

REPUBLIC OF GHANA



**GULF OF GUINEA NORTHERN REGIONS SOCIAL COHESION
PROJECT (SOCO)**

LABOUR MANAGEMENT PROCEDURES (LMP)

JANUARY 2022

EXECUTIVE SUMMARY

The Labour Management Procedures (LMP) for the Gulf of Guinea Northern Region and Social Cohesion Project (SOCO, P175043) has been prepared to meet the objectives and requirements of ESS 2 and ESS 4 and the Labour Laws of Ghana. This LMP assesses the potential risks and impacts of assignment of labour for implementing the project and addresses them through mitigation measures consistent with the ESS and national Labour policies and laws.

This LMP covers all categories of workers that could be potentially engaged in the project: skilled and unskilled workers, including volunteers, who will be engaged directly and/or indirectly during the implementation. Specifically, the LMP will be applicable to staff at the Project Implementation Unit (PIU), contractors, their employees, third parties (sub-contractors) whom the contractors and supply chain actors may engage.

ESS 2 categorises workers into direct workers, contracted workers, community workers and primary supply workers. The LMP sets out these types of workers, their estimated numbers, and their characteristics. Key potential environmental and social risks—poor working conditions, discriminatory labour practices, community risks, waste generation, risk of GBV, child exploitation, and forced labour- have been identified. The ES assessment sets the project risk classification as moderate. This classification is based on the nature of the potential Environmental and Social (ES) risks and impacts and the capacity of the implementing agency to manage and mitigate these risks and impacts.

National labour laws, policies, and Ghana’s commitment to international labour standards also guided the preparation of the LMP. Thus, the LMP thoroughly reviewed and assessed the ESS, the national Labour laws and policies, commitments of the government of Ghana to international standards for prevention and elimination of child Labour and non-discrimination. Major points of consideration that include Conditions of Employment, Child/Forced Labour, equal employment opportunities, freedom of workers association, among others, have also been reviewed to serve as guidelines for meeting the obligations and requirements in respect of labour.

A Grievance Redress Mechanism (GRM) for labour has been worked out to provide an opportunity to receive feedback from workers and to address potential grievances that workers and other stakeholders may have in relation to the project. The GRM also covers issues relating to the ability and capacity of Contractors and sub-contractors in meeting the ES objective and requirements as well as the national Labour laws and policies and will form a part of the General Specification of Contract of the bidding documents. The preparation and implementation of the site-specific Labour Management Plan by the Contractor will be incorporated in the Bill of Quantities (BoQ) as a component of the general items of the bidding document.

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1 INTRODUCTION

The Government of Ghana (GoG), through the Ministry of Local Government Decentralisation and Rural Development (MLGDRD), in collaboration with the Ministry of Finance and the World Bank, is preparing to implement the Gulf of Guinea Northern Regions and Social Cohesion Project. The proposed project, which is a regional operation, seeks to facilitate coordination of local investments, especially around border areas, including cross-border investments and information sharing across countries and support the adoption of coherent and consistent regional approaches to problems of connectivity, social exclusion and cohesion that are shared across the sub-region.

The project seeks to contribute to conflict spill-over prevention by improving the social and economic resilience of the target northern regions and strengthening regional dialogue across the target Gulf of Guinea countries (namely, Benin, Côte d'Ivoire, Ghana, and Togo).

The Project Development Objective is: “To to improve regional collaboration and the socioeconomic and climate resilience of border-zone communities in the target northern regions of the Gulf of Guinea countries exposed to conflict and climate risks..”

1.1 Purpose and Scope of the Labour Management Procedures

The purpose of this Labour Management Procedure (LMP) is to provide a methodical and coherent approach to dealing with the labour-related issues, impacts and risks likely to emanate from the implementation of this project. The requirements of ESS 2 have been the primary guide in the preparation of this document. This LMP thus deals with all aspects of the requirements of ESS2 - labour and working conditions, management of worker relationships and Occupational Health and Safety (OHS).

The specific objectives of the LMP are to:

- i. Establish a framework for managing labour engaged in implementing the SOCO Project and protecting them from the potential occupational health and safety risks.
- ii. Ensure a working environment that adequately protects workers' rights regarding fair treatment, equal opportunity, and non-discrimination.
- iii. Prevent discrimination in hiring, remuneration, and access to training or other pertaining employment conditions on the grounds of sex, gender, race, tribe, religion, disability, union membership, and political opinions. Furthermore, ensure that employees understand their rights in relation to labour and working conditions.
- iv. Eliminate incumbrances to labour exercising their right to freedom of association and collective bargaining
- v. Ensure that a reliable and effective grievance redress system exists that meets and addresses employees' concerns.
- vi. Prohibit the use of child or forced labour in direct operations and the supply chain
- vii. Institute measures to prevent potential sexual and gender-based violence in project implementation activities.

National labour laws, policies, and Ghana's commitment to international labour standards also guided the preparation of the LMP. Thus, the LMP thoroughly reviewed and assessed the ESS, the national Labour laws and policies, commitments of the government of Ghana to international standards for prevention and elimination of child Labour and non-discrimination.

Major points of consideration that include Conditions of Employment, Child/Forced Labour, equal employment opportunities, freedom of workers association, among others, have also been reviewed to serve as guidelines for meeting the obligations and requirements in respect of labour.

1.2 Project Description

The Project Development Objective is to improve regional collaboration and the socioeconomic and climate resilience of border-zone communities in the target northern regions of the Gulf of Guinea countries exposed to conflict and climate risks.

The “Gulf of Guinea countries,” in the context of the project, refers to Benin, Côte d’Ivoire, Ghana, and Togo. To leverage regional impact and contribution, the target areas, including border areas of each of the target countries, have been discussed and agreed upon with government counterparts based on recent statistics and other data on vulnerabilities (such as conflict and climate risks, sensitivity, adaptive capacity, and so on).

The Gulf of Guinea’s complex multisectoral FCV challenges and a vision to prevent further escalation of such FCV risks call for an integrated and holistic regional response. Accordingly, the project offers interventions based on three principles: (a) regional threats require regional responses; (b) investments should be coordinated regionally and implemented locally, following a CDD approach adapted to each country context; and (c) investment targeting should be informed by solid vulnerability assessments and focused on strengthening social cohesion.

The project consists of four complementary components (and a fifth component on emergency response). **Component 1** will finance local-level investments to promote community resilience and inclusion in border areas, based on a territorial medium-term vision shared across the countries. **Component 2** will finance various training and capacity building activities that can build the foundation and capacity of local stakeholders across the Gulf of Guinea countries, especially in key four dimensions: (a) identify and implement subprojects under Component 1, (b) create a base for local economic ecosystem with a cross-border vision that can lead to medium- to long-term territorial development in the target northern region, (c) equip targeted youth in border communities with skills to engage in project's activities, and (d) promote better understanding and practice of social inclusion and cohesion. **Component 3** aims to strengthen regional collaboration across the four target countries to support a coherent response to prevent FCV risks in the Gulf of Guinea. **Component 4** will support project management and coordination at the regional, national, and subnational levels to effectively implement project activities. **The project has a 5th component** which has zero-budget and will serve as a contingent emergency funding mechanism that could be triggered in the event of a natural or man-made disaster and/or health crisis such as pandemics through formal declaration of a national emergency or upon a formal request from one of the Governments.

The Project target area is six (6) administrative regions in northern Ghana, namely: Upper East, Upper West, North East, Savannah, Northern and Oti. Specific locations and sites of sub-projects will be selected from communities and districts in these regions for implementation.

The project will finance activities including the following: Community investments such as upgrading, rehabilitation, and/or expansion of rural roads; construction, or repair of culverts and other structures; Climate-resilient water and sanitation structures; Small irrigation canals,

soil and water conservation measures, flood control structures, community pond, tree nurseries, afforestation, soil preservation to improve soil fertility, restoration works, and regeneration of pasture lands to improve carbon stocks; Energy-efficient off-grid electrification; information and communication technology (ICT)-based installations at the community, community-run radio, and communication systems; capacity building for community investments to strengthen local resilience and inclusion; Promotion of local economic development; Engaging youth in project-related and more publicly oriented activities to help inclusion and community cohesion, Promotion of social cohesion and prevention of violence; Studies and Data Collection and Analysis; Gender-specific investments such as child-care facilities to support women's economic activities; Strategic economic activity investments for local economic development such as markets; and Youth-identified social cohesion activities and/or cluster-level community infrastructure.

The project's direct beneficiaries in the target regions of northern Ghana will be populations, communities, and Local Governments stakeholders in selected intervention areas, with explicit efforts to target vulnerable youth and women.

1.3 Environmental and Social Aspects of the Project

This project addresses the environmental and social impacts and risks through the World Bank's Environmental and Social Framework (ESF) and its Environmental and Social Standards (ESS). The specific standard relevant to Labour and Working Conditions is ESS2, which requires the Borrower to prepare and implement labour management procedures (LMP). The LMP enables the identification of the labour requirements impacts and risks associated with the project and helps the Borrower to determine the resources necessary to address the identified issues. The LMP is prepared early in project preparation, reviewed and updated throughout the development and implementation of the project. This makes the LMP a living document and accordingly details the type of workers likely to be engaged by the project and the accompanying management issues.

1.4 Scope and Structure of the LMP

The scope of this LMP covers all categories of workers that could be potentially engaged in the SOCO project: skilled and unskilled workers, including volunteers, who will be engaged directly and/or indirectly during the implementation. Specifically, the LMP will be applicable to staff at the Project Implementation Unit (PIU), contractors, their employees, third parties (sub-contractors) whom the contractors and supply chain actors may engage.

The structure of the LMP is consistent with the outline in the World Bank's ESS2. The engagement will be planned as an integral part of the SOCO project's environmental and social assessment and project design and implementation. Therefore, the LMP consist of ten sections. Section 1 is the Introduction. Section 2 is an overview of labour use on the SOCO project. Section 3 is the assessment of key potential labour risks and hazards. Section 4 comprises the management of occupational hazards and risks, while section 5 contains an overview of labour regulations: occupational health and safety. Section 6 presents an overview of labour regulations: terms and conditions. Section 7 presents the age of employment; and section 8 gives the terms and conditions in relation to hours of work, Wage Payment, rest periods, right to privacy. Section 9 presents disciplinary procedures and grievance mechanisms. Section 10 is the management of contractors.

2 OVERVIEW OF LABOUR USE ON THE PROJECT

The implementation of the SOCO Project will require the involvement of many stakeholders. Key among them will be the following:

- i. The Project Implementation Unit will be responsible for giving technical direction to project implementation activities.
- ii. Regional Coordinating Councils (RCCs). As part of their legal requirements, the RCCs monitor District Assembly operations, activities, and ongoing projects.
- iii. District Assemblies (DAs). The DAs will be directly responsible for the implementation of sub-project activities being implemented in their respective jurisdictions.
- iv. Contractors. Contractors may be engaged to undertake the design and construction of infrastructural facilities to be provided under the project.
- v. Project Communities. The target communities will be the direct beneficiaries of the infrastructural facilities to be provided and may provide some labour towards the project implementation.
- vi. Community Facilitators. Community Facilitators will play a pivotal role in liaising between the project communities and the District Assemblies.
- vii. The project will engage the following categories of workers:
 - Project Workers: Those that will be employed or engaged directly by the MLGDRD (including the project proponent and the project implementing agencies) to work specifically in relation to the project.
 - Contracted workers: Those that will be engaged through third parties to perform work related to core functions of the project, regardless of location.
 - Community Workers: People engaged in providing community labour.
 - Migrant Workers: Workers who have migrated from one country to another or from one part of the country to another for employment purposes.

2.1 Types of Workers

This LMP applies to all Project workers, whether full-time, part-time, temporary, seasonal or migrant workers. The LMP is applicable, as per ESS2, to the project in the following manner:

Direct Workers: People employed or engaged directly by the project or the Project Implementation Unit (PIU) or anybody employed by the PIU to work specifically in relation to the project.

Contracted Workers. People employed or engaged by contractors to perform work related to the project as specified in the project's various components, regardless of location. Two broad categories of contracted workers are anticipated under the project: (i) service providers and (ii) civil works contractors.

Service Providers. The PIU will recruit individuals and or *firms* to facilitate community engagement and related activities and to provide technical assistance. Staff and management of both the firms and individual consultants will follow the same labour procedures in the LMP and national laws.

Civil Works Contractors. The PIU and Local Governments will also procure services of local civil works contractors at the national, regional, and local levels as may be required. These Contractors will recruit local staff and issue employment contracts and service contracts for the

employed people.

Community Workers. People, especially the youth of working age, women, and people with disabilities in beneficiary communities, may be employed or engaged in providing their skills and services for the implementation of sub-projects. The PIU will ensure that measures are implemented to ensure that this labour will be provided on a voluntary basis following an individual or community agreement. The application of the provisions of ESS 2 will be proportionate to the nature, activities and risks and impacts of the sub-project in question. The PIU will be responsible for assessing and managing the identified risks and impacts associated with the use of Community Workers. The PIU will ensure that potential risks of child labour, forced labour, and serious worker safety issues of community workers are assessed.

Primary Supply Workers. People employed or engaged by the project's primary suppliers of goods and materials for its core activities as stipulated in the project components. The project will directly source goods essential for the project from primary suppliers. The implementing agency (MLGDRD/PIU/Local Governments) will require that primary supply contracts include legal provisions on the use of child/forced labour explicit prohibition and compliance with OHS regulations and non-discrimination clauses. The PIU will identify potential risks of child labour, forced labour, and serious safety issues related to primary suppliers during project implementation. Where remedy is not possible, the PIU will, within a reasonable period, shift the project's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements of this ESS.

2.2 Number of Project Workers.

Different categories of stakeholders will be engaged to play active roles during the actual project implementation. The different categories and their respective numbers are indicated below

Direct Workers: The MLGDRD will form a Project Implementation Unit (PIU). The PIU will employ and or engage the following:

- a) Project Coordinator (1)
- b) Infrastructure Specialist (1)
- c) Environmental Safeguards Specialist (1)
- d) Social Safeguards Specialist (1)
- e) Financial Management Specialist (1)
- f) Monitoring and Evaluation Specialist (1)
- g) Management Information Systems Specialist (1)
- h) Procurement Specialist (1)

The PIU will be supported by a host of officers and administrative staff; the precise number is not known yet.

Civil Works and Workers: The project proposes small/medium scale infrastructure for construction or rehabilitation. Local-level contracting entities will be engaged to undertake construction activities such as schools, markets, rural roads etc. These entities will engage local artisans such as masons, carpenters, steel benders, concrete mixers and power trowel operators inter-alia. The average number of workers expected to be associated with such small/medium scale sub-projects is estimated at 15 per sub-project. Engineers at the Works Departments of

the various District Assemblies will supervise the technical aspects of the sub-projects to be implemented and will be required to follow the labour requirements as well as ensure compliance by the contractors and service providers.

Service Providers. The precise number of project workers employed or engaged in providing various services is unknown. This will become known as and when implementation begins. The estimated number of local firms and individual consultants to be hired directly by the project will be in the range of 12 (2 in each target region), who will provide technical assistance under the different components. In addition, the Regional Economic Planning Officer for each region (6 in each region) will provide technical services and staff at the regional antennas will assist them.

Community Workers. Projects may include the use of community workers in several different circumstances, including where the community provides labour as a contribution to the project. In all, it is estimated that about One Hundred and Twenty Three Thousand and Sixty (123,060) community members will be engaged in the project. The PIU will ensure that measures are implemented to ensure that this labour will be provided on a voluntary basis following an individual or community agreement. The application of the provisions of ESS 2 will be proportionate to the nature, activities and risks and impacts of the sub-project in question. The PIU will ensure that potential risks of child labour, forced labour, and serious worker safety issues of community workers are assessed and addressed.

Community Facilitators. About Community Facilitators will be engaged to serve as the liaisons between the project communities and the Implementing District Assemblies. The project is expected to engage One Hundred and Twenty-Seven (127) Community Facilitators.

Primary Supply Workers: The estimated number of primary supply workers to be engaged in the project could not be established at this stage of the LMP.

2.3 Workforce Characteristics

Given the nature of the project construction workforce (primarily unskilled and semi-skilled construction labour) and characteristics of the labour force market in Ghana, it is likely the workforce, especially the lower-skilled workers, will be predominantly male. The hiring decisions will be based on the principle of non-discrimination and equal opportunity. The expectation is that the majority of labour will be locally hired, with the exception of a few skilled workers. Provisions will be made to train and hire as many as possible from local communities where the activities occur.

2.4 Timing of Labour Requirements

The direct workers and some of the contracted workers will generally be required full time and around the year for the project duration. Consultants and civil works contract workers will be required as per the need. Construction work is typically all year round in northern Ghana with some interruption during the rains, usually from April to October, while south of Ghana experiences its rainy season from March to mid-November.

3 ASSESSMENT OF KEY POTENTIAL LABOUR HAZARDS AND RISKS

Various construction activities to be undertaken under the project may predispose workers to multiple risks of injury to their health and safety. These potential risks may include:

3.1 Risk of contracting Upper Respiratory Tract Infection (URTI).

This could be due to air quality deterioration resulting from fugitive dust from land preparation activities. Fugitive dust generation is expected to be more pronounced during the dry season. This could potentially affect the health of those engaged at the site. Dust generation and its consequent health impacts may be high intensity but relatively short duration.

3.2 Stress.

Construction activities may engender high noise levels and vibration, predisposing the workers to stress and other health-related ailments. High noise levels can cause hearing loss, and repeated use of vibrating tools can cause hand-arm vibration syndrome (damage to nerves and blood vessels – most commonly in the hands and fingers). Stress may also emanate from potential abuse by co-workers or employers, work-life conflict, excessive workload, exposure to violence etc.

3.3 Musculoskeletal injuries

This may result from repetitive motion tasks and long-term exposure in extreme sunlight environments. Available data shows that ambient temperatures could be as high as 36°C in the dry equatorial Climatic Zone. Long term exposure to such extreme temperatures could cause sunburns and consequent skin diseases among the workers.

3.4 Cuts

Cuts could also occur from sharp-edged tools and moving parts of machinery such as concrete mixers, etc.

3.5 Trips and falls

Trips are the most common cause of reported injuries on construction sites, with over 1,000 major injuries each year. Workers working at heights (such as during roofing of buildings) will be predisposed to the risk of falling. Injuries could be fatal if appropriate preventive measures are not instituted.

3.6 Falling material and collapses

Workers may be struck by material falling from loads being lifted and material that rolls or may be kicked off work platforms; others may be struck or buried by falling materials when excavations, buildings, or structures collapse. Structural collapses can range from walls, which fall because their foundations are undermined by nearby excavations, to buildings, which collapse during alteration works because the structure was weakened and/or overloaded. Structures can also collapse unexpectedly during demolition if action is not taken to prevent instability. Scaffolds may collapse because ties are either forgotten or removed too early during striking, or the scaffold is overloaded. Structures under construction may also collapse, e.g., steel frames that have not been adequately braced or formwork that is prematurely loaded.

3.7 Injuries from mobile plants

Some construction plants, like concrete mixers, can be heavy. It often operates on the ground, which may be muddy, uneven, and poor driver visibility. Workers at the site may be injured or killed by moving vehicles, especially reversing ones. Others, particularly drivers and operators, may be killed or injured by overturning vehicles and plants.

3.8 Snakebites

Workers may be exposed to the risk of snake bites during land clearing, which may be required to pave the way for construction activities to commence.

3.9 Sexual and Gender-Based Violence (SGBV)

Workplace sexual harassment and violence could affect individuals' physical and mental well-being. This could undermine victims' well-being and confidence and result in a working environment based on fear. In the worst cases, rape and sexual violence in the workplace and travel to and from the workplace also pose risks for women in contracting HIV/AIDS and other sexually transmitted diseases. Gender-based violence has costs to employers irrespective of the location of occurrence. According to the United Nations, it can "...impact the workplace through decreased productivity, increased absenteeism, health and safety risks, and increased healthcare costs for the employer."

Other potential hazards and risks include the following:

- a) Assignment of child and forced labour and use of unscrupulous labour practice.
- b) The conduct of hazardous work, such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials.
- c) Lack of Occupational Health and Safety (OHS) practice and procedures.
- d) Community health and safety issues, especially alteration of power dynamics, shifting the economic power balance, rise of communicable diseases.
- e) Generation of solid, liquid and faecal wastes, especially around work places and toilet areas.

4 MANAGEMENT OF OCCUPATIONAL HAZARDS AND RISKS

The PIU will ensure that several measures are implemented under the project to minimise hazards workers may be exposed to. Management activities will be hinged on the “three Es” concept— Engineering, Education and Enforcement. These will entail developing engineering strategies that decrease the probability of an employee engaging in at-risk behaviours; educating and training employees regarding equipment, environmental hazards, policies, and procedures; and enforcing the policies and procedures related to operating equipment, wearing proper personal protective equipment, and handling specific hazardous substances.

4.1 Management

4.1.1 Engineering Controls

In the hierarchy of controls, the highest level of control is directed at the source. Good engineering controls such as proper design and maintenance of facilities contribute to minimising associated hazards. Once designed and implemented, engineering controls are not under the worker’s control but are directed at the source of the hazard.

4.1.2 Administrative Controls

Administrative controls will be used because it may not always be possible to eliminate or control hazards at the source. Administrative controls focus on ensuring that the appropriate prevention steps are taken, that all proper work procedures are documented, that personnel are trained to use the proper procedures, and that their use is enforced.

4.1.3 Personal Protective Equipment (PPE)

Personal protective equipment such as gloves, respiratory protection and eye protection should be used based on the risk assessment. PPE is often used in conjunction with other controls (engineering and administrative) to provide additional protection to workers. The table below summarises the potential hazards, proposed engineering, administrative controls, and PPE required to prevent and manage project-related health risks.

Table 1: Summary of health hazards and proposed control mechanisms

Hazard	Engineering Control	Administrative Control	Personal Protective Equipment
Upper Respiratory Tract Infections	<ul style="list-style-type: none"> • Ensure proper ventilation in working area when indoors • Consider wind direction when setting up work in open-air environments. Work with their backs to the wind 	Worker education	Use of nose masks

Hazard	Engineering Control	Administrative Control	Personal Protective Equipment
<ul style="list-style-type: none"> • Stress • Work-life conflict • Noise 	<ul style="list-style-type: none"> • Engineering controls to abate noise • Lubrication of equipment with moving parts to reduce noise levels. Use of sound-masking technology. 	<ul style="list-style-type: none"> • policies and procedures that support work-life balance (e.g., voluntary reduced hours, voluntary part-time work • Work designed to address workload and work demands issues • Supportive management culture • Worker education on noise impacts • Location of noisy machines to more isolated areas. • Select low noise equipment • Rotate workers to limit individuals' exposure to high noise levels for long durations 	<ul style="list-style-type: none"> • Time log used to track time. • Work-life balance programs utilised. • Isolation of Work activities from home time. • Effective time management. • Protection of holidays and off-days. • Hearing protection – the use of earplugs
<p>Cuts</p>	<ul style="list-style-type: none"> • Avoid using sharp edged tools when not required. • Proper storage of tools 	<ul style="list-style-type: none"> • Chose machinery with protected moving parts • Worker education • Switch of machinery when not in use 	<ul style="list-style-type: none"> • Use of gloves, aprons, safety boots, coveralls as may be required
<p>Musculoskeletal injuries</p>	<ul style="list-style-type: none"> • Design workstations that fit individual workers' physical needs 	<ul style="list-style-type: none"> • Adjustment of workstations to fit user • Worker education regarding ergonomic hazards and control strategies • Early reporting of signs and symptoms of ergonomic concerns • Stretches and frequent breaks 	

Hazard	Engineering Control	Administrative Control	Personal Protective Equipment
Trips and falls	<ul style="list-style-type: none"> • When indoors, ensure slip-resistant flooring • Ensure adequate lighting 	<ul style="list-style-type: none"> • Properly inspect ladders before usage • Worker education • Prompt spill clean-ups • Good housekeeping practices • Minimising clutter and tripping hazards • Use of safety harnesses when working at heights 	Appropriate footwear with gripping soles and good support.
Falling materials and collapses	<ul style="list-style-type: none"> • Properly secure all materials and equipment lifted. 	<ul style="list-style-type: none"> • Worker education on 	<ul style="list-style-type: none"> • Use of helmets
Injuries from mobile plants	<ul style="list-style-type: none"> • Properly maintain all plants to ensure they are in good working condition • When possible, opt for machines with reverse alarm systems • Ensure braking system of mobile plants are in good working condition 	<ul style="list-style-type: none"> • Ensure proper work procedures are followed by all workers, especially plant operators. 	<ul style="list-style-type: none"> • Use of appropriate PPE
Snake bites		<ul style="list-style-type: none"> • Worker education 	<ul style="list-style-type: none"> • Provision and use of wellington

4.2 Reporting OHS occurrences

There will be full disclosure to the Bank regarding OHS occurrences at the various project sites. The categories of information to be disclosed include the following:

Indicative incident: A relatively minor incident that negatively impacts a small number of people and does not result in significant or irreparable harm. Examples of potential Indicative incidents include:

- i. Minor work injuries
- ii. Underuse of personal protective equipment (PPE)
- iii. Poorly organised or sporadic health and safety induction and or training

- iv. Lack of Health and Safety plan and/or training for public works workers
- v. Minor social conflict related to or affecting the project
- vi. Localised dust pollution

Indicative incidents can be investigated, evaluated, managed, and resolved by the PIU using existing, project-level resources and the Task Team's support.

Serious incident: An incident that caused or may cause significant harm to public workers, communities and may result in some level of injury. Examples of serious incidents may include injuries to workers that require off-site medical attention, exploitation or abuse of vulnerable groups, consistent lack of OHS. Serious incidents require an urgent response. Examples of potential Serious Incidents include instances of serious communicable diseases among public workers; chronic non-use of PPE at public work site; consistent lack of health and safety plans and training at public work site; injury/ies requiring off-site medical attention; and cases of mistreatment of communities, potentially including vulnerable groups— including incidents such as sexual harassment.

Severe incident: Incidents that caused or may cause great harm. A severe incident is complex and expensive to remedy (if possible) and is likely irreversible. Examples of potential Severe Incidents among others include: any fatality; permanent disability; outbreak of life-threatening communicable disease; incidents that caused or may cause great harm to workers and communities, and may result in high levels of injury; and abuses of community members, including vulnerable groups by other project workers, including but not limited to GBV.

4.3 Responsible Staff

The Project Implementation Unit (PIU), to be established under the Ministry of Local Government, Decentralisation and Rural Development, will bear ultimate responsibility for all labour issues during the implementation of the project.

Decentralised agencies such as the Metropolitan, Municipality and District Assembly Offices and the contractors will play leading roles indirect supervision and enforcement of all the provisions in these labour management procedures pertaining to sub-projects in the project communities. This section identifies the various roles expected to be played by the key stakeholders regarding the LMP. The table below shows the various agencies, officers, and their roles in the LMP implementation.

Table 2: Responsible Stakeholders in LMP implementation and their roles

Responsible Agency	Responsible Officer	Roles and responsibilities in LMP
Project Implementation Unit (PIU)	<ul style="list-style-type: none"> • Project Coordinator • Social Safeguards Specialist • Procurement Specialist 	<ul style="list-style-type: none"> • Develop labour guidelines and procedures for all sub-projects in accordance with the World Bank’s ESS 2 and the Labour Act 2003 (Act 651) • Ensure that the provisions in any labour guidelines and policies developed for the project are adhered to during project implementation.

Responsible Agency	Responsible Officer	Roles and responsibilities in LMP
		<ul style="list-style-type: none"> • Ensure labour issues identified are handled in accordance with agreed policies but in consonance with the requirements of ESS 2 and the Labour Act (Act 651). • Play a coordinating role in all project-related labour issues. • Monitor and report on all labour-related issues. • Ensure that contract terms with the project's contractors reflect the requirements of ESS 2 and the Labour Act 2003 (Act 651). • Assess responsiveness of tenders to the environment, social, labour, health and safety issues
MLGDRD	Chief Director	<ul style="list-style-type: none"> • Provide technical backstopping to PIU on labour requirements associated with the project. • Review various labour related guidelines and policies developed by the MLGDRD. • Undertake periodic site visits to project sites to monitor compliance with the requirement of the LMP. • Ensure that the MLGDRD implements the requirements of agreed-upon labour-related actions to the letter.
MMDA	<ul style="list-style-type: none"> • Coordinating Directors • Public Works Engineers • Social Welfare and community development officers 	<ul style="list-style-type: none"> • Directly responsible for administering labour related code of conduct, guidelines, and policies at the community (sub-project) level. • Enforce various policies and procedures developed under the project to manage the workforce and their health and safety. • Monitor and report labour-related issues to the Project Implementation Unit periodically.
Contractors	Director	Adopt and update the Labour Management Procedure into a plan and comply with all the provisions therein to safeguard their workers' health, safety, and well-being.

Responsible Agency	Responsible Officer	Roles and responsibilities in LMP
Workers	Team leads	Encourage the workers to comply with the various guidelines, policies and procedures in the LMP to enhance the well-being of the workers.
Local Communities	Community Liaison officers	Notify the MMDAs or the PIU through the Case Management System of infractions of the provisions in the LMP observed at the sub-project level.

5 OVERVIEW OF LABOUR REGULATIONS

5.1 Overview of Labour Regulations: Occupational Health and Safety

Ghana does not currently have a national policy on occupational health and safety management, per ILO convention number 155 (1981) requirements. However, the Factories, Offices and Shops Act, 1970 (Act 328); the Mining Regulations, 1970 (LI 665); and the Labour Act, 2003 (Act 561) have some regulations about health and safety management in the work environment.

5.1.1 *The Labour Act, 2003 (651)*

This Act makes it obligatory for the employer to ensure the health, safety, and welfare of persons at the workplace by minimising the causes of hazards inherent in the working environment.

Employers are required to ensure careful and safe use, handling, storage and transport of articles and substances; and provide the necessary information, instructions, training, and supervision as needed.

It further requires employers to take measures to prevent contamination of the workplaces and protect the workers from toxic gases, noxious substances, vapours, dust, fumes, mists and other substances or materials hazardous to safety or health.

The Act requires employers to provide separate, sufficient, and suitable toilet and washing facilities and adequate facilities for the storage, changing, drying, and cleansing from contamination of clothing for male and female workers. An adequate supply of clean drinking water must be available at the workplace.

In accordance with the provisions of the Labour Act 2003, the employer must provide protective equipment, instruction, training, and supervision according to the age, literacy level at no cost to the employee to ensure the health and safety at work. Under the Act, it is required that employees use the safety appliances, fire-fighting equipment and personal protective equipment provided by the employer in compliance with the employer's instructions (Labour Act, 2003 Act 651, Article 118:3).

5.1.2 *The Factories, Offices and Shops Act, 1970 (Act 328).*

The Factories, Offices and Shops Act of 1970 (Act 328), as amended by the Factories Offices and Shops (Amendment) Law 1983 PNDCL 66, the Factories Offices and Shops (Amendment) Law 1991 PNDCL 275 s.1 (a), and the Ghana National Fire Service Act, 1997 (Act 537) requires all proponents to register every factory/workplace with the Chief Inspector of Factories Inspectorate Department. The Act requires all factories, offices, and shops to notify the Chief Inspector of accidents, dangerous occurrences and industrial diseases, post in a prominent position in every factory the prescribed abstract of the Act and other notices and documentation to safeguard the health and safety of workers.

5.1.3 *Workmen's Compensation Law 1987(PNDC 187)*

This Act recasts the law in relation to compensation awarded to workers for personal injuries arising out of and during one's employment. It governs, among other things, the employer's liability in such cases, the distribution of compensation in the event of the worker's death, degrees of partial incapacity, determination of claims, remedies against the employer and third

parties, protection of compensation against attachment or assignment, payment of medical expenses and provision of medical aid, and occupational diseases (with 13 such diseases listed in an attached schedule).

5.1.4 The World Bank Environmental and Social Standards: ESS 2

The World Bank's stipulations related to labour are outlined in ESS2. This helps the Borrower in promoting 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.

Key objectives of the ESS 2 are to:

- a) Promote safety and health at work.
- b) Promote fair treatment, non-discrimination, and equal opportunity for project workers.
- c) 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.
- d) Prevent the use of all forms of forced labour and child labour;
- e) Support the principles of freedom of association and collective bargaining of project workers; in a manner consistent with national law; and
- f) Provide project workers with accessible means to raise workplace concerns.

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

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

Project workers will be provided with information and clear and understandable documentation regarding their terms and conditions of employment. The information and documentation will set out their rights under national labour and employment laws (including any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, and those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur. For more details on the WB Environmental and Social Standards, please follow the below links:

www.worldbank.org/en/projects-operations/environmental-and-social-ramework/brief/environmental-and-social-standards

and

Table 3: Summary of World Bank Requirements and Key Gaps with Ghana Legal Requirements

No	ESS	Major requirements	Key requirements/gaps in Ghana legal framework
1	Working conditions and management of Labour relations	<ul style="list-style-type: none"> • Written labour management procedures. • Terms and conditions of employment. • Non-discrimination and equal opportunity. • Worker's organisations • Elaborate Labour Management Plans including Contractor's ESMP required 	<ul style="list-style-type: none"> • Written employment contract required, including procedures and employment conditions • Specific non-discrimination and equal opportunity requirements • No provision for Labour Management Plans.
2	Protecting the workforce	<ul style="list-style-type: none"> • Child labour • Forced labour 	<ul style="list-style-type: none"> • No forced labour (requires free will) • Definition of child labour • National Programme on • Eradication of Worse Forms of Child Labour and human trafficking adopted
3	Grievance mechanism	GRM should be in place for direct and contracted workers	<ul style="list-style-type: none"> • No project specific GRM is required. • However, it is allowed to apply to the National Labour Commission and Courts of Law. • Alternative Dispute Resolution exists, and also procedures exist for Appeals.

No	ESS	Major requirements	Key requirements/gaps in Ghana legal framework
4	OHS	<ul style="list-style-type: none"> • Detailed procedure required for each and every project. • Requirements to protect workers, train workers, document incidents, emergency preparation, address issues; and • -Monitor OHS performance 	<ul style="list-style-type: none"> • There is no detailed procedure specific to projects.
5	Category of workers	Specifies categories of workers	No reference to Community and Primary Supply Workers in the labour laws of Ghana
6	Minimum age of workers	<ul style="list-style-type: none"> • -Minimum age for admission of children into employment is 15 years. • - Children may be employed at the age of 13 to do light work • -Minimum age for engagement of persons in hazardous work is 18 years 	The minimum years for entering the Ghana labour market is 16 years
7	Employee assessment - procedure for determination of compliance of the worker of post (the performed work) by assessment of the execution of job responsibilities, level of knowledge, skills and professional training.	Not explicit	Explicit
8	Retraining is the form of professional training that allows one to master other	Not explicit	Explicit

No	ESS	Major requirements	Key requirements/gaps in Ghana legal framework
	professions or specialities.		
9	Certification of workplaces under the terms of work - the system of accounting, the analysis and complex assessment of all factors of the production circle, the process of hard and intense work on specific workplace exerting impact on working capacity and health of the worker in the course of Labour activity.	No	Explicit

5.2 Overview of Labour Regulations: Terms and Conditions

The Labour Act 2003(Act 651) regulates the terms and conditions of employment in Ghana. The Act amends and consolidates existing laws relating to labour, employers, trade unions and industrial relations, provides for the rights and duties of employers and workers; legal or illegal strikes; guarantees trade unions and freedom of associations and establishes the Commission to mediate and act in respect of all labour issues. The Act has 20 parts, namely:

PART	DESCRIPTION	PART	DESCRIPTION
I	Preliminary	XI	Trade unions and employment organisations
II	Public Employment Centres and Private Employment Agencies	XII	Collective Agreement
III	Protection of Employment	XIII	National Tripartite Committee
IV	General Condition of Employment	XIV	Forced Labour
V	Employment of Persons with disability	XV	Occupational Health, Safety, and the Environment
VI	Employment of Women	XVI	Labour Inspection
VII	Employment of Young Persons	XVII	Unfair Labour Practices
VIII	Fair and Unfair Termination of Employment	XVIII	National Labour Commission
IX	Protection of Remuneration	XIX	Strikes
X	Special Provisions	XX	Miscellaneous

Section 12 (Contract of Employment) of Part III states, “The employment of a worker by an employer for a period of six months or more or for a number of working days equivalent to six months or more within a year shall be secured by a written contract of employment”. The Contract is required to contain the following: Name of Employer, name of employee, date of first appointment, job title, rate (wage), method and interval of payment, hours of work, periods of holiday, social security or pension scheme, amount of notice to terminate the appointment of employee (by both employee and employer), disciplinary rules applicable, the procedure for dealing with any grievance or dispute, and overtime payment if any.

In addition, the following laws will also guide the implementation of labour issues under the project:

- Labour Regulations, LI 632
- Workmen’s compensation Law, 1987 (PNDC L187)
- Fair Wages and Salaries Commission Act, 2007 (ACT 737)

5.2.1 Project's OHS Policies and Procedures

The policies and procedures to be operationalised under the project will be strongly linked to the relevant sections of Ghana's Labour Act, 2003 (Act 651) and the World Bank's ESS 2. The following broad policies, guidelines and procedures will be followed:

- i. Workers to be engaged for a period of six months and more shall be served with a written contract. The Contract will provide, at a minimum, information concerning the number of work hours, wage rate, duration of the Contract, employee's role (title), etc.
- ii. Under no circumstances will the Ministry, PIU, Contractors, suppliers or sub-contractors engage forced labour. Forced labour includes bonded labour (working against an impossible debt), excessive limitations of freedom of movement, retaining the worker's identity or other government-issued documents or personal belonging, imposition of recruitment or employment fees payable at the commencement of employment, loss or delay of wages that impede the workers' right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis.
- iii. Each employee shall be required to sign a sexual exploitation and abuse/ sexual harassment (SEA/SH) Code of Conduct. The SEA/SH code of conduct shall have rules of engagement specifying gender-related violations to be prohibited under the project. It will also have a section specifying the consequences of any breach of any of the provisions therein.
- iv. Each employee will be required to sign a workers' code of conduct. This code of conduct will specify behaviours expected of the workers – including provisions such as the protection of the health and safety of co-workers, compliance to companies' occupational health and safety policies, use of Personal Protection Equipment, protection of tools etc. Sample CoC is attached as Annex 1.
- v. The provision of PPE is required to enhance the safety of employees at no cost to them.
- vi. The provision of training is required to ensure that workers understand the proper usage of PPE provided.
- vii. The provision of First Aid kits at all sites and training to selected members of the workforce to serve as First Aiders whilst at site
- viii. Establishment of an effective grievance redress system that can protect the identity of whistleblowers.
- ix. The provision of equal pay for equal work irrespective of gender, race, age etc.
- x. Ensuring that the cultures of the project communities are not disrespected.
- xi. Regular education of all workers on HIV/AIDS, COVID-19, health and safety and sanitation
- xii. Education of workers on the occupational health and safety hazards and risks of all project-related activities.
- xiii. The provision of potable water at no cost to all workers whilst at site

5.2.2 Monitoring Mechanism and Reporting on the LMP

An effective monitoring system will be instituted under the project to track the performance of

various actors as regards the implementation of the provisions of the LMP under the project. This will commence with the generation of the following relevant data:

Worker Database. A database of all workers employed under the SOCO Project will be created. The following details of individual workers will be recorded— sex, home address/ location, next of kin/emergency contact); their skill category, roles and responsibilities, disability (if any), etc.

Contractor Database. A database of all contractors on the project will be created. The database will record a summary of their scope of work, business origins, size of their workforce, etc.

Supply Chain Database This will contain information on the key suppliers, which will monitor the primary supply chain and record the results of risk assessments.

Worker and Community Feedback, Complaints and Grievance System

An effective grievance redress mechanism, supervised by a Social Safeguards Specialist, will be instituted to record and address issues and concerns raised by workers and community members. Grievances received will be addressed within an acceptable length of time.

5.2.3 Accident and Incident Recording, Reporting and Investigation System

All Occupational Health and Safety occurrences at each site will be recorded and reported. Each site shall be required to have a site diary for recording daily OHS and environmental and social occurrences. The number and type of accidents and incidents, including near misses occurring during work, shall be recorded. This shall form the basis of future LMP revisions when deemed necessary and the implementation of corrective actions required.

6 AGE OF EMPLOYMENT

The country ratified both the ILO Minimum of Age Convention (C138) and the ILO Worst Forms of Child Labour Convention (C182) in 2002. It also signed the African Charter on the Rights and Welfare of the Child in 1992.

Under the Ghana Children Act 1998, the minimum age for admission of children into employment is fifteen (15). However, children may be employed at the age of thirteen (13) to do light work. The minimum age for engagement of persons in hazardous work is eighteen (18)

The minimum age of employment for this project shall be 18 years, and to ensure compliance, all employees will be required to produce some identification - National Identification Cards, NHIS, Voter ID etc., as proof of their identity and age.

7 TERMS AND CONDITIONS OF WORK/EMPLOYMENT

Hours of Work. Section 33 of the Labour Act, 2003 (Act 651) states that “The hours of work of a worker shall be a maximum of eight hours a day or forty hours a week except in cases expressly provided for in this Act”. Section 37, however, gives the Minister (of Employment) authority to prescribe shorter hours of work for workers in jobs declared to be manual labour and in jobs likely to be injurious to health. It further states that work for which shorter hours are prescribed under section (1) shall be deemed to be equivalent to work done on the basis of eight hours a day for the purposes of all rights which may flow from the employment.

Wage Payment. Ghana has a government-mandated minimum wage. Thus, no worker in Ghana can be paid less than this mandatory minimum rate of pay. Wage earnings thus will never be below the National Minimum Wage at the time of payment.

Rest Periods. Section 40 (a) of the Labour Act requires employers to grant their workers at least 30 minutes break in the course of work where the normal hours of work are continuous. The break forms part of the normal hours of work.

Right to Privacy. All contractors or employers would be required to comply with international best practices to safeguard workers’ right to privacy. Hence, any personal information or data gathered on workers would be used for the intended purpose only and for which the worker must be made aware thereof. Personal information about a worker must be collected directly from the worker unless he/she consents, in writing, to the third-party release of the information.

8 DISCIPLINARY PROCEDURES AND GRIEVANCE MECHANISM

In any working environment, both employers and employees need to be fully conversant with all aspects of disciplinary processes, grievance handling procedures and the legal requirements and rights. In implementing an effective dispute management system, consideration will be given to the disputes resulting from the following:

- Disciplinary action
- Individual grievances
- Disciplinary Procedure

The starting point for all disciplinary action is rules. These rules may be implied or explicit and will vary from workplace to workplace. Some rules may be implied in the Contract of employment. However, it may be advisable that even implied rules be included in the Workers code of conduct. In this regard, the content of the Workers' code of conduct will be: valid or reasonable; clear and unambiguous; the employee is made aware of the rule or standard, and the consequences of their violation thereof.

8.1 Individual Grievance Procedure

Contractors would be required to adopt the project's Formal Grievance Procedure, which should be known and explained to all the employees. The workers will be educated on the following - to whom the employee should lodge the grievance; b) time frames to allow the grievance to be dealt with expeditiously; c) the person to refer the grievance to (escalation) within the organisation if it is not resolved at the lowest level; d) the employee's right to lodge a dispute with the MLGDRD. All the contractors who will be engaged for the project will be required to adopt the grievance procedure as a requirement for tender, which will comply with these requirements. In addition, good international practice recommends that the procedures be transparent, confidential, adhere to non-retribution practices, and include the right to representation.

8.2 Worker GRM Structure

The main objective of a Grievance Mechanism (GM) is to assist an entity to resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. Specifically, it provides a transparent and credible process for fair, effective and lasting outcomes. It also builds trust and cooperation as an integral component of broader community/citizen engagement that facilitates corrective actions. Specifically, the GM:

- a) Provides affected people with avenues for making a complaint or resolving any dispute that may arise during the implementation of projects.
- b) Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants.
- c) Provide access to judicial or administrative remedies.
- d) Allows for anonymous complaints; and
- e) Provide a register for recording and tracking complaints and actions taken.

The involvement of multiple stakeholders and implementing agencies under the proposed project could lead to complaints, misunderstandings, conflicts and disputes. The project will provide a GM that will provide all direct and indirect beneficiaries, service providers and other stakeholders the opportunity to raise their concerns and/or ask for information. Stakeholders

will be informed of the GM in place, as well as the measures put in place to protect them against any reprisal for its use. This will be done during sensitisation activities and other interactions with stakeholders.

8.3 Rationale

A GM is a set of arrangements that allow local communities, employees, and other impacted stakeholders to file grievances with a project's implementer and seek redress when they see a negative impact as a result of the project's operations. It is a critical component of mitigating, managing, and resolving potential or actual negative consequences and meeting international human rights duties and contributing to constructive relationships with the greater stakeholder community, particularly local communities and employees.

Complaints, misunderstandings, disagreements, and disputes may arise because of land access, acquisition, and project operations that may affect other individuals, groups, or community holdings. As a result, a grievance procedure would be required to give a platform for all disgruntled parties to air their grievances.

PAPs will be able to file complaints about census inclusion, eligibility, and the temporary or permanent loss of their property, assets, or sources of income, as well as their compensation, through a project-specific grievance resolution process that will be established/strengthened. During the formation and implementation of the grievance process, the project will guarantee that it is gender-sensitive. It will ensure that women are represented on the GM committee and that the GM responds to grievances from both men and women and vulnerable groups in an equitable manner. However, it is crucial to stress that the project's grievance redress method does not supplant existing legal processes.

The procedures, which will be based on consensus, will strive to resolve difficulties swiftly to expedite the receipt of entitlements without resorting to costly and time-consuming legal action. As part of the project's beneficiary community awareness operations, information about the GM and the procedures in place to protect PAPs from any retaliation for using it would be made available. Community gatherings with diverse organisations, local radio talks, public education campaigns, and community monitoring visits will all be important activities.

8.4 Potential grievances/disputes

Grievance processes are essential to ensure that PAPs can raise complaints or concerns without charge and with the assurance that the matter will be resolved quickly and satisfactorily. Grievances will be actively addressed and tracked to ensure that they are resolved, and appropriate actions are taken. A clear timetable for resolving grievances will be established, ensuring that they are addressed in a timely and appropriate manner, with corrective steps taken, and the complainant notified of the outcome.

Grievances and disputes that may develop during the implementation of the planned project's operations may be related to the following topics.:

- i. Targeting
- ii. Valuation of assets and compensation
- iii. Disagreement on plot boundaries, either between the affected person and the expropriation agency or between two neighbours
- iv. Disputed ownership of a given asset (two or more affected people or communities)

- v. Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members
- vi. Where affected people opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them, proposed housing or resettlement plot characteristics. Agricultural potential is not adequate in their view.
- vii. Issues related to voluntary land donation; and gender-related issues, including Gender-Based Violence (GBV), SEA/SH at construction sites.
- viii. Disputed ownership of businesses and business-related assets (quite usually, the owner and the operator of a business may be distinct individuals, which give rise to dispute in the event of compensation).

8.5 GM structure

This proposed Gulf of Guinea Project will adopt a similar structure to the GM of the Ghana Productive Safety Net Project 2 (GPSNP 2, P175588), which uses and consolidates the Single Window Citizen Engagement Service (SWCES) established under Ghana---Social Opportunities Project (GSOP- (P115247) and scaled up during GPSNP (P164603) for grievance redress. The SWCES commenced operationalisation in December 2017 and provides a centralised channel for all beneficiaries of the programs and other stakeholders to raise grievances, report malpractices, and request information on all social programs for free. This has been operationalised by creating the 'Helpline of Hope' Call Center that hosts toll-free phone lines and SMS. A key pillar of the single window system is an integrated Unified Case Management System (UCMS), which provides a single platform for citizens to log, manage, monitor, and escalate their grievances as well as to disseminate relevant information. The SWCES team has engaged the following since its inception:

- a) Training of Social Welfare Officers and other stakeholders such as officials of the Domestic Violence and Victim Support Unit under the Ghana Police Service, Traditional Authorities, NGOs in 10 regions of the country;
- b) Public Information Campaigns about the SWCES at markets and lorry stations in Accra;
- c) Training of Case Management Officers of social protection programs on the UCMS and how to track and resolve cases;
- d) Engagement between the team from the Helpline of Hope call centre and telecommunication organisations such as Vodafone, MTN and Airtel/TIGO to discuss the possibility of migrating from IP PBX to Integrated System Destination Network (ISDN), to allow more calls to be made on the system simultaneously.

The HelpLine of Hope offers the opportunity also to receive cases related to sexual exploitation and abuse/ sexual harassment (SEA/SH). It is envisaged that alongside the GPSNP2, the Gulf of Guinea Project will also support the decentralisation of the SWCES to all the six (6) regions of the targeted areas and become a national single entry point for PIU and implementing partners.

Under the GPSNP and with this Gulf of Guinea Project, the SWCES is being extended to the district level through the preparation of manuals, rules and guidelines to define the roles and responsibilities of Community Facilitators (CF), District Planning Coordinating Units

(DPCUs), and District Social Welfare and Community Development Officers in the receipt, follow-up, and resolution of cases. Hence, mirroring GPSNP 2, case receipt on this Gulf of Guinea Project will rest with the SWCES national team, supported by decentralised staff who will have the following functions: (a) raising awareness on GMs (including for SEA/SH); (b) lodging grievances on behalf of beneficiaries or other community stakeholders; (c) following up on cases or making additional inquiries as requested by the SP programs; (d) supporting the communication of outcomes of cases to complainants as appropriate, and (e) following up on unresolved cases. Steps followed by the SWCES are:

- i. Receive and register grievances or complaints
- ii. Acknowledge, assess and assign (Acknowledge receipt of grievance, outline how grievance will be processed, assess eligibility and assign responsibility)
- iii. Propose response
- iv. Agreement on response
- v. If an agreement is reached, implement the agreement
- vi. If an agreement is not reached, review the case
- vii. If no agreement is reached, then the case can be referred to the law courts.

The SWCES Officer receiving the complaint shall respect the complainant's wishes, choices, rights, and dignity when receiving a grievance/during the intake process. The Grievance Focal Person must obtain the permission of the complainant to exchange basic data for monitoring data. For the complainant to consent to submit a complaint, he or she must be given clear and basic information on how the system works, the possible results, the timetables, the types of support that can be provided, and so on, so that they can make an informed decision.

In SEA/SH instances, it's critical to make the complainant's/ survivor's access to the complaints process as secure and straightforward as feasible and for their anonymity/ confidentiality to be kept. No more than three aspects of the GBV occurrence should be requested or recorded by the SWCES Officer:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning);
- The age of the survivor.
- If the perpetrator was associated with the project to the best of their knowledge.

The GM shall also receive, register, and address concerns and complaints related to SEA/SH safely and confidentially, with specific entry points for survivors and ensure a referral system to aid survivors as required, through identified GBV service providers in the Project area (with the support of trained Social Welfare Officers and officials of the Domestic Violence and Victim Support Unit etc). Provision of assistance to survivors of SEA / SH for medical care, psychosocial support and legal assistance by way of referral to relevant SEA/SH service providers in the Project area within 48 hours. The reporting of SEA / SH cases shall be based on the principle of confidentiality and security of the survivor's identity and shall be kept in a secure location with limited access.

Complaints received and logged electronically will be transferred by the SWCES Officer to the Project's Social Safeguards Officer electronically (through the Unified Case Management System). The Social Safeguards Specialist will also serve as the Project's Grievance Focal Person.

After receiving and reviewing the case, the Social Safeguards Specialist will forward it electronically through the online system (UCMS) to the respective case management assistant located in the project's regional antenna in whose jurisdiction the grievance emanated. The Case Management Assistant will then notify the aggrieved person, through a phone call (Complainant) of the receipt of his/her complaint.

Communication between the Case Management Assistants, the Districts' and Communities' focal persons, on the resolution of the case will be means of telephone. Any feedback received by the Case management Assistant from them in this regard will, however, be uploaded unto the UCMS.

All communications between the various key actors – SWCES, the Social Safeguards Specialist, and the Case Management Assistants regarding grievances lodged will be done via the UCMS. In addition, communication received by the Safeguards Specialist or the Case Management Assistants from the Districts' and Communities' Focal persons on grievances lodged will also be uploaded unto the UCMS.

9 CONTRACTOR MANAGEMENT

Contractors to be engaged in the project will be selected in an open, transparent, and fair manner to comply with the Ghana Procurement Act (Act 663). Through the responsiveness criteria set for evaluations in the bidding documents, the project will ensure that contractors and suppliers procured are duly registered with the Registrar General's Department and tax compliant. Part of the clauses and conditions under the Contract will be those on Environmental, Social, Health and Safety (ESHS) obligations as well as sanctions for non-compliance. Bidders will be required to submit a signed workers' code of conduct as part of their bid that will apply to employees and subcontractors. Contractors engaged will also be required to sign the Project's Gender-Based Violence Code of Conduct. Contractors will also be required to keep records of the following – labour conditions, health and safety occurrences, training/induction programs, worker grievances, employees (sex and age distribution etc.).

10 COMMUNITY WORKERS

Community labour will likely make up the more significant part of the labour force to be engaged in the project. However, there will also be direct and contracted workers. The PIU will ensure that no child or forced labour is practised at any of the project sites. Measures will be taken, including key stakeholders signing a Sexual Exploitation and Abuse and Sexual Harassment Code of conduct. The Project's Grievance Redress Mechanism procedures will be fully explained to the communities. Communities will be engaged, and every relevant information provided to help them make informed decisions about their involvement in the project.

Community workers essentially refer to labour from local communities provided on a voluntary basis or on the basis of a "contract/protocol/collaboration agreement". It can concern women's and youth groups and other community development groups or associations. The choice of community workers will be made mainly either on the proposal of the community, or on the proposal of the local leaders, or community groups concerned by the activities of the project, or on the proposal of grassroots community associations or even on personal proposal (volunteering).

The selection of community workers must meet the following conditions:

- be democratic, that is to say with the support and participation of all social strata;
- take place under the responsibility of the Assemblies in collaboration with opinion leaders, grassroots community organisations (CBOs) in the areas covered by the project activities;
- respect gender parity as much as possible;

Employers will set the level and minimum age required in accordance with the Employment Conditions specified in Subsection 5.2.1, Sections 6, 7 and 8 shall be applicable to community workers as well. In addition, Community workers engaged shall be biometrically registered. Wage payment shall be made electronically via an E-service Payment Platform, wherever appropriate, to safeguard the security of wages paid and withdrawal by the employed.

In addition to the conditions stated above, the following shall also be observed:

- Hours of Work: Community workers engaged shall work between the hours of 8 am and 5 pm, except when extra-ordinary circumstance demands otherwise. Any prolonged hours of work beyond this period shall be compensated for and shall require the approval of the Ministry.

The Grievance Mechanism described in section 8.5 shall be made accessible to community workers.

ANNEXES

ANNEX 1- SAMPLE CODE OF CONDUCT

CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL

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

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, labourers and other employees at the Works Sites or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as "Contractor's Personnel" and are subject to this Code of Conduct.

This Code of Conduct identifies the behaviour that we require from all Contractor's Personnel.

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

REQUIRED CONDUCT

Contractor's personnel shall:

- 1) Carry out his/her duties competently and diligently;
- 2) Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
- 3) Maintain a safe working environment including by:
 - a) ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b) wearing required personal protective equipment (PPE);
 - c) using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d) Following applicable emergency operating procedures.
- 4) Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
- 5) Treat other people with respect and not discriminate against specific groups such as women, people with disabilities, or migrant workers ;
- 6) Not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;

- 7) Not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. In Bank-financed operations/projects, sexual exploitation occurs when access to or benefit from Bank-financed Goods, Works, Consulting or Non-consulting services is used to extract sexual gain;
- 8) not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal coercive conditions;
- 9) not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
- 10) complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
- 11) report violations of this Code of Conduct;
- 12) Not retaliate against any person who reports violations of this Code of Conduct, whether to us or the employer who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism.

RAISING CONCERNS

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

1. Contact [enter name of the Contractor's Social Expert with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters] in writing at this address [] or by telephone [] or in-person at []; or
2. Call [] to reach the Contractor's hotline (if any) and leave a message.

The person's identity will be kept confidential unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take all reports of possible misconduct seriously and will investigate and take 35 appropriate actions. As appropriate, we will provide warm referrals to service providers that may help support the persons who experience the alleged incident.

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

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT.

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

FOR CONTRACTOR'S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I

understand that if I have any questions about this Code of Conduct, I can contact [enter name of Contractor's contact person(s) with relevant experience (including for sexual exploitation, abuse and harassment cases) in handling those types of cases] requesting an explanation.

Name of Contractor's Personnel: [insert name] Signature: _____

Date (day/month/year/): _____

Countersignature of authorized representative of the Contractor: Signature: _____

Date (day/month/year/): _____

ANNEX 2. INCIDENT AND ACCIDENT REPORTING – EXAMPLE

INCIDENTS AND ACCIDENTS NOTIFICATION:

In case of occurrence of an incident or accident-related or having an impact on the project which has, or are likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, the [implementing agency] shall:

- (a) as soon as reasonably practicable, but no later than 48 hours after having been informed of the occurrence of such incident or accident, inform the Bank by any electronic means of its nature, or circumstance and any effect or impact resulting or likely to result therefrom;
- (b) Subsequently, upon request of the association, the Recipient shall prepare a report on the incident or accident that includes a description of the incident or accident and the measures, if any, that the Borrower is taking or plans to take to address it and to prevent any future similar event; and
- (c) keep the Bank informed of the ongoing implementation of the said measures and plans.

Regular reporting:

- Accidents and grievance logbooks are placed in all construction sites
- The supervision consultants' monthly progress report will provide details on accidents
- All regular progress reports to the Bank will include information on accidents and incidents
- Any severe injury (requiring off-site medical care) or fatality incident shall be reported to the Bank within 24 hours with basic information and a detailed incident report including the following:
 - a. root cause analysis and
 - b. corrective action plan on
 - i. immediate mitigation measures in case of continuing danger (e.g. fencing, signboard, guards)
 - ii. compensation to the affected family based on a clear rationale
 - iii. risk assessment and correct application of ESHS management procedures, and
 - iv. medium- and long-term mitigation measures, including enhancement of safety measures, audits, and additional training.

ANNEX 3: INCIDENT REPORTING FORM

Incident Reporting: Project-Related

(Note: It is important that incidences of child abuse and sexual harassment and severe criminality / social risks that may involve Project staff are documented and brought to the attention of the project for information and determination if further investigation is needed to avoid any possible negative consequences on the project)

1	From:	
2	Title	
3	To:	
4	Title / Organisation	
5	Date of submission:	
6	Date of re-submission	
7	Details of Incidence	
8	Incident No. (month/No), e.g. first fatal in October	
9	Nature of Incident (e.g. Multiple Fatality)	
10	Severity of incident	
11	Who is the victim?	
12	Name / Occupation of Project staff involved/suspected to be involved? (if known at this stage)	
13	Date Incident Happened	
14	Location of Incident	
15	Date / Time Incident Reported to Contractor / Consultant	
16	Details of Person(s) Who Reported	
17	To Whom was incident Reported?	
18	Mode of Reporting (verbal/written report) – <i>if written, attach report.</i>	
19	Details of the Incident (key facts pertaining to the incident and how it happened)	
20	Who else was informed about this incident?	

21	What action (s) has been taken by the Contractor/Consultant to address the problem? And When?	
	Details of Actions By the Project	
	Name/position of staff incident was reported	
	Comments / Recommendations for staff for which Incident was first reported	
	2 nd Name/Position / Department for which incident was reported / Follow up Action Recommended.	

Indicative Incidents

Environmental	Social	Occupational Health &
Small-volume hydrocarbon or chemical spills	Small-scale crop damage or livestock deaths	Underuse of personal protective equipment (PPE) by Works Contractor
Localised dust, light, or noise pollution	Grievances due to Project use of public roads	Local increase in the occurrence of communicable disease
Illegal hunting of wildlife (non-endangered)	Project interference with locally significant practices or sites	Minor job site injuries
Small volume sediment, pesticide, or fertiliser runoff into local waterways	Vehicle damage to public or private roads caused by Works Contractors	Poor “housekeeping” at site, e.g., littering and random disposal of solid waste
Minor off-site disposal of solid waste from project	Nuisance-level contact between employees and community	Lack of understandable warning or traffic control signage
Poor quality or delayed site restoration and revegetation	Minor instances of inappropriate behaviour of security forces or other Contractor personnel	Almost empty first aid kit at work site
Poorly functioning erosion- control measures	Overloading of local commercial services from use by Project personnel	Poorly organised or sporadic health & safety induction and training
	Minor impacts on livelihood restoration and/or access to community natural resources	Multiple “slip and trip” hazards throughout the site
	Minor impacts on cultural sites/areas	Lack of Health & Safety plan and/or training for staff
	Minor social conflict related to or affecting the project	
	Some problems with consultation/outreach about the project	
	Delays by GRM in handling/addressing grievances	

Serious Incidents

Environmental	Social	Occupational Health & Safety
Large-volume hydrocarbon or chemical spills, or other hazardous substances impacting the environment	Widespread crop damage or livestock deaths	Injury/ies requiring off-site medical attention
Over-exploitation of local natural resources	Cases of mistreatment of communities potentially, including vulnerable groups, by Project workers or security forces, including incidents such as sexual exploitation and abuse and sexual harassment	Instances of serious communicable diseases among the workforce
Large-volume or long-term sediment, pesticide, or herbicide runoff into	Significant impacts to protected physical cultural resources	Consistent lack of health & safety plans and training at work
Medium to large-scale deforestation	Works have commenced without compensation and resettlement being completed	Chronic non-use of PPE at Project work site
Lack of implementation of agreed environmental restoration program	Significant and repeated Community impacts from Project vehicles and construction activities	Repeated non-compliance or failure to remedy non-compliance
	Lack of clarity about consultations with Indigenous Peoples and broad community support for the project	
	GRM not functioning	
	Inadequate consultation and engagement of stakeholders in the project leading to significant conflict and/or delays	

Severe Incidents

Environmental	Social	Health & Safety
Hydrocarbon or chemical spills, or release of other hazardous substances into the environment, causing widespread impacts, and/or requiring large-scale remediation	Forced evictions or resettlement of communities without due process or compensation	Any fatality Permanent disability
Poaching or hunting and trafficking of threatened or endangered species	Abuses of community members (including vulnerable groups, e.g., women, children, youth, elderly, disabled/sick, LGBT) by site security forces or other Project workers, including but not limited to GBV	Outbreak of life-threatening communicable disease
Sediment, pesticide, or herbicide runoff causing permanent damage to waterways	Significant damage to nationally protected areas or to UNESCO World Heritage sites	Criminal and political attacks at worksite
Destruction of internationally recognised critical habitat	Human trafficking and child labour	Forced labour by Project's Works Contractor
Major river contamination causing the decimation of fish population or other aquatic resources	Violent community protests against the project	Works Contractor is unresponsive regarding ongoing worksite risks of bodily injury

Environmental	Social	Health & Safety
	<p>Significant impacts on Indigenous Peoples' land/natural resources and/or culture and there is no evidence of consultation, broad community support, mitigation of harm and/or culturally appropriate benefit-sharing</p>	<p>Persistent non-compliance and/or inability or unwillingness to remedy non-compliance that could result in bodily injury or harm Murders, kidnappings, manslaughter and assaults, while criminal matters and not safeguards incidents per se, have occurred in Bank Projects and should be treated as severe incidents. These incidents would be referred to local authorities with notification to WB Security</p>