LMP in close coordination to Project Management.

The MINICOM and RTDA as well as the contractor and subcontractors will assign responsible staffs to carry out the following activities:

- Engagement and management of project workers
- Engagement and management of contractor/subcontractors
- Occupational Health and Safety (OHS)
- Training of workers
- Addressing worker grievances



- Labour camp management
- Emergency preparedness plan
- Child and forced labor

At the national level various institution will be involved directly or indirectly for the implementation of subprojects under KLPCconnect as well as this LMP. Among others, the MINICOM, and RTDA are the major responsible in the monitoring of this LMP implementation. In addition, other relevant institutions, MINIFERA, REMA, RDB, RSB, Ministry of Environment, etc. will have an engagement in the implementation of the project and this LMP, as they have project monitoring, and supervision functions and liaise with other possible key beneficiaries of the project.

**RTDA and MINICOM:** As stated above, RTDA and MINICOM as the main implementers of the respective subprojects under KLPCconnect, have the overall responsibility to oversee all aspects of the implementation of the LMP, in particular, to ensure and manage contractor and subcontractors' compliance, as applicable. RTDA and MINICOM will also be responsible for monitoring and reporting and address all LMP aspects as part of procurement for works as well as during Contractor induction and project implementation. Both main implementing institutions, MINICOM and RTDA will review labor records and can require the implementation of remedial actions if warranted.

**Contractor:** The Contractor is responsible for providing and managing labor and working conditions in accordance with contract-specific requirements on labor aspects. The implementation of the labor requirements will be supervised on an ongoing basis, or at shorter intervals as defined by specific Plans, by the Monitoring and Supervision Consultant, with the support from Social Safeguards Specialists under SPIUs acting as the focal point. The detailed approach is described in the following sections.

**Occupational Health and Safety:** Pursuant to the terms and conditions of WB standard procurement documents contractors shall manage all construction sites in such a way that the workers and the community are properly protected against possible OHS risks. Key elements of OHS measures should include (a) identification of potential hazards to workers; (b) provision of preventive and protective measures; (c) training of workers and maintenance of training records; (d) documentation and reporting of occupational accidents and incidents; (e) emergency preparedness including the application of guidelines for the management of COVID 19 epidemic risks.; and (f) remedies for occupational injuries and fatalities. The project shall develop and implement Public and Occupational Health and Safety Management Plan (POHSMP) comprises of monitoring and reporting mechanism of occupational accidents and diseases, dangerous occurrences and incidents". Please add this measure along with "the preparation and signing of CoCs.

Contractors must engage at a minimum one Health and Safety Expert to ensure day-to-day compliance with specified health and safety measures on-site and records of any incidents. Minor/indicative incidents will be captured in the monthly progress reports and reported to RTDA and MINICOM as well as the World Bank. While serious and severe incidents (see below Figure) are flagged to the World Bank within 24 hours from the time of occurrence, followed by a detailed incident report within 10 days. Similarly, the primary suppliers are required to maintain the occupational health and safety of their workers based on terms and conditions in their contracts. The RTDA and MINICOM are responsible to monitor the primary suppliers' compliance to these terms and conditions. The contractor shall comply with all provisions of the LMP, site-specific ESMPs/C-ESMPs, and EHS requirements in contract documents. In addition, contractors shall procure the identified PPE and First Aid kit for use during project implementation, and these will be included in the Bill of Quantities (BoQs).



<b>Indicative</b>
<ul style="list-style-type: none"> <li>• Relatively minor and small-scale localized incident that negatively impacts a small geographical areas or small number of people</li> <li>• Does not result in significant or irreparable harm</li> <li>• Failure to implement agreed E&amp;S measures with limited immediate impacts</li> </ul>
<b>Serious</b>
<ul style="list-style-type: none"> <li>• An incident that caused or may potentially cause significant harm to the environment, workers, communities, or natural or cultural resources</li> <li>• Failure to implement E&amp;S measures with significant impacts or repeated non-compliance with E&amp;S policies incidents</li> <li>• Failure to remedy Indicative non-compliance that may potentially cause significant impacts</li> <li>• Is complex and/or costly to reverse</li> <li>• May result in some level of lasting damage or injury</li> <li>• Requires an urgent response</li> <li>• Could pose a significant reputational risk for the Bank.</li> </ul>
<b>Severe</b>
<ul style="list-style-type: none"> <li>• Any fatality</li> <li>• Incidents that caused or may cause great harm to the environment, workers, communities, or natural or cultural resources</li> <li>• Failure to remedy serious non-compliance that may potentially cause significant impacts that cannot be reversed</li> <li>• Failure to remedy Serious non-compliance that may potentially cause severe impacts is complex and/or costly to reverse</li> <li>• May result in high levels of lasting damage or injury</li> <li>• Requires an urgent and immediate response</li> <li>• Poses a significant reputational risk to the Bank.</li> </ul>

**Figure 2: World Bank Incident Classification Guide**

**Labor Conditions:** All contracts shall have contractual provisions to comply with the minimum age requirements including penalties for noncompliance, gender equality in the workplace, non-discrimination of vulnerable groups, safety in the workplace, and to recruit unskilled labor from the local communities. Contractors will keep records in accordance with specifications set out in this LMP as well as in contract agreement. RTDA and MINICOM may at any time request to be furnished with records to ensure that appropriate labor conditions are provided and sustained. The supervision consultant will review records on different labor aspects against LMP requirements on a monthly basis and give recommendations for remedial actions if necessary. The findings of the supervision consultant review shall be compiled in the monthly and quarterly reports to be submitted to RTDA, MINICOM and the World Bank.

**Training of workers:** Contractors shall hire a qualified dedicated officer who is well-versed with labor issues, and more importantly, local labor legislation. If training and capacity building of existing staff is required to enhance competency, this will be the Contractor's responsibility as specified in the contract. Furthermore,



Contractors will enlist specialist services to administer training for workers to aid in addressing risks associated with labor influx such as, GBV and more specifically, SEA/SH as well as health and safety issues, including use of PPE and First Aid kit. The Contractors will provide supervision consultant with the schedule of training and mobilize workers to participate in such trainings. In light of the ongoing pandemic, trainings will be guided by the Ministry of Health guidelines.

**Workers Grievances:** The Workers' Grievance Management mechanism shall ensure that all kinds of grievances can be raised to the appropriate levels of management and can be addressed promptly. RTDA and MINICOM procedures currently in place will remain for direct workers. The grievance redress procedures for direct workers have been described in Section 10 of this LMP. The Contractor fully respects the freedom of association and collective bargaining in accordance with Rwandan Labor Law. The Contractor will not discourage workers from forming or joining workers' organizations of their choosing. Therefore, the Contractor cannot interfere with or discriminate against workers who choose to organize; moreover, the workers representatives shall have full access to the management, and they shall be clearly informed about their legal rights.

In addition, Contractors shall also be required to facilitate the establishment of a worker's grievance redress mechanism which responds to the requirements of this LMP. The Supervision consultant Social Safeguards Specialists will review grievance records on a monthly basis. Where worker grievances are not resolved, the consultant in liaison with the Labor inspector will strive to find a solution within the timelines provided in this LMP. In all cases, RTDA and MINICOM will stay abreast with grievances raised and ensure they are on track in being resolved and the status is reflected in quarterly reports sent to the World Bank.

Relations between employers (and their organizations) and workers' organizations may be determined by collective agreements. The contents of a collective agreement can involve:

- Matters left by the provisions of Labor Proclamation or other laws to be regulated by collective agreement.
- Conditions for protection of the occupational health and safety, as well as the manner of improving social services.
- Workers' participation in matters regarding promotions, wages, transfers, reductions and discipline;
- Conditions of work, the procedure for making work rules and grievance procedures; to incentive the involvement of the workers in the labor best practices;
- Arrangement of working hours and interval break-times;
- Parties covered by the collective agreement and its duration validity

#### **Labor camp management:**

The contractor will be responsible for labor camp management during project implementation works by overseeing the accommodation, welfare, and well-being of the workers involved in the construction project. Proper labor camp management is essential for ensuring the safety, health, and productivity of the workforce. Here are key aspects to consider:

##### ➤ **Accommodation and Facilities:**



- **Living Quarters:** Provide safe, clean, and comfortable living quarters for the workers. Ensure that the accommodations comply with local regulations and standards.
- **Sanitation Facilities:** Maintain proper sanitation facilities, including toilets and showers, to meet basic hygiene needs.
- **Recreation Areas:** Create recreational spaces for relaxation and entertainment during non-working hours.
- **Health and Safety:**
  - **Safety Standards:** Enforce strict safety standards within the labor camp to prevent accidents and injuries. Conduct regular safety inspections and training programs.
  - **Emergency Response:** Develop and communicate emergency response plans to handle situations such as accidents, natural disasters, or medical emergencies.
- **Healthcare Services:**
  - **Medical Facilities:** Provide access to basic medical facilities and services within or near the labor camp.
  - **Health Checks:** Conduct regular health check-ups for workers to identify and address health issues promptly.
- **Food and Nutrition:**
  - **Quality Meals:** Ensure that workers receive nutritious and hygienic meals. Consider dietary preferences and cultural requirements.
  - **Meal Facilities:** Set up proper dining areas with adequate seating and hygiene facilities.
- **Cultural and Social Support:**
  - **Cultural Sensitivity:** Consider the diverse backgrounds and cultures of the workforce. Promote a culturally sensitive environment to enhance social harmony.
  - **Communication Channels:** Establish effective communication channels to address concerns, feedback, and grievances from the workers.
- **Security and Access Control:**
  - **Access Control:** Implement access control measures to ensure the safety and security of the labor camp.
  - **Security Personnel:** Employ security personnel to monitor and manage the premises.
- **Training and Skill Development:**
  - **Training Programs:** Provide training and skill development opportunities for workers to enhance their capabilities and promote career growth.
  - **Language Support:** Offer language support if there are language barriers among the workers.
- **Compliance and Regulations:**
  - **Legal Compliance:** Ensure compliance with local labor laws, regulations, and standards pertaining to labor camp management.



- **Documentation:** Maintain accurate records related to worker accommodations, health and safety measures, and compliance documentation.
- **Transportation:**
  - **Transportation Services:** Arrange for reliable and safe transportation to and from the construction site for workers.
- **Community Engagement:**
  - **Community Relations:** Foster positive relations with the local community to promote understanding and cooperation.
  - **Emergency Preparedness:** Contractor will be responsible for emergency preparedness in a camp during road construction works, it is crucial to ensure the safety and well-being of workers and residents. Here are some key considerations for implementing effective emergency preparedness measures in a construction camp:
- **Risk Assessment:**
  - Conduct a comprehensive risk assessment to identify potential hazards and risks associated with the construction activities, terrain, weather conditions, and the camp itself.
- **Emergency Response Plan:**
  - Develop and implement a detailed emergency response plan that outlines procedures for various types of emergencies, including natural disasters, accidents, fires, and medical emergencies.
- **Communication Systems:**
  - Establish reliable communication systems within the camp, including two-way radios, emergency sirens, and a public address system. Ensure that all camp residents and workers are familiar with communication protocols during emergencies.
- **Emergency Evacuation Routes:**
  - Clearly mark and communicate evacuation routes, assembly points, and designated safe areas. Conduct regular drills to ensure that everyone in the camp is familiar with evacuation procedures.
- **First Aid and Medical Facilities:**
  - Set up well-equipped first aid stations within the camp and ensure that trained medical personnel are available. Develop protocols for handling medical emergencies and coordinate with local healthcare facilities for more serious cases.
- **Fire Safety Measures:**
  - Implement strict fire safety measures, including the availability of fire extinguishers, fire hydrants, and clearly marked fire exits. Conduct regular fire drills to ensure that all camp residents are aware of evacuation procedures.
- **Emergency Supplies and Equipment:**



- Maintain emergency supplies such as food, water, blankets, and basic medical supplies. Ensure the availability of emergency equipment, including flashlights, batteries, and emergency generators.
- **Weather Monitoring:**
  - Keep track of weather conditions and monitor forecasts for potential storms, floods, or extreme weather events. Establish protocols for responding to severe weather conditions and ensure that residents are informed in a timely manner.
- **Training and Awareness Programs:**
  - Conduct regular training sessions and awareness programs to educate camp residents and workers about emergency procedures. This includes providing information on how to respond to specific types of emergencies and promoting a culture of safety.
- **Coordination with Local Authorities:**
  - Establish a strong working relationship with local emergency services and authorities. Ensure that the camp's emergency response plan aligns with the broader community's emergency plans.
- **Regular Drills and Simulations:**
  - Organize regular emergency drills and simulations to test the effectiveness of the emergency response plan. Use these drills to identify areas for improvement and update the plan accordingly.
- **Community Engagement:**
  - Foster a sense of community within the camp by encouraging residents and workers to look out for each other. Establish a system for reporting safety concerns or potential hazards promptly.

## 7 POLICIES AND PROCEDURES

This section sets out the information on OHS, reporting and monitoring and other general project policies. Where relevant, it identifies applicable national legislation. In addition, it stipulates measures that the Project will follow to address labor risks identified in Section 3 of this LMP. Decisions relating to the employment or treatment of project workers will not be made on the basis of personal characteristics unrelated to inherent job requirements. The employment of workers in the project will be based on the principles of fairness, equal opportunity, and no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.

The Project Management will incorporate standardized environmental and social and health and safety clauses including the requirement of GBV/SEA Mitigation Action and worker Code of Conduct in the tender documentation and contract documents for construction contractor, material suppliers, community workforce, consultants (supervision, studies, etc.) and other entities who are subcontracted for the



implementation of the proposed project during construction and operation phases, in order for potential bidders to be aware of environmental and social performance requirements that shall be expected from them, are able to reflect that in their bids, and required to implement the clauses for the duration of the contract. The RTDA and MINICOM will enforce compliance implementation of safeguards by contractors with these clauses.

The following measures will be followed by contractors and monitored by RTDA and MINICOM to ensure a safe and healthy working environment for project workers.

- Clear job descriptions will be provided prior to recruitment, explaining the skills requirements for job positions.
- Recruitment processes will be fair, transparent, and non-discriminatory with respect to ethnicity, religion, race, gender, disability, social status, age, etc.
- Employment terms and conditions will be communicated and written in a language that is well understood by both parties. All workers shall at any given time, have valid written contracts signed by all relevant parties and will have the contents explained to them.
- Job opportunities will be publicly advertised, and applications will for employment will only be considered if submitted via the official application procedures established by the Contractors.
- Unskilled positions will be preferentially filled from the local communities, with a target of at least 70 percent.
- Foreign workers will be required to have valid work permits to allow them to work in Rwanda as stated in the law.
- All workers will have attained the legal age for employment in Rwanda of 16 years old and above for civil works
- Normal working time should not exceed 45 hours per week as stipulated by law and in compliance with the internally established working week duration. Additional hours shall be considered overtime and will need to be compensated as such.
- Ensure that the project hiring 80% of local labor, where 60% of the workforce to be women

### **7.1 Occupational Health and Safety**

For each of the different types of KLDCP subproject works and activities under Components 1, and 2, the relevant OHS requirements. For example,

- All construction contractors develop and implement a subproject specific OHS plan and safety system, in form and substance acceptable to applicable Project governmental entities – such as in Component 1 and 2 and 3
- OHS requirements for operation phase of works/facilities built by the Project under Components 1 and 2
- OHS requirements for primary type projects
- OHS requirements for consultancy services under the Project, including supervision contracts, technical studies, etc. in Component 3

To achieve the best OHS performance the RTDA and MINICOM, Contractor, sub-contractors and service providers (e.g. quarries and other material providers, etc.) and supervision consultant shall be committed to:



- (i) Comply with legislation and other applicable requirements, (Being (1) WB ESS2, (2) WB EHS General Guideline, (3) WBG EHS Guideline for Toll Roads, (4) WBG WB EHS Guideline for Construction Material Extraction, (5) WB Good Practice for Construction with Covid 19; (6) WB Good Practice Note for Road Safety) which relate to occupational health and safety hazards.
- (ii) Prevent OHS risks through promotion of appropriate skills, knowledge and attitudes toward hazards;
- (iii) Contribute to improve OHS management system and performance during project implementation;
- (iv) Develop budgetary plan for OHS improvement including capacity development and performance assessment.
- (v) Priority supplier OHS provisions to all persons, working under control of the Project Management with emphasis on individual OHS responsibilities.

The Health and Safety Specialist of the contractor, and material suppliers, consultants (supervision, studies, etc.), as applicable, responsible for the workplace or a section of the workplace for an agreed period.

At a minimum, to prevent work-related accidents and injuries, and maintain sound OHS management, the Contractors will:

- Identify potential hazards: likely during excavation, operation of vehicles during construction and operation phases such as excavators and dump trucks, operation of crusher plants, operation of quarry sites. Typical health hazards could be encountered during rock cutting, slope cutting, working in bridge over river, equipment handling, storage of chemicals and other hazardous materials, etc.
- develop and implement OHS plan/system for the specific subproject contracted works
- Collaborate with contractors, material suppliers, consultants (supervision, studies, etc.), investigate the causes of accidents at work place;
- Inspect the workplace, including plant, machinery, technology, project sites and social environment with a view of establishing the safety and health of employees;
- Attend meetings of the Safety and Health Committee, being its member;
- Make recommendations to employer in respect to safety and health matters, affecting the employees.
- Develop capacity building and monitoring plan.
- Develop emergency preparedness and management plan.
- Develop OHS Management Framework and compliance plan.
- Report and record all OHS related issues mainly focusing on the workplace accident.
- Provide occupational health and safety training to all employees involved in works.
- Provide adequate and appropriate PPE will be provided to workers commensurate with the hazards they are exposed to including masks, helmet, overalls, reflective jackets, ear muffs, safety shoes, and safety goggles etc.
- Avail a fully stocked first aid box in each work site
- Keep the work environment clean, hygienic and safe. Additionally, Project offices will be free of pests/vermin. Where pests are detected pest control measures will be taken immediately.
- Provide Fire detection and firefighting equipment at all project offices.
- Entry and exit from site/workplace will be strictly controlled.



- Provide separate and well labelled male and female toilet facilities will be provided at all project offices, field/construction sites.
- Potable drinking water and handwashing facilities will be available at all project offices and field/construction sites.
- Prepare an emergency evacuation plan for all project offices and staff will be inducted on the plan.
- Install adequate safety signs at the work site giving clear direction
- Boundaries of active work sites will be demarcated & protected, and warning signs will be displayed both in English and Kinyarwanda.
- Analyze the workload on site and prepare a rotational roster for workers on site to allow social/physical distancing to Covid-19 prevention requirements

Workers could encounter injuries and accidents (sometimes casualties) in lack of adequate safety measures. The KLPCConnect project is paying high compensation in terms of human life, economy and society and also, face high burden to the project during construction and operation. Also, lack of capacity and training to workers on safe operation of heavy equipment make job become risky. Other possible health impacts are respiratory and eye diseases due to exposure to dust, and smoke. Similarly, unhygienic sanitary condition e.g., lacking latrines and washing facilities and unsafe water location increases the chances of additional and often endemic diseases like diarrhea, dysentery and cholera.

To avoid workplace related health and safety issues including accidents and injuries, the Contractor, material suppliers, community workforce, consultants (supervision, studies, etc.) shall follow and implement the above measures. Further to enforcing the compliance of environmental management, contractors are responsible and liable of safety of site equipment, labors and daily workers attending to the construction site and safety of citizens for each subproject site, as mandatory measures.

## **7.2 Workers Living Conditions**

Accommodation arrangements will be reviewed, to see if they are adequate and designed to ensure suitable living conditions and to reduce contact with the community with an aim of mitigating labor influx risks.

- Male and Female workforce will be housed separately
- Constant and reliable electricity supply, sufficient lighting and cooling systems will be made available
- Sanitary facilities will be available at the accommodation site. Most preferably, sanitary facilities will be within individual accommodation units. Where sanitary facilities are shared, separate well-labelled facilities will be provided for men and women.
- Toilet and drainage will be connected to most suitable local disposal system
- Individual bedding will be provided to all workers.
- Storage space for individual belongings will be provided for all workers.
- Designated locations for waste disposal with clearly marked bins will be established and bins emptied daily to prevent emission of foul smell
- Meals on site will be prepared under hygienic conditions in a facility inspected and cleared by public health officials
- Periodic fumigation will be carried to eradicate pests/vermin.

## **7.3 Child Labor**

To mitigate risk of Child Labor in the project, Contractors shall undertake the following measures consistent with Article 66 of the labor law.



To verify of age of project workers to prevent child labor, all prospective workers will be asked to produce identification documents that are acceptable in local laws, employment and human resources practices as proof of age. Specifically, these types of identification documents will be birth certificates, national drivers' licenses, passports and national identification cards. In the absence of one form of recognizable IDs, the prospective candidate shall not be employed by the project and will be advised to launch an age verification process in consultation with the relevant authorities before attempting to apply for employment in the project.

In instances where the proof of age documents is thought to be falsified the project will launch a verification process to ensure their authenticity. In all of the processes the attendant care will be provided to ensure that the applicant or employee's data are protected and their right to privacy is guaranteed. In the event that underage workers are found working in the project the Contractors shall undertake the following measures consistent with Article 66 of the labor law and ESS2. Please note that, under ESS2, many civil works would not be permitted activities for minors.

In the event that underage workers are found working in the project the following actions will be undertaken:

- Termination of the contract and services agreement immediately as per the Labor law of Rwanda. Notifying the legal authorities of his/her involvement in employment contrary to the law
- Collaborating with authorities to refer the child to other support services including social services and the Ministry of Education
- Consider employing an adult member of the family if the child's household is determined to be vulnerable or in dire circumstances

#### **7.4 Labor Influx impacts**

Contractors will manage labor influx associated risks with local communities through a Code of Conduct (CoC). The CoC commits all contracted workers, including sub-contractors and primary suppliers, to acceptable standards of behavior. The CoC shall include sanctions for non-compliance with outlined standards, including non-compliance with specific policies related to gender-based violence, VAC, sexual exploitation, and sexual harassment, the CoC shall also contain standards and sanctions for VAC (e.g., termination).

During recruitment, all workers will be inducted on the CoC and shall be required to sign as a confirmation that they have had the CoC explained to them as part of the induction process; acknowledge that adherence to the CoC is a mandatory condition of employment; they have received a copy of the CoC as part of their contract; they understand that violations of the CoC can result in serious sanctions including, dismissal, or referral to legal authorities. A copy of the CoC shall be displayed in a location easily accessible to the community and project-affected people. It shall be provided in the most widely understood language in that community.

In addition to the CoC, Contractors shall further mitigate labor influx impacts through:

- Enlisting the services of local service providers in GBV and HIV/AIDS.
- Conducting ongoing training and awareness raising for the workforce about refraining from sexually irresponsible behavior toward local community members, specifically women and girls
- Sensitizing workers on national laws that prohibit GBV and make it a criminal offense punishable by law
- Cooperating with law enforcement agencies in investigating GBV complaints
- Offering sensitizations and awareness campaigns on HIV/AIDS prevention and management



- Raising awareness on the project-level grievance mechanism to receive and escalate to authorities GBV-related complaints
- Fully implementing additional measures provided in the GBV Action Plan
- the project will follow the GPN Assessing and Managing the Risks of Adverse Impacts on Communities from Project-related Labor Influx.

## 7.5 National Laws and Policies concerning GBV

This Section summarizes the national laws and policies concerning GBV, as well as their provisions.

**Table 4: Summary of Legal and Regulatory provisions**

Name of Provision	Provisions
<b>The Constitution of the Republic of Rwanda of 2003 Revised in 2015</b>	Enshrines the principles of gender equality and women's rights and provides for the minimum 30% quota for women in all decision-making positions
<b>The National GBV Policy, July 2010</b>	The policy acknowledges GBV as a cross-cutting issue, thus a multi-sectoral approach is required. The Policy is geared towards achieving a society free of GBV, which is in line with the country's National Transformation Strategy and complements the National Gender Policy.
<b>The National Gender Policy</b>	Highlights principal guidelines on which sectoral policies and programs will base to integrate gender issues in their respective social, cultural, economic and political planning and programming.
<b>Law N° 51/2007 of 20/09/2007 determining the responsibilities, organization and functioning of the Gender Monitoring Office in Rwanda</b>	Determines the organization, responsibilities and functioning of the Gender Monitoring Office. The law considers as GBV any behavior aimed at sexual relations or any other sexual behavior which affects the dignity of a male or a female victim, whether such behavior may be from a superior at the work place, school or whether from families as well as from elsewhere.
<b>Law No.59/2008 on the Prevention and Punishment of Gender-Based Violence</b>	The law aims at preventing and ensuring punishment of GBV crimes in all its forms. It considers GBV any act that results in a bodily, psychological, sexual and economic harm because of gender, and such act will result in the deprivation of freedom and negative consequences.
<b>Law N° 43/2013 of 16/06/2013 governing land in Rwanda</b>	Guarantees equal rights for men and women on land access, ownership and utilization



Name of Provision	Provisions
<b>Organic Budget Law no. 12/2013, instituting Gender-responsive Budgeting</b>	Enforces accountability measures for gender sensitive resource allocation across sectors programs and projects through Gender Budget Statements; a mandatory annex of the Budget Framework Paper submitted to both chambers of Parliament.
<b>National Strategy for Transformation (2017-2024)</b>	The Strategy states that Ministries and Districts strategies are required to integrate gender as a cross-cutting pillar and GBV into their planning.
<b>Law N°68/2018 of 30/08/2018 determining offences and penalties in general</b>	Penalizes crimes related to child defilement; adultery; physical and sexual violence on his/ her spouse; concubines; bigamy or officiating at bigamy; playing a role in forced cohabitation; harassment of a spouse; sexual harassment; fraudulent use of family property and denial, on grounds of marriage, of freedom to practice family planning
<b>Ministerial Order N° 133/MOJ/AG/18 of 04/06/2018 on court fees in civil, commercial, social and administrative matters</b>	Provides for the exemption of court fees for representatives of children who filed complaints for the payment of damages, in criminal cases related to child defilement
<b>Law N° 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions</b>	It provides equal treatment of legitimate children in succession without any discrimination between male and female children and right of the surviving spouse to take part in succession
<b>Law N°32/2016 of 28/08/2016 Governing Persons and Family</b>	The Law governs natural persons and family as well as relations between persons. It contains different provisions relating to rights and obligations of both men and women
<b>Law N°003/2016 of 30/03/2016 Establishing and Governing Maternity Leave benefits Scheme</b>	This Law establishes and governs maternity leave benefits scheme. It guarantees security for women employment and for the protection of the child.
<b>Prime Minister's Order N°001/03of 11/01/2012 determining modalities in which Government Institutions Prevent and Respond to Gender Based Violence</b>	The law confers responsibility to all government institutions for GBV prevention and Response and Reporting.
<b>Ministerial Order N°001/08.11 of 11/02/2014 on Court Fees for Criminal Matters (Art. 2, P.38)</b>	It provides for the exemption of court fees for cases relating to the protection of a child's rights and the fight against sexual violence.



Name of Provision	Provisions
<b>Law N°71/2018 of 31/08/2018 relating to the protection of the child</b>	it provides protection for children against shows, records and adverts of child pornographic images, picture or voice and images
<b>Law N° 66/2018 of 30/08/2018 regulating labor in Rwanda</b>	Provides for Equal opportunities and equal pay for women and men; rights to full salary to a female employee who gives birth during 3 months of maternity leave and the breastfeeding period; working conditions for a pregnant or breastfeeding woman and prohibits sexual harassment in the workplace
<b>LAW N° 51/2018 OF 13/08/2018 RELATING TO THE PREVENTION, SUPPRESSION AND PUNISHMENT OF TRAFFICKING IN PERSONS AND EXPLOITATION OF OTHERS</b>	The purpose of this Law is to prevent, suppress and punish the offence of trafficking in persons and exploitation of others. It also provides for the protection of, and assistance to, the victims of trafficking in persons.
<b>LAW N° 66/2018 OF 30/08/2018 REGULATING LABOUR IN RWAND</b>	Article 2: Scope of this Law: his Law applies to: 1 ° employment relations based on an employment contract between an employee and an employer in the private sector; 2 ° employment relations based on an employment contract between an employee and an employer in the public service, unless otherwise provided by the general statutes for public service; 3 ° an apprentice; 4 ° an intern; a self-employed person with regard to occupational health and safety; 6 ° an informal sector employee with regard to the following: a) occupational health and safety; b) the right to form trade unions and employers' associations; c) the right to salary; d) the minimum wage in categories of occupations determined by an Order of the Minister in charge of labour; e) the right to leave; f) social security; g) protection against workplace discrimination; h) protection from forced labour; i) prohibited forms of work for the child, pregnant or breastfeeding woman.
<b>LAW N° 01/2007 OF 20/01/2007 RELATING TO PROTECTION OF DISABLED PERSONS IN GENERAL</b>	<p>The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.</p> <p>Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in</p>



Name of Provision	Provisions
	interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.
<b>Law N° 66/2018 of 30/08/2018 governing labour in Rwanda prohibits discrimination at the workplace.</b>	Provides for Equal opportunities and equal pay for women and men; rights to full salary to a female employee who gives birth during 3 months of maternity leave and the breastfeeding period; working conditions for a pregnant or breastfeeding woman and prohibits sexual harassment in the workplace.

## 7.6 World Bank Group Policies and guidance on addressing GBV;

- ❖ **The World Bank Group Gender Strategy FY16–23** provides a framework to expand equal opportunities for women and girls through investments and policy reform and addresses GBV issues.
- ❖ **The WB Environmental and Social Framework** sets out the WB's commitment to sustainable development through a Bank Policy and a set of environmental and social standards that are designed to support borrower's projects with the aim of ending extreme poverty and promoting shared prosperity. Ensuring safety of communities including addressing GBV in the implementation of world bank financed projects is key.
- ❖ **The WB Good Practice Note (GPN)** assists Task Teams in identifying risks of SEA/SH that can emerge in IPF involving major civil works contracts – and advises Borrowers on how to best manage such risks; Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works; Assessing and Managing the Risks of Adverse Impacts on Communities from Project-related Labor Influx; etc.
- ❖ **GM for sexual exploitation and abuse and sexual harassment in World Bank-financed projects.** This note provides World Bank task teams with information about SEA/SH GMs so they can then effectively advise Borrowers in setting up or adapting grievance mechanisms to cater to the safe and ethical uptake of SEA/SH allegations.

## 7.7 International Instruments related to GBV response

Specific international instruments and treaties relevant to GBV to which Rwanda is a signatory include:

- ❖ Universal Declaration of Human Rights (UDHR, 1948).
- ❖ UN General Assembly, Declaration on the Elimination of Violence against Women (1993)
- ❖ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979) and its Optional Protocol (1998).
- ❖ UN General Assembly Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women (1998)
- ❖ Convention against Torture and other Cruel Inhuman or Degrading Treatment or Punishment (2008)
- ❖ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- ❖ International Covenant on Civil and Political Rights (ICCPR, 1966).
- ❖ International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966).
- ❖ Convention on the Elimination of All Forms of Racial Discrimination (CERD, 1969).



- ❖ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984).
- ❖ Convention on the Rights of the Child (CRC, 1989).
- ❖ Beijing Declaration and Platform for Action (1995).
- ❖ Convention on the Rights of Persons with Disabilities and its Optional Protocol (CRPD, 2008)
- ❖ United Nations Security Council Resolutions 1960; 1325; 1820; 1888

## 7.8 Institutional Framework

Several relevant institutions at all levels are directly and/or indirectly engaged in the implementation of GBV AP. The details of institutional framework depicted in Table 6 and 7 below. The below Tables 6 and 7 also encompasses a description of the role of the two implementing agencies (RTDA and MINICOM) in developing and implementing the GBV AP. Also identify any staff dedicated to implementing the GBV AP. Section 1.1 mentions that the project social safeguard specialist will serve as the SEA/SH GBV main focal person. This GBV AP annexed the Terms of Reference for the GBV specialist, which helps during the recruitment of the specialist. The ToR clearly outline the expectations of their role in ensuring that GBV risks, and mitigation measures are properly reflected in the action plan and are implemented; coordinating the GBV AP implementation program; etc.

**Table 5: GBV ACTORS**

Actors	Role description
<b>Community health workers</b>	Community health workers deliver basic health services to survivors at the village level. There are at least three community health workers in each village attending to basic care, child illness and maternal health. The workers also respond to GBV cases.
<b>Isange One Stop Centers</b>	IOSCs are widely-known GBV services provider in the country and are the main service providers for GBV survivors. IOSCs provide 24/7 holistic support to survivors of GBV and child abuse at no cost. They operate a GBV toll-free line and run centers situated at the district hospitals and have been expanding, with 44 now functioning all over the country, The centers receive GBV cases directly and also through referrals from other actors including the police and local administrators.
<b>Health Centers</b>	Health centers are one of the first stops when GBV survivors seek help from the health care system. This assistance includes, but is not limited to HIV testing, counseling, emergency contraceptives, anti-tetanus injections, collect evidence which can be used in court and make referral to the Police. These services are offered free of charge.
<b>Rwanda Investigation Bureau</b>	The RIB is an autonomous government body responsible for prevention, detection, and investigation of crime. The bureau has dedicated officers who provide rapid, survivor-focused response to GBV. Each District hospital has a designated RIB officer who is required to respond promptly to GBV cases.



Actors	Role description
<b>Rwanda National Police</b>	The RNP has dedicated gender desks for reporting GBV cases in each station. The institution coordinates with hospitals to facilitate access to medical care for GBV survivors. The staff has received specific training on GBV. The Gender Desks provide services to victims and, in many cases, are the first point of reference at the Police station.
<b>Rwanda Defense Forces</b>	Similar to the RNP, RDF has dedicated gender desks for reporting GBV cases and the officers coordinate with hospitals to facilitate access to medical care for GBV survivors. The staff manning the desk has received specific training on GBV.
<b>Access to Justice Bureaus</b>	These function at the district level with three lawyers per District offering free legal aid legal aid to poor and vulnerable citizens. The bureaus advise Cell-level justice system (Abunzi) on legal matters, and they also handle GBV cases.
<b>National Women's Council</b>	The National Women's Council is an organ responsible for advocacy, capacity building, and social mobilization under the guidance and supervision of the Ministry of Gender and Family Promotion. The Council is in all administrative levels. Under the GBV Policy, the Council is responsible for raising public awareness on laws pertaining to GBV and ensuring that women know their rights. It is also meant to have a proactive role in identifying issues of GBV at the community level and linking up with relevant organizations.
<b>National Gender and Family Cluster</b>	The main object of NGFC is to strengthen coordination mechanisms to support MIGEPROF and other National Gender Machinery institutions to promote gender equality, family promotion, and child rights promotion and protection, as well as to utilize partner efforts to improve interventions, synergize and avoid duplication.
<b>The Ministry of Gender and Family Promotion</b>	The Ministry of Gender and Family Promotion (MIGEPROF) is the Central Government institution mandated to ensure strategic coordination of the implementation of national policies, strategies and programs regarding the promotion of the family, gender and children's rights' protection to facilitate their integration in the socio-economic and political context of Rwanda. MIGEPROF has a technical working group focusing on a comprehensive approach to combating gender-based violence
<b>Gender Monitoring Office</b>	These offices are affiliated to Office of the Prime Minister and operate at District level and work to ensure that GBV is fully mainstreamed into District development planning and resource allocation. GMO monitor the respect of gender equality principles, promote gender accountability at all levels and fight against Gender Based Violence and related injustices.



Actors	Role description
<b>Ministry of Local Government (MINALOC)</b>	At the local level, MINALOC and Districts are mandated to develop short-and long-term plans for integrating the GBV policy into development plans, assigning budgets to these programs, and ensuring policy actions are implemented.
<b>Friends of Families (inshuti zu muryango)</b>	This is a community-based organization with a network of volunteers who work to protect children and women against abuse. The organization has adopted a two-way approach where community members with GBV cases can approach the volunteers directly and the volunteers can also approach community members if they get wind of GBV allegations.
<b>Parents' Evening Forum (Umugoroba wa babyeyi):</b>	Parents' Evening Forums bring together parents at village-level to discuss ideas for better family cohesions on a range of topics, including measures to prevent GBV and promote gender equality in the family setting. Community members present their issues at the forum for discussion and resolution.
<b>GBV committees</b>	These committees are decentralized structures from the grassroots to the national level that deal with issues of GBV. Their function varies at each level, ranging from sensitization, home visits, rescue, advocacy, referral, and the reporting of statistics on GBV. Committees consist of representatives of Police, Children's Forum, Youth and Women's Councils, religious organizations, and the education and welfare sectors.
<b>Anti-GBV Child protection committees</b>	The creation of Child Protection Committees at different administrative levels carries out awareness raising on gender-based violence. These Committees also provide an opportunity to gathering information and coordinating services.
<b>Abunzi (mediation committees)</b>	Abunzi are traditional institutions of conflict resolution that are recognized as part of the national justice system. They are the first access point, even before the courts, for disputes, criminal cases, and civil cases involving disputes over small-value property. These mediation mechanisms are deeply rooted in Rwandan culture and are perceived as highly approachable since community members mediate the issues.
<b>Grassroots structures including: community anti-GBV committees, school-based anti-GBV clubs, Umugoroba w'Ababyeyi, Inshuti z'Umuryango,</b>	The grassroots structure has taken up the role of carrying out campaigns which have been helpful in raising awareness on GBV, community policing and encouraging transformational attitude and behavior change.



Table 6: List of Institutions and their interests and responsibilities

No	Institution Agency	Key interests and responsibilities
1	<b>MIGEPROF</b>	plays a crucial role in the prevention of gender-based violence (GBV). It works to develop and implement policies and programs aimed at reducing GBV and supporting survivors.
2	<b>GMO</b>	Responsible for ensuring that these efforts of gender monitoring are effectively implemented and progress is monitored
3	<b>NWC</b>	Responsible for advocacy, capacity building, and social mobilization under the guidance and supervision of the Ministry of Gender and Family Promotion.
5	<b>Isange One Stop Centre Rwanda</b>	With its initiative to complement existing efforts to prevent, respond to GBV and violence child abuse, it will help in awareness campaigns alongside Byumba urban roads and/or conducting investigation against GBV and VAC crimes in the project area.
<b>Other stakeholders</b>		
1	<b>Rwanda Green Fund (FONERWA)</b>	Mobilize the resource required for the project and support in the project monitoring and gender mainstreaming
2	<b>Disability Rights Organizations</b>	To ensure that their specific needs and concerns are addressed If the project includes a focus on individuals with disabilities.
3	<b>Community Leaders:</b>	Community leaders, such as village chiefs and community organizations, can offer valuable input regarding local customs, traditions, and gender roles, helping to contextualize the assessment.
4	<b>Local Government and Authorities</b>	Engage with local government officials, including municipal or district representatives, who can provide insights into local gender dynamics and policies that may impact the project
5	<b>Rubavu, Rutsiro, Karongi Districts</b>	Districts are responsible for monitoring the project implementation in close collaboration of all stakeholders mainly RTDA, Supervision firm, contractor and local community. Conduct expropriation of properties to be affected by the project in accordance with the Expropriation Law. Mobilize the local community mainly women to be engaged in the project activities implementation., engage with local communities to foster a culture of zero tolerance for GBV. This involve working with religious and community leaders to challenge harmful cultural norms and practices that perpetuate GBV



## 8 AGES OF EMPLOYMENT

Rwandan Labor Law No. 66 of 30/08 (2018) sets the minimum age at which a child can be employed as well as the conditions under which children can work. Article 5 of this Law stipulates that the minimum age for admission to employment is sixteen (16) years. However, a child aged between thirteen (13) and fifteen (15) years is allowed to perform only light works in the context of apprenticeship. Where the child has reached the age of 14, to respect the provisions of articles 64, 65, 66, and 67 of this law, termed as special considerations for persons under the age of 16, he/she may be hired with special authorization from anyone who has parental authority on him/her. The ESS2 shall also apply and, where there is divergence, ESS2 provisions shall prevail.

Special considerations for the employment of children between the age of 14 years and the age of 16 years will be guided by Article 65 and Chapter II of the Labor Law on Apprenticeship Contract. Accordingly, children within the age bracket of 14 and 16 years old, may be engaged as apprentices only by the exception enacted by the Minister in charge of labor after taking into account particular circumstances.

As stipulated in the Law, these exceptions may be granted by the Minister only for:

- Light tasks, as long as these are not likely to prejudice the child's health, studies and their participation to orientation and additional training programs.
- Light duties in the context of apprenticeship, where there is written authorization from someone with legal parental authority over the child
- Apprenticeship where an appropriate risk assessment is conducted prior to the work commencing; and beyond a reasonable doubt is determined that it will not be hazardous or cause harm to the physical, mental, spiritual, moral, or social development of the child apprentice
- Where there is regular monitoring of health, working conditions, hours of work, and other labor requirements consistent with the law is done to ensure favorable labor and working conditions.
- Day tasks. Children less than sixteen years old cannot be employed for night tasks that are unhealthy, hard, noxious, or dangerous for their health and training.

To mitigate risks to child apprentices, the following measures shall apply:

- A job safety analysis will be done of the tasks assigned, to ensure that persons between the minimum age of 14 and the age of 16 are not exposed to health and safety hazards and risks
- All child apprentices will be examined by a registered doctor, in order to verify if the task they are responsible for does not require excessive force and is not harmful to their health. A person between the age of 14 years and 16 years old cannot be kept on a job recognized as beyond their physical capacities or harmful to their health but be offered a suitable task. When it is not possible, the employment contract is terminated and a notice allowance is paid to him/her.
- The Contractors will adhere to the measures in the GBV Action Plan to prevent sexual exploitation and sexual harassment of child apprentices.
- Child apprentices will be provided with educational and awareness information on the policies of the workplace including sexual harassment policies and labor-related grievances and the grievance redress mechanism of the project.



## 9 TERMS AND CONDITIONS

The terms and conditions of employment in the project are governed by the Law N° 66/2018 of 30/08/2018 regulating labor in Rwanda. This law requires that the existence of a contract of employment is ascertained, in such forms as are convenient to both contracting parties. All means available may be invoked in its proving. A contract of employment for a determined period exceeding ninety (90) successive working days, or for a well-defined work, must be ascertained in writing before the employee starts working. In the case of protest between the employee and the employer because there is no written contract, the law states that the burden of proof lies with the employer, but in all cases, any foreigner's contract of employment must be ascertained in writing.

Probation period as stipulated in law is for three months which can be extended for another 3 months after the evaluation of the employee's performance and the evaluation report has to be notified to the employee. No terminal benefits are payable to employees under probation neither is any notice period required if an employee under probation is to be terminated.

If a contract is to be suspended, the law exempts the parties from their reciprocal obligations of working and paying the salary and allowances; however, in the case of an occupational accident, the employee should get an allowance equal to his monthly salary for a period of six (6) months or until he starts being paid by the social security fund, whichever comes earlier.

A contract for employment can be terminated on basis of:

- Mutual consent of both parties. This applies for both to both fixed-term and indefinite-term contracts.
- Expiry of a fixed-term contract.
- Termination due to valid/legitimate reasons.

The following provisions guide termination of contract:

- The period for termination notice is 15 days (if the employee had worked for less than 12 months of service) but if employee had worked for one year or longer the applicable notice period is 30 days. No notice of termination is required in case of mutual consent.
- Termination must be in writing and legitimate reasons should be given for it.
- Contracts of employment cannot be terminated during suspension or leave period.
- During notice period, the employee is entitled to one day off per week to look for work.
- Compensation is required for breach of notice requirement by either party.
- In case of termination due to actions amounting to gross misconduct, an employee must be notified within 48 hours of the evidence of occurrence of the gross misconduct specifying grounds for termination. An order of the Minister for Labor determines the list of actions to be considered gross misconduct in the work place.
- Unlawful termination of contract attracts damages payable to the aggrieved party with damages ranging from 3-6 months' salary, but if the employee had worked for at least 10 years with same employer the damages are capped at 9 months' salary.

A maximum of 45 working hours per week will be observed, but extra hours can be worked if agreed with employer, according to the labor law. Work on public holidays or weekends attract the same remuneration as ordinary hours of work. Contractors after consultation with workers' representatives must draw a timetable



complying with the 45 working hours, including hours at which the working period commences and ends. Weekly rest breaks of not less than 24 hours should be provided to the employee.

Overtime hours will be registered in a recognized book by the Contractors indicating the quantity of overtime worked, the day on which overtime occurred, and the start and end time for overtime hours. If a worker works beyond 45 hours a week, he/she is entitled to a rest period equal to the hours worked as overtime. According to Article 60, work done between 19:00 hours and 05:00 hours in the morning is considered night work. It is forbidden to employ on night work children under 16 years of age.

Overtime pay will be calculated on the basis of basic salary, excluding allowances and other benefits. The modalities for extra hours and the rate of remuneration for overtime are determined under a collective labor convention which must be revised annually.

Employee is entitled to salary by contract or law. Salary is to be paid in local currency in full and through the bank on a daily, weekly, fortnightly, or monthly basis, depending on the terms of the contract. Workers are entitled to a detailed individual monthly pay slip). No unauthorized deductions should be made otherwise the employee will be repaid with interest whose rate will be determined by the National Bank of Rwanda. Salary deductions should not exceed half of the salary and no interest is to be charged on deductions.

If the Contractor or the Sub-contractor do not pay their workers, the employer should retain the payment or part of its equivalent to salaries until the Contractor or the Sub-contractor pays the workers. The employer will pay the employees out of the retained funds if the subcontractor does not pay them according to Article 23. If no such proof of payment is provided within 45 days, then the employer will pay workers' salaries due to them.

Rwanda has ratified the international labor convention on Freedom of Association and protection of the right to organize, which is aimed at ensuring that member states uphold the principle of association and collective bargaining. The Labor Code was enacted to give effect to collective bargaining, amongst other purposes. The Act allows for the collective negotiation of terms and conditions of employment. The Government of Rwanda provides employees with the right to join and form an association for the purpose of labor.

Contractors will also be required to comply with the most current Ministerial orders on different aspects of labor that may be issued by the Government and reviewed on a need-to-need basis. It will be material for the Contractor to furnish the Monitoring Supervision Consultant (MSC) with proof of payment of workers and for MSC to have contractual controls to apply penalties to the Contractor, should the Contractor not fulfill their payment obligation to their workers.

There are no collective agreements applicable to the Project.

## **10 GRIEVANCE MECHANISM**

A grievance mechanism (GM) that takes the form of an internal procedure for complaints, followed by consideration and management response and feedback will be established. The GM will provide a clear and transparent framework for addressing grievances related to the recruitment process and labor issues in the project. The GM will cater to all direct workers and contracted workers.



Direct workers and contracted workers will obtain information regarding the GM during recruitment. Such information shall include the measures in place to protect workers against any reprisal for utilizing the GM. The Project workers' grievance mechanism will not prevent workers to use judicial procedures.

The workers' GM will be anchored on the following principles:

**Accessibility:** The GM will be accessible to all workers through various means including letters, telephone calls, text messages, verbal, social media, etc. A grievance logbook will be maintained in the campsite offices.

**Transparency:** The process of grievance resolution will be transparent and allow workers to file grievances while being clear of the procedures to be followed.

**Non-discrimination:** There will be no retribution for those who lodge grievances.

**Confidentiality:** All grievances will be treated confidentially, and the identity of workers who lodge grievances will be kept confidential. Anonymous grievances will be accorded equal weight to those whose origin is known.

**Promptness:** Handling of grievances will be objective, prompt and responsive to the needs and concerns of the aggrieved workers.

**Responsiveness:** Management will endeavor to resolve and provide feedback to all complainants in a timely manner as stipulated

### **10.1 GRM for Direct Workers'**

To mitigate the risks related to direct workers a GM for Direct Workers will be established.

**Level One- KLPCD Project Engineer:** Depending on the nature of the issue raised will be responsible to receive, consider and address in a timely manner the grievances, including the concerns on unaccounted working hours and lack of compensation for overtime, delay in receipt of salaries or non-payment of salaries. If the grievance is not addressed at this level within 10 working days, it will be escalated to Level Two. The complainant shall immediately be informed of this step.

**Level Two-SPIUs Coordinators:** The Coordinators of SIPUs under MINICOM and RTDA are at the second level of the GM in the event grievances raised by direct workers are not resolved at level one within 10 working days. If the issue is not addressed at this level within 10 working days it will be escalated to Level Three. The complainant shall immediately be informed of this step.

**Level Three- Director Generals:** The Director Generals of RTDA and MINICOM is the last level of the GM for direct workers if there is a situation in which a grievance has not been resolved at the level of the Project Engineers and the Coordinators, or if the response is not satisfactory then complainants, then the complainants have the option to appeal directly to the DGs to revisit the issue. The grievance should be considered, and feedback provided within the next 10 working days.

### **10.2 GRM for Contracted Workers**

**Level One-Workers Grievance Committee:** The Contractor shall facilitate the constitution of a worker's GM to resolve grievances raised by contracted workers. The contracted workers shall elect members of the worker's grievance committee using criteria acceptable to them. The elected committee will log and resolve grievances. If the issue cannot be resolved at the workers' committee level within 10 working days, then it will be escalated to the Monitoring and Supervision Consultant. The complainant shall immediately be informed of this progress.



**Level Two-MSD/Labor Inspector:** The Social Safeguards Specialist of the Monitoring and Supervision Consultant (MSC) will serve as the grievance focal point. The Sociologist will review the grievance and the measures taken to address it to that point. The Sociologist will ensure the grievance has been discussed and that feedback has been given to the complainant within stipulated timelines. He/ She will be responsible to liaise, with the area Labor Inspectorate through the MSC Program Manager, to ensure the resolution of the grievance. If the issue cannot be resolved at the MSC/Labor Inspector level within 10 working days, then it will be escalated to the Agency level.

**Level Three-SPIUs of MINICOM and RTDA:** If there is a situation in which there is no response or resolution from the MSC/the area Labor Inspectorate, or if the response is not satisfactory after 10 working days, then the complainants have the option to contact SPIUs at RTDA and MINICOM directly to follow up on the issue.

**Level Four-National Judicial System:** If the situation is such that the grievance redress has not been successful at the project level, the complainant will be at liberty to explore the option of seeking redress from the National Labor Inspectorate or the national judicial system as a last resort, since this is allowed by the local labor laws.

## 11 CONTRACTOR MANAGEMENT

The project or the project parties has the obligation to develop a standard condition of contract for each category of contract and services of the construction contractor, material suppliers, consultants (supervision, studies, etc.) to implement KLDCP subproject works and activities under components 1, 2, 3 and 4. Also make reasonable efforts to ascertain that the Contractor and their subcontractors hire the workers from local work forces as far as practical.

Major terms and conditions required for the contractor management are selection process for contractors' contractual provisions that will put in place relating to contractors for the management of occupational health and safety (ESS 2 paragraph 32); procedure for managing and monitoring the performance of contractors (paragraph 32); and collective agreements that apply to the project. Additionally, technical, financial and other specific work experience may also apply during contractor management. The project shall demonstrate and acquire the commitment from respective parties on the conditions as indicated in the section contract management.

In procuring services for the works Contractors to execute the road construction works, RTDA and MINICOM will seek to ascertain their capacity and commitment to adequately address and manage labor risks and impacts by requesting their internal documents relating to labor including:

- Business licenses, registrations, permits, and approvals
- Labor management system instruments including OHS management plans, emergency response plans, Contractor-ESMP and CoCs to the list of labor management system instruments, etc.
- Templates of accident and fatality records and notifications to authorities
- Identification of labor management, health, and safety personnel, their qualifications and certifications
- Sample records of safety and health non-conformities and responses
- Workers' certification and training to perform required work
- Records of legally required worker benefits and proof of workers' enrollment in the related programs



- Worker payroll records, including hours worked and payment received
- Reports from labor inspectorates and other enforcement bodies
- identification of safety committee members and minutes of committee meetings
- Copies of contracts with sub-contractors and suppliers, showing the inclusion of provisions and terms reflecting compliance with labor requirements

RTDA and MINICOM will manage and monitor the performance of contractors, focusing on compliance with their contractual agreements relating to obligations, representations, and warranties for contracted workers. RTDA and MINICOM will ensure that regular inspections and spot checks of project locations or work sites are carried out by the MSC; semi-annual labor audits are conducted in liaison with the Labor Inspectors office.

Further RTDA and MINICOM will require that Contractors keep records and provide up-to-date records on terms and conditions of its workforce, including Sub-Contractors if applicable. The application of these requirements will correspond to the current activities and to the scope of the contract, in a manner acceptable to RTDA, MINICOM and the World Bank.

**Workers records:** Number of workers, an indication of origin (expatriate, local, out-of-area nationals), gender, proof of age with evidence that no child labor is involved, and skill level (unskilled, skilled, supervisory, professional, management) contracts, registry of induction of workers, signed Codes of Conduct, records of hours worked, including overtime and corresponding remuneration, collective bargaining agreements, if applicable.

**Remuneration:** Contractors must provide evidence of all payments made, including salaries, social security benefits, pension contributions, or other entitlements regardless of whether the worker is being engaged on a fixed term contract, full-time, part-time, or temporary.

**Safety:** Reports relating to safety inspections, records of reportable incidents, and corresponding Root Cause Analysis and implementation status of Corrective Action Plans, including full compensation for victims of occupational incidents. Lost time incidents, medical treatment cases, first aid cases, high potential near misses, and remedial and preventive actions required to avert an actual accident occurrence through implementation of improved delivery of toolbox talks, job safety analysis, issuance of additional protective gear or safeguarding equipment, skills training, and so forth.

**Training/ induction:** dates, venues, number of trainees, and topics of training provided for contracted workers to explain labor and working conditions, prevention of GBV/SEA/SH/VAC and OHS management for the project.

**Emergency and security risks:** Details of risks the contractor may be exposed to while performing its work, the threats may come from third parties external to the project which require the respective mitigation measures.

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

The Project's oversight of contractors to set out the following procedures will be in place for contractor management, but will be adjusted to adhere to LMP provisions:

- **Ensure that Contractors have valid contracts** with clearly define service level agreement in accordance with national guideline and all environmental and social clauses, as applicable.



- **Monthly submission of records:** Contractor submission to Supervision consultant, MINICOM and RTDA, this includes Managing incidents and accidents, the Incident Reporting and Investigation Procedure is followed and the Incident/Accident Monitoring Register is used to monitor; and Contractor employees recorded using Contractors Employee List.
- **Monthly site visits (at a minimum) and reports.** This includes concerns or issues tracking using monitoring register.
- **Evaluation of contractor requirements.** This includes training, OHS files, certifications and other. The evaluation results in Portfolio Reports which includes recommendations for contract extension or termination.
- **Training needs identification recorded** in Contractor Training Schedule for workers & project parties.
- **Annual Contractor Management Plans** submitted to supervision consultant, MINICOM and RTDA.

## 12 COMMUNITY WORKERS

There is no provision for community workers in the project.

## 13 PRIMARY SUPPLY WORKERS

"Primary supply workers" typically refer to those individuals or entities involved in supplying essential resources and materials to the contractors responsible for the actual construction work. These workers are not directly engaged in the physical construction activities but play a crucial role in ensuring that the necessary resources and materials are available to carry out the construction process effectively. Where a significant risk of child or forced labor or serious safety issues in relation to primary suppliers has been identified, this section sets out the procedure for monitoring and reporting on primary supply workers.

Considering the nature of the KLPCConnect project, the primary supply workers are diverse related to their supply of materials and resources applicable and required to the implementation of the KLPCConnect project. These include but are not to be limited to:

- **Raw Material Suppliers:** Individuals or companies that provide raw materials like aggregates (sand, gravel, crushed stone), cement, asphalt, steel, and other materials required for road construction.
- **Equipment Suppliers:** Companies or individuals that supply construction equipment, machinery, and vehicles needed for the construction and maintenance of roads.
- **Fuel Suppliers:** Providers of fuels such as diesel and gasoline, essential for operating construction machinery and vehicles.
- **Labor Supply Agencies:** Organizations that provide skilled and unskilled laborers to construction contractors for various tasks.
- **Concrete Suppliers:** Companies that supply ready-mix concrete for road pavement and other concrete structures.
- **Asphalt Suppliers:** Suppliers of asphalt mixtures used for road surfacing.
- **Water Supply:** Companies or agencies that provide water for construction purposes, like dust control or concrete mixing.



- **Utility Providers:** Entities responsible for supplying utilities like electricity for construction site operations.

Overall, all, under all characteristics of project workers, the MINICOM and RTDA shall monitor labor recruitment to ensure that no children are recruited and supplied as workers and that there are no workers subjected to ‘forced labor’ in any form. RTDA and MINICOM, as a main KLPCDP implementers, will be responsible for ensuring that these standards are strictly followed. If any deviation is identified, RTDA and MINICOM will take action as prescribed in the contract/ agreement following the LMP.

## 14 ANNEXES

### ***Annex 1: Code of conduct***

**General Code of Conduct for Contractor to be inserted in the ESMP, Environmental and Social Technical Clauses (ESTC) Tender documents.**

KLPCDP will comply with ESS2 and ESS4 and the Environmental, Social Health and Safety Guidelines of the WB (ESHS) and the Occupational Health and Safety (OHS) and Labor regulations of Rwanda. The following is a general Code of conduct to be inserted in the contract of contractors for civil works.

#### **1. Contractor’s Code of Conduct**

##### **Contractor Code of Conduct**

##### **Implementing ESHS and OHS Standards**

##### **Preventing Gender Based Violence and Violence Against Children**

The contractor is committed to ensuring that the project is implemented in such a way that to minimizes any negative impacts on the local environment, communities, and its workers. This shall be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The contractor is also committed to creating and maintaining an environment in which gender-based violence (GBV) and violence against children (VAC) have no place, and where they shall not be tolerated by any employee, associate, or representative of the contractor .

Therefore, in order to ensure that all those engaged in the project are aware of this commitment, the Contractor commits to the following core principles and minimum standards of behavior that shall apply to all contractor employees, associates, and representatives including sub-contractors, without exception:

#### **General**



1. The contractor —and therefore all employees, associates, and representatives—commits to complying with all relevant national laws, rules and regulations and the World Bank Environmental and Social Standards which can read on the internet in this website:
  - a. <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>
2. The contractor is responsible to comply with the requirements defined in ESMP Environmental and Social Technical Clauses (ESTC) which are both integral part of the contract.
3. The contractor commits to fully implementing the Contractors Environmental and Social Management Plan (C-ESMP) and associated Management Strategies Implementation Plan (MSIPs) which will be prepared based in the ESIA/ESMP prepared by the Client for the respective project.
4. The contractor commits to treating women, children (persons under the age of 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status. Acts of GBV and VAC are in violation of this commitment.
5. The contractor shall ensure that interactions with local community members are done with respect and non-discrimination.
6. Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behaviour are prohibited among all contractor employees, associates, and its representatives.
7. Respect to reasonable work instructions (including regarding environmental and social norms)
8. Protect and ensure proper use of property (for example, to prohibit theft, carelessness, or improper waste management).
9. Prohibits illegal activities by their workers such as: polluting the soil, rivers, wetlands, hunting, poaching wildlife, setting up fires, spilling diesel, oils, bitumen, lubricant, etc. in the soil, cutting trees without permit.

### **Health and Safety**

10. The contractor shall ensure to hire professional in occupational health and safety to implement the ESMP and ESCT described in the bidding documents.
11. The contractor shall ensure that the project's occupational health and safety (OHS) management plan is effectively implemented, including wearing prescribed personal protective equipment, preventing avoidable accidents and reporting accidents of all type within less of 24 hours or conditions or practices in the project sites that pose a safety hazard or threaten the environment and the people.
12. The contractor will:
  - a. Prohibit the use of alcohol during work activities.
  - b. The contractor shall prohibit the use of illegal substances, at all times.
13. The contractor shall ensure that adequate eating, changing and sanitation facilities are available on site and at any worker accommodations provided by the contractor.



14. The contractor will obey labor, contracting and health and safety regulation in case of accidents, death, and incapacity of workers (skilled or no skilled) and pay the compensation required by law.
15. The project and its contractors and subcontractors will be responsible of accident occur by their subcontractors and if members of community are injured or killed assist them as national regulations and WB standards, including payment of funeral, medical attention, and compensation to relatives as national regulations.

### **Gender Based Violence and Violence against Children**

16. Acts of GBV or VAC constitute gross misconduct and are therefore grounds for sanctions, which may include penalties and/or termination of employment. All forms of GBV and VAC, including grooming are unacceptable, regardless of whether they take place on the work site, the work site surroundings, at worker's camps or at worker's homes.
17. In addition to contractor sanctions, legal prosecution of those who commit acts of GBV or VAC shall be pursued if appropriate.
18. Sexual contact or activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.
19. Sexual Harassment—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behavior, is prohibited. For example: Looking somebody up and down; kissing, howling, or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody's sex life; etc. is prohibited.
20. Sexual favours—for instance, making promises or favourable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior are prohibited.
21. Unless there is full consent<sup>4</sup> by all parties involved in the sexual act, sexual interactions between the contractor's employees (at any level) and members of the communities surrounding the workplace are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
22. All employees, including volunteers and sub-contractors are highly encouraged to report suspected or actual acts of GBV and/or VAC by a fellow worker, whether in the same contractor or not. Reports must be made in accordance with GBV and VAC Allegation Procedures.
23. Managers are required to report suspected or actual acts of GBV and/or VAC as they have a responsibility to uphold contractor commitments and hold their direct reports responsible.

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<sup>4</sup> **Consent** is defined as the informed choice underlying an individual's free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even in the event that national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.



**Implementation**

To ensure that the above principles are implemented effectively the contractor commits to ensuring that:

24. All managers sign the 'Manager's Code of Conduct' detailing their responsibilities for implementing the contractor's commitments and enforcing the responsibilities in the 'Individual Code of Conduct'.
25. All employees sign the project's 'Individual Code of Conduct' confirming their agreement to comply with ESHS and OHS standards, and not to engage in activities resulting in GBV or VAC.
26. Displaying the Contractor and Individual Codes of Conduct prominently and in clear view at workers' camps, offices, and in public areas of the workplace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas, health clinics.
27. Ensure that posted and distributed copies of the Contractor and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
28. An appropriate person is nominated as the contractor's 'Focal Point' for addressing GBV and VAC issues, including representing the contractor on the GBV and VAC Compliance Team (GCCT) which is comprised of representatives from the client, contractor(s), the supervision consultant, and local service provider(s).
29. Ensuring that an effective GBV and VAC Action Plan is developed in consultation with the GCCT which includes as a minimum:
  - a. **GBV and VAC Allegation Procedure** to report GBV and VAC issues through the project Grievance Redress Mechanism (GRM);
  - b. **Accountability Measures** to protect confidentiality of all involved; and,
  - c. **Response Protocol** applicable to GBV and VAC survivors and perpetrators.
30. That the contractor effectively implements the GBV and VAC Action Plan, providing feedback to the GCCT for improvements and updates as appropriate.
31. All employees attend an induction training course prior to commencing work on site to ensure they are familiar with the contractor's commitments to ESHS and OHS standards, and the project's GBV and VAC Codes of Conduct.
32. All employees attend a mandatory training course once a month for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project's ESHS and OHS standards and the GBV and VAC Code of Conduct.

I do hereby acknowledge that I have read the foregoing Contractor Code of Conduct, and on behalf of the contractor agree to comply with the standards contained therein. I understand my role and responsibilities to support the project's OHS and ESHS standards, and to prevent and respond to GBV and VAC. I understand that any action inconsistent with this Contractor Code of Conduct or failure to take action mandated by this Contractor Code of Conduct may result in disciplinary action.

Contractor name: \_\_\_\_\_

Signature: \_\_\_\_\_



Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## 2-Individual code of conduct in case of contractor

Implementing Environmental, Social Health and Safety (ESHS) and Occupational Health and Safety (OHS) Standards

Preventing Gender Based Violence (GBV) and Violence against Children (VAC)

I, \_\_\_\_\_, acknowledge that adhering to environmental, social health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing gender-based violence (GBV) and violence against children (VAC) is important. All forms of GBV or VAC are unacceptable, be it on the work site, the work site surroundings, at worker's camps, or the surrounding communities. The contractor considers that failure to follow ESHS and OHS standards, or to partake in GBV or VAC activities, constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit GBV or VAC may be pursued if appropriate.

I agree that while working on the project I will:

- Attend and actively partake in training courses related to ESHS, OHS, HIV/AIDS, GBV and VAC as requested by my employer.
- Shall wear my personal protective equipment (PPE), in the correct prescribed manner, at all times when at the work site or engaged in project related activities.
- Take all practical steps to implement the contractor's environmental and social management plan (CESMP).
- Implement the OHS Management Plan.
- Adhere to a zero alcohol policy during work activities, and refrain from the use of illegal substances at all times.
- Consent to a police background check.
- Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual contact or activity with children—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.



- Not engage in sexual harassment—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behavior. Ex. Looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody's sex life; etc.
- Not engage in sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Unless there is the full consent<sup>1</sup> by all parties involved, I shall not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “nonconsensual” within the scope of this Code.
- Consider reporting through the GRM (Grievance Redress Mechanism) or to my manager any suspected or actual GBV or VAC by a fellow worker, whether employed by my employer or not, or any breaches of this Code of Conduct.

*With regard to children under the age of 18:*

- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium (see also “Use of children's images for work related purposes” below).
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Comply with all relevant local legislation, including labor laws in relation to child labor.

Use of children's images for work related purposes when photographing or filming a child for work related purposes, I must:

- Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film shall be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically

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



- Informal warning.
- Formal warning.
- Additional Training.
- Loss of up to one week's salary.
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- Termination of employment.
- Report to the police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I shall adhere to the occupational health and safety management plan. That I shall avoid actions or behaviours that could be construed as GBV or VAC. Any such actions shall be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV and VAC issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

***Annex 2: Matrix for all potential risks associated to health and safety issues in the project, the equipment and budget that will be needed to be costed in the contractor's contract.***

Potential OHS impacts	Mitigation measures
<b>PLANNING AND PRE-CONSTRUCTION PHASE</b>	
General waste that may exist before or generated during the site installation	-Develop waste management plan for various specific waste streams - Prohibit burning of waste



Potential OHS impacts	Mitigation measures
	<ul style="list-style-type: none"> <li>- Maintain all construction sites in a cleaner, tidy and safe condition</li> <li>-Provide and maintain appropriate facilities as temporary storage of all wastes before transportation and final disposal.</li> </ul>
Dust emissions or and health hazard during the excavation works, dismantling works or site clearance	<ul style="list-style-type: none"> <li>-Notify the workers before starting the demolishing work or excavation works,</li> <li>-water spraying on the bear surface or dust pollution source</li> <li>-Proper health and safety measures for the workers such as using of appropriate PPE (helmet, Earplug, mask, safety shoes, hand gloves etc.) should be taken to avoid any accidents;</li> </ul>
<ul style="list-style-type: none"> <li>-Removal of vegetation or tree cutting in the project sites may expose workers to accident risk; noise level increase and vibration effects</li> <li>-Removal of utilities such as electrical cables may expose workers to injury or killing by electric shock (electrocution)</li> <li>-Exposure to or faulty electrical devices, such as circuit breakers</li> </ul>	<ul style="list-style-type: none"> <li>-workers should be sensitized about the nature of the works and precautionary measures to be taken</li> <li>- construct noise barrier around the dismantling site; stop the engine when it is not required; monitor noise level as per existing guidelines</li> <li>- Prevent accidents and injury to health by minimizing hazards in the working environment</li> <li>-Contractor will cut only trees agreed on with the district local authorities and the environmental officer</li> <li>-A vegetation restoration plan will be implemented to replace the affected/uprooted trees.</li> </ul>
Eye hazards due to solid particles from a wide variety of preliminary construction operations	Use of machine guards or splash shields and/or face and eye protection devices, such as safety glasses with side shields, goggles, and/or a full face shield
<b>CONSTRUCTION PHASE</b>	
<p>Air quality can be affected by vehicle exhaust emissions and combustion of fuels or by emissions from construction machineries, causing air pollution, respiratory and other diseases</p> <ul style="list-style-type: none"> <li>-Dust generation from earth excavation, earth &amp; sand stockpiles during dry period</li> <li>-Work-related accidents</li> </ul>	<ul style="list-style-type: none"> <li>-Fit vehicles with appropriate exhaust systems and emission control devices;</li> <li>-Maintain vehicles and construction equipment in good working condition including regular servicing</li> <li>- Operate the vehicles in a fuel efficient manner;</li> <li>-Impose speed limits at 30 km/hour on vehicle movement at the worksite to reduce dust emissions;</li> <li>-water spraying on the bear surface or dust pollution source</li> </ul>



Potential OHS impacts	Mitigation measures
	<p>-Proper health and safety measures for the workers such as using of appropriate PPE (helmet, musk, safety shoes, hand gloves etc.) should be taken to avoid any accidents</p> <p>- Focus special attention on containing the emissions from generators;</p> <p>-Construction equipment causing excess pollution (e.g. visible smoke) will be banned from construction sites immediately prior to usage;</p> <p>-Water spray to the dry earth/ material stockpiles, increase the watering frequency during periods of high risk (e.g. high winds);</p> <p>-Stored materials such as: excavated earth, dredged soil, gravel and sand shall be covered and confined to avoid their wind drifted;</p> <p>- The Air quality monitoring should be carried out by the contractor following the National Air Quality Standard</p>
<p>-Vibration and noise quality will be deteriorated due to vehicular traffic, and construction equipment</p>	<p>-Strict measures for noise pollution control need to be undertaken during construction activities;</p> <p>-Create noise barrier and consider the minimum noise levels at sensitive receptor sites</p> <p>- Stone breaking machine should be confined within a temporary shed so that noise pollution could be kept minimum</p> <p>- Protection devices (ear plugs or earmuffs) and masks shall be provided to the workers operating in the vicinity of high noise generating machines during construction;</p> <p>-Construction equipment and vehicles shall be fitted with silencers and maintained properly;</p> <p>-Instruction to the drivers to avoid unnecessary honking;</p> <p>-The Noise level monitoring should be carried out by the contractor following the national noise quality standards</p> <p>-Board Vibration monitoring should be carried out by the contractor.</p>
<p>Labor and construction camps</p>	<p>-In the project will not be large workers camps nor large construction camps.</p> <p>-Worker camps will be small to serve less than 30 workers and provide sanitation facilities, eating and resting areas, storage of belongings.</p>



Potential OHS impacts	Mitigation measures
	<p>-Construction camps will be small and will serve to install contractor's office and store construction materials, machinery, trucks, tools, etc.</p> <p>-Area to be used as camp site will be controlled by ESMP measures and approve by the project engineer and supervised together with the local and national ESMU teams. Local District officers will also provide general oversight.</p>
<p>- Lack of proper infrastructure facilities, such as water supply and sanitation facilities may expose workers to hygiene-related diseases or lack of potable water</p> <p>-Accidental spillage of hazardous liquid from the construction camps</p>	<p>- Train all construction workers in basic sanitation and health care issues and safety matters and on the specific hazards of their work.</p> <p>-The contractor will provide movable toilets for both men and women</p> <p>-The contractor will provide drinking water meeting the national standards</p> <p>- pH and coliforms contents should meet standards for drinking water) (Rwanda Standards Board (2018): pH= 6.5-8.5 and Coliforms content (Total coliforms, CFU/100 ml): Not detectable.</p> <p>-The water quality monitoring should be carried out by the contractor following the national water quality standards</p> <p>- Regular health check-up of the workers</p> <p>-Handling and storage of the potential contaminants has to be organized under strict condition to avoid water pollution during construction</p> <p>-Handling of hazardous liquid should be done carefully by the designated experienced person</p>
<p>-Inappropriate handling or accidental spillage/leakage of these substances can potentially lead to safety and health hazards for the construction workers</p>	<p>-workers to be mindful of the occupational exposures that could arise from working environment</p> <p>-workers on construction sites should receive special health and safety training specific to remediation activities</p> <p>- Handling and storage of the potential contaminants has to be organized under strict condition to avoid water pollution during construction</p> <p>- Handling of hazardous liquid should be done carefully by the designated experienced person</p>



Potential OHS impacts	Mitigation measures
	- The ground water quality monitoring should be carried out by the contractor following the National Water Quality Standard
Fires and or explosions resulting from ignition of flammable materials or gases can lead to injury or fatalities to project workers	-Storing flammables away from ignition sources and oxidizing materials. -Be equipped with fire extinguishing devices and self-closing doors, and constructed of materials made to withstand flame impingement for a moderate period of time
Road Traffic and Accidents	-Proper Traffic Management Plan (TMP) should be prepared by the contractor during starting of construction and follow it strictly; - In this TMP, the road safety measures such as speed breakers, warning signs/lights, road safety signs, flagman in place etc. should be prepared and implemented
Solid wastes and hazardous wastes	-Hazard communication and training programs to prepare workers to recognize and respond to workplace chemical hazards - Waste management and pollution control plan - Minimize the production of waste materials by 3R (Reduce, Recycle and Reuse) approach - Prohibit burning of solid waste - Ensure proper collection and disposal of solid wastes within the construction camps; -Insist waste separation by source; organic wastes in one container and inorganic wastes in another container at sources; -Dispose organic wastes in a designated safe place on daily basis; The organic wastes should be always covered with a thin layer of sand so that flies, mosquitoes, dogs, cats, rats, etc. are not attracted
GBV (sexual harassment of women and girls, exploitative sexual relations, sex work, etc.)	-ESMP should identify risks of labor influx and propose general mitigation measures -Develop and implement a national level GBV Action Plan with an accountability and Response Framework -Training and awareness on unacceptable conduct toward female workers



Potential OHS impacts	Mitigation measures
	<ul style="list-style-type: none"> <li>-informing workers about national labour law that makes sexual harassment and gender-based violence a punishable offence which is prosecuted</li> <li>-Introduce a worker code of conduct as part of the employment contract including sanctions</li> <li>-contractors to adopt a policy to cooperate with law enforcement agencies in investigating complaints about GBV</li> <li>-Ensure that women are given equal employment opportunities during recruitment and job postings.</li> <li>- provide separate sanitation facilities for women;</li> <li>-ensure that the GM includes a separate channel for handling GBV complaints using a survivor-based approach.</li> </ul>
<p>-Increased risk of work crews spreading sexually transmitted infections and HIV/AIDS.</p> <p>- Risk of transmission of COVID-19 in workplaces</p> <p>-Lack of first aid facilities and health care facilities in the immediate vicinity will aggravate the health conditions of the workers.</p>	<ul style="list-style-type: none"> <li>-Provide HIV awareness programming, including STI (sexually transmitted infections) and HIV information, education and communication for all workers on regular basis;</li> <li>- Plan daily awareness exercises on the prevention of COVID-19.</li> <li>- Train workers on health and safety, on communicable diseases with a special attention paid to COVID-19.</li> <li>- Regular health check-up of the workers and awareness training about the communicable diseases</li> <li>-Educating project personnel, and area residents on risks, prevention, and available treatment for vector-borne diseases</li> <li>-Provide the workers a safe and healthy work environment;</li> <li>- Provide health care facilities and first aid facilities readily available,</li> </ul>
Exploitation of workers	<ul style="list-style-type: none"> <li>-Ensure that all workers have contracts with terms and conditions that are consistent with national labor laws and policies as well as ESS2</li> <li>-Every worker should be trained on as well as sign a Code of Conduct</li> </ul>
Child and forced labor	<ul style="list-style-type: none"> <li>-Ensure no children are employed on site in accordance with national labor laws and ESS2</li> <li>-All workers should be able to demonstrate their age by use of national identity cards or other official documentation</li> </ul>



Potential OHS impacts	Mitigation measures
	<ul style="list-style-type: none"> <li>-Inform communities and stakeholders that the use of child labor/ students (including for community contributions) is not permitted on the project.</li> <li>-All workers must have an employment contract, be paid for their work and have the right to resign if they wish</li> </ul>
Pollution of water	<ul style="list-style-type: none"> <li>-No garbage or refuse, waste oils should be discharged into drains or onto site grounds</li> <li>-Fuel storage tanks or sites should be properly secured to contain any spillage</li> <li>-Toilet facilities should be provided for construction workers to avoid indiscriminate defecation in nearby bush or local water bodies</li> </ul>
Sanitary wastewater discharges	Adequate portable sanitation facilities serving all workers should be provided at all construction sites. Sanitary wastewater in construction sites should be properly managed
Hazardous waste: paint, fuel, chemicals, oil, petroleum products, bitumen etc. may harm the health of construction workers	<ul style="list-style-type: none"> <li>-Appropriate mitigation and protective measures are to be included in the ESMP</li> <li>- Train the relevant construction personnel in handling of fuels and spill control procedures</li> <li>-Training workers on the correct transfer and handling of fuels and chemicals and the response to spills</li> </ul>
Trafficking	Human trafficking is a serious issue, and road construction projects can inadvertently create conditions that make workers vulnerable to exploitation and trafficking. Implementing effective mitigation measures is essential to prevent and address human trafficking during project implementation, Ethical Recruitment, Worker Awareness and Training, Screening and Background Checks, Transparent Employment Contracts, Fair Wages and Benefits, Monitoring and Auditing, Safe and Secure Accommodations: Access to Grievance Mechanisms, Collaboration with Local Authorities and NGOs, Community Engagement, Regular Training for Project Staff, Zero Tolerance Policy,
Discrimination	<b>Diversity and Inclusion Policies:</b> Establish clear diversity and inclusion policies that explicitly condemn discrimination based on factors such as race, gender, ethnicity, religion, age, disability, or any other protected characteristic. Ensure that these policies are communicated to all employees and contractors.



Potential OHS impacts	Mitigation measures
	<b>Equal Opportunities in Hiring and Promotion:</b> Implement fair and transparent hiring and promotion practices that provide equal opportunities for all employees. Avoid biases in recruitment processes and ensure that decisions are based on merit and qualifications.
Vulnerable groups/Disadvantaged	<p><b>Employment Opportunities:</b> Provide employment opportunities for vulnerable groups, including women, minorities, and economically disadvantaged individuals. Ensure that hiring practices are inclusive and that these groups have equal access to jobs, training, and skill development programs.</p> <p><b>Impact Assessments: Conduct</b> thorough social impact assessments to identify potential adverse effects on vulnerable groups. This includes assessing economic, cultural, and social impacts on communities and individuals.</p>
OPERATIONAL PHASE	
Traffic Accident: increased traffic on the road can lead to a higher risk of accidents involving vehicles and pedestrians.	Implement and enforce traffic safety regulations, install proper road signs, signals, and speed limits. Conduct regular traffic safety audits and maintenance to address potential hazards.
Road Maintenance: Maintenance activities, such as repairs or resurfacing, can expose workers to risks like falls, equipment-related accidents, and exposure to hazardous materials.	Provide adequate training for maintenance workers, use proper personal protective equipment (PPE), implement safety protocols, conduct regular equipment inspections, and ensure proper signage to alert drivers to maintenance activities.
Pedestrian Safety: Pedestrians may face increased risks due to traffic, lack of proper crossings, and inadequate pedestrian infrastructure.	Improve pedestrian infrastructure with crosswalks, pedestrian signals, and sidewalks. Implement traffic calming measures in residential areas. Raise public awareness about pedestrian safety.
Cyclist Safety: Cyclists may face risks related to traffic interactions and inadequate cycling infrastructure.	Develop dedicated cycling lanes, provide cyclist-friendly infrastructure, and enforce traffic regulations that protect cyclists. Conduct public awareness campaigns to promote sharing the road safely.
Emergency Response Challenges:  The accessibility and safety of emergency response teams may be affected due to increased traffic or road conditions.	Collaborate with emergency services to develop plans for quick and efficient responses. Maintain clear emergency access routes and ensure that road design accommodates emergency vehicle needs.



Potential OHS impacts	Mitigation measures
<b>MAINTENANCE PHASE</b>	
Exposure to Hazardous Materials: Workers may be exposed to hazardous materials such as asphalt, chemicals, or solvents during maintenance activities	<ul style="list-style-type: none"> <li>• Provide adequate personal protective equipment (PPE) such as gloves, masks, and goggles.</li> <li>• Implement proper handling and storage procedures for hazardous materials.</li> <li>• Conduct regular training on the safe use of materials and emergency response procedures.</li> </ul>
Traffic Safety Risk: Workers may be at risk of accidents involving moving vehicles during road maintenance.	<ul style="list-style-type: none"> <li>• Implement proper traffic control measures, including signage and barricades.</li> <li>• Train workers on safe work practices near moving vehicles.</li> <li>• Establish clear communication protocols between workers and equipment operators.</li> </ul>
Noise Exposure: Maintenance activities, such as repairing or resurfacing roads, can generate high levels of noise, leading to hearing damage among workers.	<ul style="list-style-type: none"> <li>• Provide hearing protection equipment to workers exposed to high noise levels.</li> <li>• Schedule noisy activities during times when fewer people are present.</li> <li>• Install noise barriers or use noise control measures on equipment</li> </ul>
Heat Stress: Working outdoors during hot weather may lead to heat-related illnesses among workers.	<ul style="list-style-type: none"> <li>• Schedule maintenance activities during cooler parts of the day.</li> <li>• Provide shaded rest areas and hydration stations.</li> <li>• Train workers on recognizing and preventing heat-related illnesses.</li> </ul>

### Annex 3: Health and Safety Incidents Tracker

#### Class of incidents

Class 1	Class 2	Class 3
Minor : no one was injured or contaminated	Moderate consequences: minor injury with short term impairment	Major/critical: like at stake, severe injuries with long term or permanent



Reference number	Class of incident	Brief description	Cause of the incident	Date	Action to be taken	Due date	Responsible	Progress	Status
INC001									Open
INC002									Closed

**Annex 4: Employment, Health and Safety conditions Monitoring Form (Checklist)**

Contractor' name: Site name.....Date:

**Instructions:** Tick (v) if available, put a cross(X) if unavailable.

Tick (v) if there's evidence, put a cross(X) if there's no evidence.

N0	Monthly Checklist: EHS items	Available	Unavailable	Type of evidence	Comment
1	Current Employee List				
2	Valid Working Contract				
3	Appointment letters;				
4	Inductions - all contractor staff				
5	Reporting: Incidents, accidents				
6	Grievance redress mechanism				
7	Health and Safety Committee				
8	Sanitary facilities: toilets (separate for men and women), hand washing facilities, waste collection points.				
9	PPE (boots, gloves, helmets, masks, etc): Branded & Properly worn at all times,				
10	Awareness on SGBV, STD and COVID-19.				
11	Valid First Aid Kit				
12	Valid Fire extinguishers;				
13	The incident register				
14	provide separate sanitation facilities for women				



15	ensure that the GM includes a separate channel for handling GBV complaints using a survivor-based approach.				
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