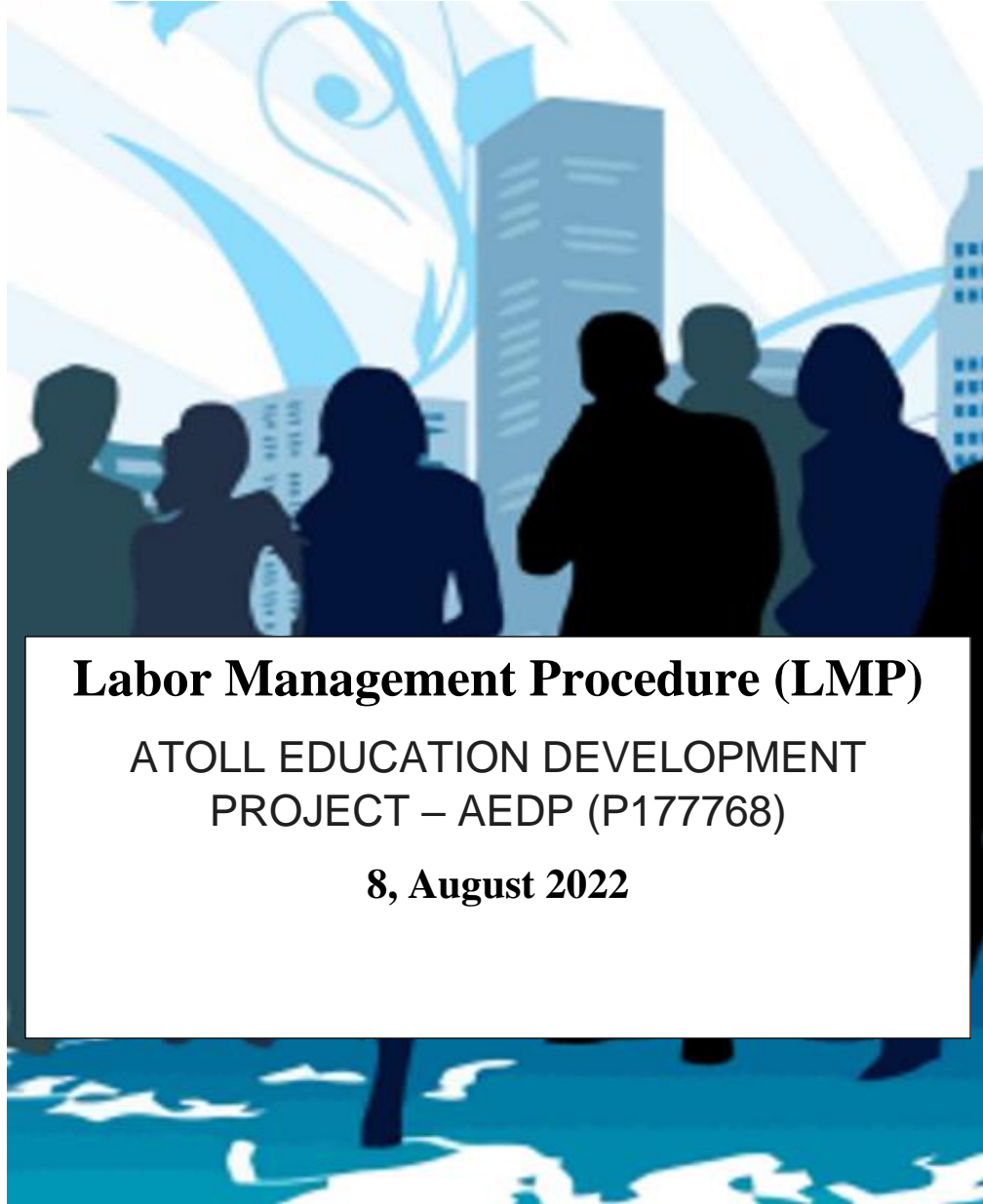




**Ministry of Education
Republic of Maldives**



Labor Management Procedure (LMP)

ATOLL EDUCATION DEVELOPMENT
PROJECT – AEDP (P177768)

8, August 2022

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LIST OF ABBREVIATIONS

AEDP	Atoll Education Development Project
CLP	Complex Learning Profiles
CoC	Code of Conduct
DoIE	Division of Inclusive Education
DSA	Daily Subsistence Allowance
ESIA	Environmental and Social Assessment
ESF	Environment Social Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Specialist
GBV	Gender-based Violence
GoM	Government of Maldives
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
ICT	Information and Communication Technology
IDA	International Development Agency
LMP	Labour Management Procedures
LRA	Labour Relations Authority
MoE	Ministry of Education
M&E	Monitoring and Evaluation
MEMIS	Maldives Education Management Information System
NALO	National Assessment of Learning Outcomes
NIE	National Institute of Education
OMSU	Operations and Monitoring Support Unit
QAD	Quality Assurance Department
OP	Operational Procedures
PD	Professional Development
PPE	Personal Protective Equipment
PPRD	Policy Planning Research Division
QA	Quality Assurance
SA	School Administration
SBPD	School-Based Professional Development
SEA	Sexual Exploitation and Abuse
SBLEG	School Based Learning Enhancement Grant
SH	Sexual Harassment
STEM	Science, Technology, Engineering & Mathematics
TDP	Teacher Development Programs
TRC	Teacher Resource Centers
VE	Vocational Education
WB	World Bank

1. INTRODUCTION AND PROJECT BACKGROUND

This Labor Management Procedure (LMP) has been prepared for the Atoll Education Development Project to ensure compliance with the requirements of Environmental and Social Standard 2 on Labor and Working Conditions (ESS2) of the World Bank’s Environmental and Social Framework (ESF) and the national legislation and regulations of the Government of Maldives. Accordingly, the purpose of this LMP is to facilitate the planning and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues. The LMP sets out general guidance relevant to different forms of labor. The LMP will enable different project-related parties, for example, staff of the project management unit, contractors and sub-contractors and project workers, to have a clear understanding of what is required on a specific labor issue. The LMP is a living document, which is initiated early in project preparation, and will be reviewed and updated throughout development and implementation of the project. The Operations and Monitoring Support Unit (OMSU) to be established for the AEDP will have the overall responsibility for the implementation of the LMP.

1 (A) PROJECT DESCRIPTION

The project development objective is to enhance access to, and quality of, secondary education. The Maldives Atoll Education Development Project (AEDP) is organized under four components: (a) enhancing curriculum delivery; (b) continuing teacher development; (c) measuring and enhancing system performance; and (d) coordination, monitoring, capacity building and technical assistance.¹

The PDO Level Indicators are:

- Increased net male enrollment rate in higher secondary education (percentage)
- School level learning outcomes in English language, mathematics and science improved in secondary education grades (percentage)
- Improved teaching practices in secondary education grades (percentage)
- National assessments of learning outcomes completed and utilized for program development (number)

1 (B) PROJECT COMPONENTS

Component 1: Enhancing Curriculum Delivery and Increasing Participation in Higher Secondary Education:

The objective of this component is to promote strategic initiatives at the country level to strengthen and develop the general education system with a special focus on secondary grades. The activities under this component will be mainly implemented by schools with policy and technical support of the Ministry of Education (mainly the Policy and Performance Review Section and the School Administration Section),

¹ Please refer Project Appraisal Document for a detailed description of the AEDP.

National Institute of Education (NIE), and the Department of Inclusive Education (DoIE). The following key sub-components will be supported under this component.

Sub-component 1.1: Improving learning in strategic subjects in secondary education grades

The delivery of the secondary education curriculum will be enhanced to improve the quality of secondary education in subjects of strategic importance for economic development. First, there will be a focus on improving the English language skills of students. Second, mathematics and science learning will be strengthened in the school curriculum to promote STEM education. Improved English language, mathematics, and science learning levels will better prepare secondary school completers for higher secondary education and tertiary education in the future. Third, the vocational education (VE) option will be strengthened in the school curriculum. Fourth, emphasis will be placed on developing green jobs skills that can advance sustainability transformations in key sectors, including tourism and allied services. The implementation of the Fehi Madharusa (green school) initiative will help raise awareness to reduce adverse environmental footprints, promote eco-literacy, enhance climate literacy, and support students' emergency preparedness and response measures. Improvements in the quality of education at the secondary education level will also enable more students to qualify for higher secondary education, enabling increased participation in higher secondary education.

The AEDP will increase the resources available for the teaching and learning of science, mathematics, English and vocational education (VE). The AEDP will support the development of science laboratories and vocational education workshops through the refurbishment of classrooms and the provision of equipment and technology in secondary schools with large student populations in the atolls. In addition, the Project will assist in the expansion of ICT equipment and technology in atoll schools. The science laboratories, ICT facilities and vocational education workshops will incorporate green designs, such as rainwater harvesting systems and improved insulation that allows for energy efficiency and makes classrooms more resilient to rising temperatures. Schools will also be trained in measures to reduce e-waste. The refurbishment of facilities will take account of the learning needs of students with complex learning profiles (CLP). The Project will also support digitization efforts, including online teaching systems for English language, mathematics, science and vocational education subjects to support blended learning and uninterrupted learning during natural disasters (e.g., floods). Similarly, these efforts will enhance data recovery and backup systems of e-learning to prevent data loss in the event of such natural disasters.

Improving English Language Learning Outcomes: English-language skills are widely acknowledged as vital for success in the modern global knowledge economy. The Project will prioritize support for the development of a strong and effective program to improve English language learning outcomes in the secondary stage of education of the school curriculum. The focus will be on the vital language skills of vocabulary, reading, and writing. The Project will support the following activities in homes and schools: (a) create an acquisition-rich English language learning environment for students to learn the language, where day-to-day conversation and extra-curricular and co-curricular activities will be in English during at least a part of the school week; (b) encourage and affirm students who read books in the English language and engage with English language technology, as appropriate to their ages; (c) encourage families to create an environment at home which fosters English language learning, including English language reading materials and TV programs, and discussion and conversation in English at home; (d) promote co-curricular and extra-curricular activities such as English literary, drama, and debating societies; (e) design other innovative activities to promote English language learning, with special attention to improving reading skills; and (f) support digitization efforts, including online teaching systems to facilitate English language learning.

Improving Mathematics Learning Outcomes: Mathematics is increasingly important in the modern knowledge-based economy and plays an important role in areas such as science and technology and is vital to research and development in fields such as engineering, computer science, medicine, and science. It is an integral component of the science, technology, engineering, and mathematics (STEM) discipline.

Several activities will be supported to strengthen mathematics learning in the secondary school curriculum and promote STEM education. The mathematics learning environment in schools will be improved by the provision of mathematics educational material and technology. The use of technology will be promoted in appropriate and effective ways to support the curriculum. Innovative learning approaches will be encouraged through the curriculum to stimulate children and promote their enjoyment of mathematics through planned active learning which provides opportunities to observe, explore, investigate, experiment, play, discuss and reflect and further to develop problem-solving capabilities and critical thinking skills.

Improving Science Learning Outcomes: The Project aims to improve science knowledge and promote STEM education in secondary grades by promoting learning approaches that will help capture students' interest and provide them with the necessary skills and knowledge to raise science learning. The learning environment in schools will be improved through the provision of equipment and technology for science laboratories in secondary schools with large student population in the atolls. Different learning approaches will be encouraged through the curriculum by connecting children's learning to the real world. Students will be encouraged to make connections between the lesson and real-world experiences, current events, and/or students' lives. Furthermore, by linking with local industries and services, including those with links to adaptation and mitigation activities, schools can show science and STEM in action. In addition, project-based learning approaches combining the individual disciplines within STEM will be promoted to create an exciting learning experience for children where they can work in teams to solve problems or tackle challenges. Technology will be used as a resource and a support system for the curriculum.

STEM and Skills Education: The focus on science and mathematics, combined with ICT, will provide a foundation for STEM education. The school curriculum will also explicitly include topics such as coding and robotics which are important for the labor market and, in addition, will be useful for disciplines such as engineering and technology at higher levels of education. By doing so, it sets the groundwork for the transition to green and blue economies and the growing demand for skills that will help Maldives better mitigate and adapt to climate change (e.g., design and build resilient critical infrastructure). The AEDP will support the refurbishment of physical spaces, contemplating green design features (e.g. improved roofing and drainage), and the provision of science, mathematics and ICT equipment for STEM education.

The school curriculum also seeks to promote skills education through vocational education subjects introduced as an integral part of the education system, addressing the mismatch between the workforce's current skills and the growing demand for green jobs skills, including those necessary for implementation of a nationally determined contribution to improve climate impacts through, for instance, eco-tourism, nature-based solutions, and mitigation and cleaner production. The AEDP will support the refurbishment of physical spaces and the provision of vocational equipment for skills education in areas such as boat manufacturing; electrical, metal and woodwork; food preparation; and hotel services.

Sub-component 1.2: Promoting participation of boys in higher secondary education

The Maldives has an atoll-wide network of schools that provides universal access to primary (grades 1-7) and lower secondary (grades 8-10) education. However, until recently access to higher secondary education (grades 11-12) was very limited, initially to one school in Male', and then to four more schools in the atolls. The government has now expanded access to higher secondary education through 37 strategically selected schools across the country. These schools serve as hubs for higher secondary education in the atolls and in Male'. However, as noted in the sector context, there is high gender disparity in higher secondary education enrollment, with the participation rate of boys only about one-third the rate of participation of girls.

A key outcome of the AEDP is to increase the enrollment of boys in higher secondary education and reduce the gender disparity in higher secondary education participation. Under this sub-component, schools will provide good career guidance for male students and their families in secondary grades to increase the demand for higher secondary education. This will include information on the benefits of higher secondary education which will enable students to obtain better quality jobs with higher pay, as well as access university education and advanced technical education opportunities beyond schooling.

In addition, the higher secondary schools will be provided with greater teaching-learning material and equipment, especially for IT and science, but also for English, mathematics and skills education. The improved quality of resources available to higher secondary schools, with stronger IT, English language, STEM and skills education, are expected to increase the demand for higher secondary education among male students, as these will improve employment opportunities in the labor market.

Component 2. Continuing Teacher Development

The component will assist GoM to implement a program of continuing teacher development. The activities under this component will be mainly implemented by schools with the policy and technical support of the National Institute of Education (NIE).

Sub-component 2.1. Improving the delivery of teaching services

This sub- component will assist the NIE, with the support of the Teacher Resource Centers (TRCs), to implement targeted teacher development programs (TDPs) for schools. The focus of these TDPs will be on improving subject content knowledge for English, mathematics, science and skills education where needed; strengthening pedagogical practices including differentiated learning needs and styles for male and female students; career guidance skills aligned with current and future labor market demands; learning needs of students with complex learning profiles; increase environmental awareness, promote eco-literacy, and enhance climate literacy among teachers; and improve their climate change preparedness / natural disaster emergency response. The NIE, with support from the Project, will identify the professional development needs of teachers on a regular basis and organize a menu of capacity building and training activities. Teachers will select from this menu of TDP options according to their professional development needs.

Through the learning outcomes defined in English, mathematics, and science subjects, teachers will be guided to use a skillful mix of learning and teaching approaches and instructional strategies, including activity-based learning and project-based learning, to stimulate children and promote an exciting and enjoyable learning experience. Teachers will also be guided in developing curricular materials and pedagogical practices for skills education, including techniques such as hands-on problem solving, cooperative and team-based project learning, and activities that draw on knowledge and skills from various domains. An effective classroom assessment system to identify and assess the knowledge, understanding and skills of students in each curriculum area will be incorporated, and teachers trained well for this classroom assessment. Teachers will also be trained to provide career guidance to students. Special attention will be given to guiding students, and especially male students, to participate in appropriate higher secondary education subjects. The TDPs will be informed by the COACH² principles to tailor the support to individual teachers to improve their pedagogical skills for teaching. Innovative approaches for the delivery of TDP, including blended approaches through online/ apps on smartphones will also be supported under the Project. The Banks' Teach³ tool will be used as part of this evaluation to track and improve teaching quality.

Sub-component 2.2. School-based Professional Development (SBPD) of teachers.

The SBPD program will focus on: (a) raising the ability of school principals and senior management teams to establish a learning culture within the school with specific reference to English, mathematics, science and vocational education and green job skills; (b) improve teacher motivation for their work; (c) enhance teacher performance by achieving required teacher competencies and improving their pedagogical practices; and (d) link teacher development activities to addressing student learning needs, including the needs of CLP students. The NIE will measure (a) to (d) above through SBPD reports provided by the SBPD focal points in schools. The component will also support research to evaluate the SBPD practices in schools

² <https://www.worldbank.org/en/topic/teachers/brief/coach-helping-countries-accelerate-learning-by-improving-in-service-teacher-professional-development>.

³ <https://www.worldbank.org/en/topic/education/brief/teach-helping-countries-track-and-improve-teaching-quality>.

and their effectiveness in relation to improving student learning in science, mathematics, English, vocational education and green job skills in the atoll schools.

At each school, a competent Professional Development (PD) coordinator is identified by the principal and works as a focal point. Teacher Resource Center (TRC) coordinators are expected to provide guidance and support to PD coordinators. In order to apply the SBPD activities and develop schools to become learning communities, there is a need for on-going capacity building of the PD coordinators and TRC coordinators.

The AEDP will assist the MoE, especially the National Institute of Education (NIE), to further develop the system for SBPD by improving the capacity of PD coordinators and TRC coordinators, helping schools undertake SBPD activities, and assisting the NIE to monitor the implementation of SBPD in schools. All schools in Male' and the outer atolls will implement SBPD programs according to an annual cycle.

The range of SBPD activities can include school-based mentoring, peer learning, peer coaching, individual consultations, visits to classrooms in other schools and islands, and online interactions, including social media, apps, and cloud computing, for networking among teachers.

The specific type of SBPD that will be implemented each year in a school, drawing on the menu above, will be decided by the school at the beginning of the year. The choice of SBPD activities will be based on the schools' annual self-assessment and contained in the school development plan.

Component 3: Measuring and Enhancing School and System Performance

The component will assist GoM to measure the performance of the school system through quality assurance activities and national assessments of learning outcomes. The activities under this component will be mainly implemented by the Quality Assurance Department (QAD), and by schools with the policy and technical support of the QAD.

Sub-component 3.1. Modernizing Quality Assurance for School Improvement

Quality assurance provides a framework for the systematic review and monitoring of an education system to determine whether an acceptable standard of quality is being achieved over the medium-term and enhanced over the long-term in line with global developments in education.

The sub-component will help GoM to carry out a program of activities designed to support measurement of school performance through quality assurance (QA) reviews consisting of both self-evaluation by schools and external evaluations by QAD. The AEDP will help the MoE to establish a regular, annual QA system for schools, with the main emphasis on internal self-evaluations. The school self-evaluations (SSEs) will, in turn, feed into the School Improvement Plans for the following year. QAD has prepared QA standards to facilitate the assessment of education inputs, processes and outcomes by schools (self-assessment) and by regional and national level authorities (monitoring and supervision). External evaluations of schools will be conducted by the QAD with special emphasis on the weaker schools which have lower student learning levels or lower transition of especially male students from lower secondary to higher secondary education.

The school self-evaluations will be conducted by stakeholders such as principals, teachers, student, parents and local communities. This will enable extensive citizen engagement, including consultations, collection of stakeholder feedback, community participation in planning and decision making, and grievance redressal mechanisms. The QA process also provides opportunities for stakeholders to participate in planning and implementation of school development plans. The results of the quality assurance process will feed back into the school development plan, that would include the availability of potable water, water and sanitation services, energy efficiency, and the development of safe shelters in schools as part of the community disaster management plan, when necessary. The relevant information on the implementation of these plans will be shared with the stakeholders. This QA process constitutes the citizen engagement mechanism for the Project. The QAD will also prepare a central QA report which summarizes the main findings of the school level QA reports, to feed into the external QA reviews conducted by the QAD and inform education

program development at the national level. The central QA report will be uploaded into the Maldives Education Management Information System (MEMIS).

Sub-component 3.2. National Assessments of Learning Outcomes for Policy and Program Development

National assessments of learning outcomes (NALO) are useful to analyze: (a) the quality of learning in the education system; (b) the particular strengths and weaknesses in the knowledge and skills of students; (c) the education performances of different atolls and islands; (d) educational and socio-economic factors associated with student learning outcomes; and (e) the evolution of learning achievements over time.

The AEDP will support the MoE to implement national assessments of learning outcomes in grades 4 and 7 according to a regular cycle for key subjects such as English, mathematics, Dhivehi and science, and also for grade 9 for English, mathematics and science, and use the results and findings for education program development. The AEDP will help build the technical capacity within the MoE, especially the QAD, to undertake rigorous, state-of-the-art national assessments. The Project will also build the capacity of policy makers and education specialists within the MoE, including NIE and the PPRD, to use the results and findings from national assessments for strategic policy and management decisions. The national assessments under the Project will help monitor learning outcomes over time. In addition, the Project will support the administration of contextual questionnaires to stakeholders to enable the analysis of factors that contribute to learning outcomes, such as school-related, classroom-related, and child-related factors. International assessments are useful to analyze the quality of learning in the education system in relation to international levels. National and international assessments provide complementary information about the performance of education systems. The national assessments will be aligned to the UN's global proficiency framework⁴ and will include modules of test items drawn from international assessments such as PISA and/or TIMSS and/or PIRLS. The NALO reports will be uploaded into the MEMIS.

Sub-Component 3.3. School-Based Learning Enhancement Grants

The Project will provide school-based learning enhancement grants (SBLEGs) of 15,000 rufiyaa (about US\$1,000) per school per year to enable schools to improve learning outcomes and socio-emotional skills of students, and to increase higher secondary enrolment of boys, especially through measures identified from QA reviews, feedback from SBPD programs, and from the NALOs. All schools with secondary grades are eligible for the grants. Special attention will be paid to improving learning in English, mathematics, science and VE, and the green schools initiative, in secondary education. Also, attention will be paid to measures to increase boys' enrollment in higher secondary education. Part of the SBLEGs can be used for school level teacher development activities such as SBPD to improve teacher effectiveness, with a special focus on the teachers at secondary education level in the priority disciplines. A further part of the school grants can be used to enable schools to implement the recommendations of QA reviews to improve learning and increase higher secondary enrolment. The School Administration (SA) section of the MoE will assist the OMSU to monitor the efficient utilization of the SBLEGs by including it in the annual performance review of the school principals.

Component 4: Coordination, Monitoring, Capacity Building and Technical Assistance

Under this component the Project will help the MoE to coordinate and monitor the Projects' activities, as well as provide technical assistance and knowledge support to the MoE agencies and to schools. Project coordination would be through a team of experts in operations, monitoring, procurement, financial management, and environment and social safeguards, who would assist the MoE, including atoll level officials such as the Teacher Resource Center (TRC) Coordinators, to implement and monitor project activities efficiently. This monitoring will include observing and measuring all outcomes and intermediate outcomes of the Project. The monitoring activities will take place at three levels: national, atoll and school.

⁴ <https://www.edu-links.org/resources/global-proficiency-framework-reading-and-mathematics>.

The purpose of monitoring will mainly be formative, and support implementation at each level by identifying problems and taking action to resolve issues and remove bottlenecks to implementation. A Maldives education management information system (MEMIS) is in place and the statistics generated through it will be used for monitoring purposes.

The resources from the Project will also support policy and program development in areas relevant for the education system. In addition, the Project will support communication and dissemination of information to education stakeholders, including political authorities, policy makers, academics and researchers, principals and teachers, students, and the general public.

1 (C) CROSS-CUTTING AREAS

The human resources in the education sector need to be developed urgently. The majority of education staff members in the MoE and the Atoll Education Offices have not had adequate management and leadership training. Therefore, the AEDP will assist the MoE to develop the human resources in the education sector, with a special focus on the staff of the MoE and associated institutes and departments. MoE staff, including from the Atoll Education Units, will be provided with tailored short-term courses and/or programs to develop their administrative, managerial, and technical skills for work in the MoE and Atolls.

2. OVERVIEW OF LABOR USE IN THE PROJECT

In general, project supports the schools (with special focus on the secondary grades) and hence it will include different categories of workers.

As per ESS2, project workers can be defined into the following four areas:

1. Direct workers: people employed or engaged directly by the Borrower (including project proponent and project implementing agencies) to work specifically in relation to the project.
2. Contracted workers: people employed or engaged through third parties to perform work related to core functions of the project regardless of the location
3. Primary supply workers: people employed or engaged by the borrower's primary suppliers.
4. Community labour: people engaged and employed in providing community labour.

Given the current design framework of AEDP, the project would primarily involve the direct workers, contracted workers and the primary suppliers. No community labour is envisaged for the proposed project. The procedures identified in this LMP apply to all these three categories of workers.

2.1 PROJECT DIRECT WORKERS

As for ESS2 definition project direct workers are those who are directly engaged by the borrower for implementation of the project. For the efficient implementation of the project it is important for the borrower to employ staff to carry out key project management functions. Figure-1 below shows the key staff that will be employed for the OMSU.

Figure 1: Organisational chart of AEDP

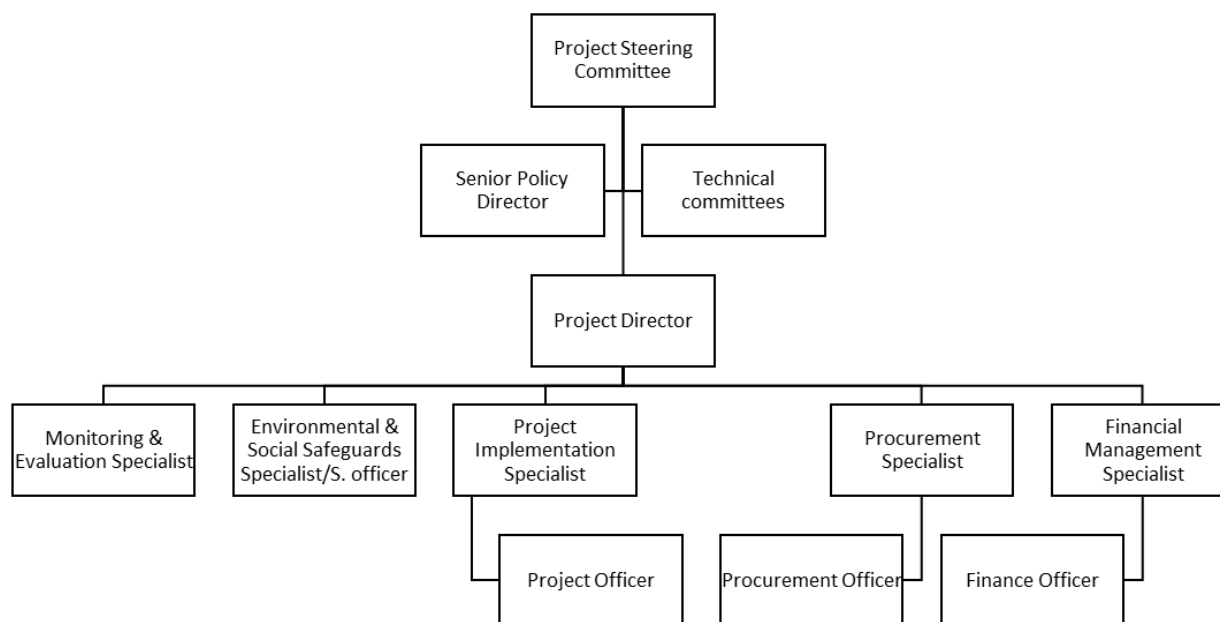


Table 1: Groupings of direct workers of the project with approximate numbers:

Group	Number of workers	
OMSU staff	Approx. 9	Project Director, Monitoring Specialist, Implementation Specialist, Procurement Specialist, Financial Management Specialist, and Environmental and Social Safeguards Specialist, Project officer, Procurement officer, Finance officer, environmental and social safeguards officer, and technical assistants. The OMSU will also recruit consultants and resource persons as needed for the activities of the various project components and sub-components.
MoE staff representing the Steering Committee and Technical committee and working as project implementation focal points	Approx. 100	Senior Policy level executives, Director Generals, Directors, Education Development Officers, Education Development Coordinators and other full-time staff working as project focal points of individual project components from the project implementing agencies.
Total	109	

2.2 Project's CONTRACTED WORKERS

The project would procure the services of following persons listed in Table 2 below during its implementation.

Table 2: Contracted workers of the project

Group	Role	# of workers
Construction workers	Working on refurbishment activities in the 27 schools. They include only skilled workers of the contractors, for each refurbishment site.	Approx. 54 staff (2 workers for each location given the small-scale civil works involved).
Island councils	Where needed island councils will undertake random monitoring of the progress of refurbishment works at the schools.	Approx. 54 staff (2 council members for each school).
School focal persons	Focal persons from each school (a civil servant/teacher) to act as facilitators to implement the school grants component at the school level.	Approx. 213 staff (one from each school)
Consultancy firm	Staff of the consultancy firm to develop the project website. The project website, which will be the project's main platform, will be developed by a consultant through agreement with the MoE. The website would be launched to provide a platform for the stakeholders as well as other interested parties to access the most up to date and needed information about the various ongoing activities, procurements and other advertisements published on the website. The MoE would have a retainer contract with the developer for the maintenance of the website. Through this contract, there may be further engagements with the developer during the life of the project	Approx. a team of 3-4
Total		Approx. 225

2.3 WORKERS OF PRIMARY SUPPLIERS

The workers of the primary suppliers would involve the IT companies from where the project would procure the IT equipment and the companies that would supply the construction materials needed for schools' refurbishment work.

2.4 GOVERNMENT BODIES:

To ensure the services given under AEDP are accessible to citizens in the atolls, the MoE will be working with the focal person in each school as well as the island/city councils' offices. The dedicated case managers from island council offices, who will serve as a personal contact for the programs at the atoll level. A minimum of 30% of these positions will be filled by women. The staffing of these positions are taken care of by the government, but the project will finance technical assistance to strengthen support mechanism needed for the implementation of the project and build coordination with other community level programs (eg. skills development programs for the youth run by other parties etc.). It will build linkages between data systems to facilitate referrals and ensure that the data used are common and regularly updated.

3. ASSESSMENT OF POTENTIAL LABOR RISKS

The AEDP does not anticipate significant labour management related risks given the proposed cadres of direct workers, contracted workers and the primary suppliers to be employed or engaged in the project and the scope of work involved. The proposed cadre for the OMSU is only 9 staff members. The other MoE and its other affiliated agency staff who support the project through steering and technical committees etc. would be working on an intermittent basis and as and when their services are required. They will operate from their respective workplaces. Nor would they have a regular role in the project. Additionally, these direct workers being government employees, their performances and behaviors will be strictly governed by their respective establishment codes of conduct.

Of the contracted workers, the minimum number of construction workers required for each site to carry out the refurbishment work would be only 2 skilled workers. The refurbishment work required for the existing buildings in 27 schools would not trigger large-scale civil works requiring a huge labour force working for extended time periods. Meanwhile, the focal points from island councils and schools will operate from their own workplaces undertaking periodic monitoring of the progress of civil works and providing facilitation support for the implementation of the school grants programs respectively. The web portal development consultancy firm would deploy its staff to carry out most of the web design work from its own business premises and would interact with the OMSU staff only during web installation and its maintenance.

The role of primary suppliers chosen to provide IT equipment and construction materials for civil works will mostly be confined to a one-off activity where they supply the required equipment and construction materials to the project. In the case of IT equipment suppliers, most of them would be international suppliers not resident in the Maldives. Hence, the labor management procedures prescribed in this LMP may not apply to the primary suppliers.

In this scenario, and as mentioned above, the potential labor related risks to the project will be minimal, and no major risks are anticipated. However, the minimal labor management related risks which are most likely to affect the three categories of project workers are listed below.

1. Possibility of hiring migrant workers for labor teams of the contractor without any valid work permits.
2. Possibility of causing minor accidents to the labor teams and/or the school communities (if refurbishment work is carried out during school days/times) due to refurbishment work if proper occupational and health practices were not followed.
3. Possible incidences of travel related accidents, especially for direct workers from OMSU during their frequent travel to islands using air/sea travel for project coordination and monitoring purposes.
4. Possible incidences of sexual abuse and harassment to the school communities from the laborers who would mostly come from outside or in the event of their staying within the school premises during the refurbishment work, if they were not properly supervised by the school management, island councils and the OMSU.
5. Possible incidences of gender-based violence, sexual harassment and sexual abuse and other discriminatory practices among project workers while disregarding the workers' code of conduct.
6. Significant wage disparities across gender and foreign and local labor forces, and in non-compliance with country's labor laws
7. Risk of project workers being exposed to COVID infection in the event of their neglecting to follow the prescribed health practices e.g. getting vaccinated, wearing face masks, handwashing etc. in their respective workplaces. COVID -19 has not been fully contained in the Maldives.

4. KEY LABOR LEGISLATION IN THE MALDIVES

Over the last decade or so, the Government of Maldives has enacted several laws and policies relating to 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. The key legislatures governing labor are summarized in the following sections. In addition, international labor conventions signed by the Republic of Maldives are also described in this section.

4.1 EMPLOYMENT ACT OF 2008

The Employment Act (2008) specifies the rights and duties of employers and employees. An employer is defined in the Act as, “any person, company, government or association of persons providing employment pursuant to an employment agreement which includes the use of services of non-independent contractors, successors, assigns of such employers, and any person to whom the rights of such employers are transferred in accordance with the law”. An employee is any person seeking to work pursuant to an employment agreement. The Act prohibits forced employment, and discrimination in granting of employment, increase in remuneration, provision of training, determination of conditions and manner of employment, dismissal and resolution of other employment related issues; based on race, color, social standing, religion, political beliefs or affiliation with any political party, sex, marital status, family obligations, age or disability.

EMPLOYMENT AGREEMENT

All employers are required to enter into an employment agreement in writing with their employees. The Act recognizes three types of employment agreements, which are, (i) fixed term contracts or agreements with a definite term, (ii) agreements with an indefinite term or permanent employment agreements, and (iii) agreements for a specific task or project. This third provision in the Act applies to the direct workers or project staff of the OMSU whose services will be considered terminated upon the completion of the specific task or project. All agreements must at a minimum have included in them the following details:

- The name of the employee, permanent address, current address, identity card number or passport number, date of birth, nationality, emergency contact person's name, address and phone number
- Job description, whether employment is permanent or temporary
- Date of commencement of employment agreement
- Salary and other benefits, pay day, including method and guidelines for calculation of salary
- Days on which leave may be granted
- Staff appraisal, principles pursuant to which disciplinary measures may be taken against the employee; manner of dismissal from employment.

MINORS

The law considers a minor to be a person under the age of 18. Chapter 3 of the Employment Act allows minors between the ages of 16 and 18 to be engaged in employment, provided consent is obtained from their legal guardian. Minors under the age of 16 are prohibited from engaging in employment, unless it is as part of training for their education. A minor may also be employed in a family business with the consent of such minor and their family.

All children are protected from employment that would have a detrimental effect on their health, education, safety or conduct. These rights are further stipulated in the Rights of the Child Act [19/2019] under which

the Labour Relations Authority (LRA), is mandated to enact necessary regulations and monitoring the implementation of the same, for the prevention of child labour.

WORKING HOURS

No employee shall be required to work more than 48 (forty-eight) hours a week. This principle does not include overtime carried out in accordance with the Employment Act of the Maldives. No employee shall be required to work more than 6 (six) consecutive days a week (on a day that is normally a day off or has been agreed as a day off), without being provided with twenty-four consecutive hours of leave.

DISMISSAL

Employees have a right not to be dismissed unfairly, without cause. The Act provides a list of disciplinary measures that can be taken reasonably against an employee due to misconduct and which must ordinarily be exhausted before any dismissal. This includes, cautioning verbally, a written warning, 14-day suspension and demotion, in that order. Employers must establish procedural fairness and substantive fairness before an employee is dismissed. Procedural fairness is ensuring that due process of the law is followed in any decision to dismiss an employee, including among other things, providing the employee with due notice or money in lieu of such notice and ensuring that the employee is given ample opportunity to defend themselves. Substantive fairness means the actual reason or the misconduct of the employee preceding such dismissal must be one that warrants dismissal. It must be reasonable and fair. The employers must take into account the circumstances surrounding the case, the previous records of the employee, and actions taken for similar conduct in previous cases.

LEAVES

Entitled leaves for employees under the Act includes, 30 (thirty) days of paid annual leave, 30 (thirty) days of paid sick leave, 60 (sixty) days of paid maternity leave, upon expiry of which either parent may choose to take up to 01 (one) year of unpaid leave, 03 (three) days of paid paternity leave, 10 (ten) days of paid leave for family responsibility, and 05 (five) days of paid leave for a parent of a child undergoing circumcision. In March 2019, the government decided to grant all government employees with a paid maternity leave and paternity leave of 06 (six) months and 01 (one) month, respectively. This practice has since been taken up by state owned enterprises as well.

TIME FOR PRAYER

Every employee shall be allowed 15 (fifteen) minutes to pray during each prayer period in such a manner that it does not disrupt work. In the event that a 15 (fifteen) minute break for prayer, as specified in subsection (a) is not allowed, a fifteen-minute break shall be allowed every four consecutive hours of work.

WAGES AND DEDUCTIONS

Except for wages to be paid to a temporary employee, all other employees shall be paid at least on a monthly basis. Temporary employees shall be paid on a daily basis in general. However, the employer and the temporary employee can agree that such payments shall be made on a weekly, bi-weekly or monthly basis. Employees may be fined for absenteeism from work during official working hours, such fine to be deducted from his/her wages and to be commensurate to the time absent from work. No other fines shall be imposed by the employer on account of absenteeism.

OVERTIME WORK

Employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Any work carried out overtime shall be subject to the requirements of subsection (b) and Section 38 of this Act. An employee working overtime shall be paid 1 ¼ times his hourly working wage as over time, and if working overtime on a Friday or a public holiday shall be paid 1 ½ times his hourly working wage as over time.

TRAINING

Employees may be engaged in training, on the job or otherwise, subject to a separate agreement entered into with the employer, for the purpose. The agreement must have in them at minimum, the details of the employer and the employee along with, details of the type of training, the period it would take to complete the training, costs incurred by the employee in relation to the training and the rights and obligations of each party if the training is not completed.

OCCUPATIONAL HEALTH AND SAFETY

Obligations of the Employers: All employers are obligated under the Act to take measures for the safety and protection of their employees, without any charge. These measures include:

- Provide a safe workplace environment and procuring of secure tools and machinery for carrying out work, and ensuring the continued safety of the same;
- Provide necessary PPEs and other protective gear as required;
- Provide resources necessary to carry out the work with safety;
- Provide protective attire and equipment in the event that the nature of work is such that it is not possible to eliminate or control health hazards arising out of work;
- Provide education and training to employees on the use of protective gear and safety equipment, and disseminate information to employees on all issues of related concern;
- Conduct regular health checks for employees involved in any work that may cause physical ill health or for employees working with chemical or biological materials that may pose a threat to their health;
- Provide or arrange for appropriate medical care for employees injured during the course of their employment
- Facilitate first aid to employees who are involved in emergencies or accidents.
- Provide or facilitate transport facilities to minimize the exposure risk

Obligations of the Employees: Employees are required to:

- Maintain safe practices at work to avoid danger to the safety and wellbeing of the employee and co-workers, which may be caused by inattentiveness to safety and security measures;
- Assist the employer and co-workers in maintenance of measures designed to ensure health and safety in the workplace;
- Use safety equipment and protective gear as instructed in accordance with the training and education provided for use of such equipment and gear;
- Report to the employer any damage, loss of or destruction of protective gear or safety equipment;
- Inform the employer or his designated supervisor immediately of the occurrence of any incident which the employee believes may cause danger and which the employee is unable to resolve;
- Inform the employer or his designated supervisor of any accidents or damage sustained at work or related to work.

- Employees have the right to abstain from work where there is a serious threat to health or life.

COLLECTIVE BARGAINING AND DISPUTE RESOLUTION

The Employment Act 2008 is notably silent on the right to strike or the right to form trade unions and lacks any provisions on collective bargaining; and even though Maldives remains party to the ILO Convention on Right to Organize and Collective Bargaining (No. 98), there is a lack of a specific legislative framework ensuring the right to organize and collectively bargain. Having said that, the following paragraph outlines the institutional mechanisms set up to ensure the rights, safety and security of workers as well as for dispute resolution.

Specifically, the Regulation on Resolving Disputes between Employers and Employees (2011/R12), issued by Labour Relations Authority outlines principles for employees to comply with in exercising the right to strike and abstain from work. The Regulation provides for a three-tier process to be followed in carrying out discussions between employers and employees, namely: (i) informal discussion between the parties failing which formal discussions are to be held at a sectional or departmental level; (ii) lodging grievances to a Grievance Committee made up of the head of the respective organization, heads of the relevant departments, and parties representing the aggrieved employee(s); (iii) Labor Relations Authority if the Grievance Committee fails to resolve the dispute. If either party is dissatisfied with the decision of the Authority, the matter can be submitted to the Employment Tribunal for adjudication.

DISPUTE RESOLUTION

The GoM has also established the Employment Tribunal, pursuant to the Employment Act with the objectives of examining and arbitrating legal matters arising in the work environment between the employer and employee and any matters ascribed to the Employment Tribunal pursuant to the employment Act or any other Act or regulation or under any agreement, in an expeditious and simple manner.

4.2 MALDIVES PENSION ACT (18/2016)

Employers must enroll their employees in the Maldives Retirement Pension Scheme, and it is obligatory on the employees to participate in the scheme, under Article 12 of the Maldives Pension Act (18/2016). Failure to do so would amount to an offense under the Act. And as such the employment agreement is required to have provisions for deductions for pension contributions by the employee.

Each person who is considered a participant of the Retirement Pension Scheme of the Maldives, is required to pay a minimum of 7% of the employee's pensionable wage, and the employer must also pay a minimum of 7% of the pensionable wage to the scheme.

4.3 HEALTH AND SAFETY REGULATION FOR CONSTRUCTION INDUSTRY (2019/R-156)

The aim and objective of this regulation is to provide minimum standard for safety and security of the community and labour force (12). The regulation suggests that if the value of the project exceeds 1.5 million Maldivian Rufiyaa, health and safety aspects regarding the project needs to be defined and training given to the labour force. It states that safety nets need to be installed and other precautionary measures taken such that the neighbouring households are not impacted as a result of the project. It also stipulates that Personal Protective Equipment (PPE) that is relevant to the work undertaken should be worn. In this regard, it states that safety helmets, safety shoes, safety goggles, welding mask and gloves need to be used where

required. The same article stipulates that, it is the responsibility of the employer to provide PPE to the employee. It also stipulates that steps need to be undertaken during excavation to ensure damage to nearby properties are avoided. It also stipulates that appropriate safety signs need to be installed on the construction site.

The regulations also have the following provisions for the supply and installation of electricity.

1. All electric equipment should be connected to a supply that does not exceed 230 V.
2. To install an earth circuit monitor on the electricity supply line.
3. Use of equipment that has double insulation.
4. Utilize earth leakage circuit breaker.
5. The switchboard installed to provide temporary power should be covered to prevent weather damage.

The regulation stipulates that all electrical equipment used on the site needs to be tested every 03 months to ensure functionality and safety. The regulation also highlights that where chemicals and hazardous materials are used each contractor needs to identify a plan to handle such material and the identified plan needs to be implemented in the work site. It is also suggested when handling hazardous materials, the workers need to be fully covered.

If any flammable materials are on site firefighting equipment should be available and fire protection clothing should be available on site. The regulation suggests that heavy machinery like cranes should not be used in any areas where the public could access. Moreover, the same article states that cranes should operate 04 meters away from any overhead electric lines. Moreover, cranes should be inspected every 12 months and the records of the inspection should be kept available in the crane.

To keep log records of any accidents that occur in site and reporting any such incident to police is also specified in the regulation. The regulation also specified non-compliance penalties.

4.4 PREVENTION OF SEXUAL HARASSMENT ACT (16/2014)

Prevention of Sexual Harassment Act (16/2014) prohibits employers and employees from subjecting those who work under them or their co-workers to any extent any type of sexual harassment. Sexual Harassment is defined in the Act as, any sexual act committed against a person without their consent. A sexual act, for the purposes of the Act, is any action, whether physical, verbal or otherwise, which according to a reasonable person, suggests a sexual intent towards the victim. Any such act is to be proven on the balance of probability. It is the duty of the employer to take reasonable steps to ensure that the work environment is an environment that is free from sexual harassment and one in which such acts does not negatively affect the work of employees. Employers are obliged to establish policies to prevent sexual harassment and have such policies published.

Every government office including the presidents' office, independent institutions, parliament, the courts and all workplaces with more than 30 employees must have, under the Act, a Sexual Harassment Prevention Committee, with the function, among other things, of hearing complaints, investigating potential acts of harassment and take proper action against perpetrators in accordance with the Employment Act. The Committee consists of 03 members out of which one must be a female. The Committee can, depending on the gravity of the action, take disciplinary actions ranging from cautioning, suspension, demotion and dismissal. Decisions must be taken within 60 days of receiving a complaint. Decisions of the Committee can be appealed at the Employment Tribunal.

4.5 GENDER EQUALITY ACT 2016 (18/2016)

Employers are further mandated under the Gender Equality Act (18/2016), to ensure non-discrimination based on gender. The Act stipulates that all government offices and private businesses must take appropriate measures to achieve the following goals;

- Abolish gender-based discrimination, including direct and indirect discrimination.
- Abolish all systemic discrimination caused through established systems with unequal practices.
- Promote equal opportunities for men and women.
- Promote notions and ideas of gender equality to eliminate undesired preconceptions against a certain gender.

Providing equal opportunity under the Act includes, (a) eliminating weaknesses or difficulties caused by inequality between men and women, (b) reducing the negative effects of inequality between men and women, (c) facilitating the special needs of a particular gender to achieve ease of attainment of services, and (d) evaluating the degree of participation of each gender in public life and public services and take appropriate steps to balance such participation.

Public and private sector employers are further mandated under the Act to;

- (a) Provide equal opportunity to men and women in the employment, training and advancement of position.
- (b) Provide equal wages to men and women who perform the same responsibilities at the same place of employment.
- (c) Men and women at the same place of employment with work adequately equal in value and weight shall be given equal wages, overtime compensation, benefits and allowances.
- (d) Employment opportunities shall not be offered or advertised to restrict a particular gender, except in circumstances where the work is required to be undertaken by a particular gender.
- (e) Announcements and advertisements for work that is likely to attract more men than women must be designed to invite and not to exclude women.
- (f) Take all possible steps to eliminate obstructions to employment of women and to create conducive work environments for women.
- (g) Establish a complaints mechanism.

4.6 REGULATION ON EMPLOYMENT OF EXPATRIATES IN MALDIVES (2011/R-22)

Under the Regulation on Employment of Expatriates in Maldives (2011/R-22), government issues a specific number of “Quotas” for companies, upon request in order to employ expatriates. No foreigner is allowed to work in the Maldives without a valid work permit and a work visa. Employers are required to treat their foreign employees in accordance with the Employment Act and other applicable law. They are responsible for paying any fees related to the work permit or visa accordingly and of returning the worker to their home country once the work permit expires, or if for any reason the government decides that the worker should leave the country. Employers are also required to, upon the death of a worker, to return the body to their family in their home country.

The Regulation also requires foreign migrant workers to obtain employment approval as per applicable law and deposit a security with the relevant government agency. This deposit is to be used by the government for costs incurred to remedy an employers’ default of their responsibilities under relevant Regulation on Employment of Expatriates in Maldives (2011/R-22), or as payment for any unpaid fees related to work permit or work visa, or for travel expenses of the worker, where government decides to deport such worker.

Article 62 of the Employment Act gives the minister with the relevant government mandate to issue regulations related to the employment of foreigners.

4.7 INTERNATIONAL LABOUR ORGANIZATION CONVENTIONS

Maldives have ratified a number of International Labour Organization Conventions on 04th January 2013. These conventions are described in brief below:

1. *Forced Labour Convention, 1930 (No. 29)*: This fundamental convention prohibits all forms of forced or compulsory labour. Exceptions are provided for work required by compulsory military service, normal civic obligations, as a consequence of a conviction in a court of law, in cases of emergency, and for minor communal services performed by the members of a community in the direct interest of the community. The convention also requires that the illegal extraction of forced or compulsory labour be punishable as a penal offence, and that ratifying states ensure that the relevant penalties imposed by law are adequate and strictly enforced.

2. *Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)*: This fundamental convention sets forth the right for workers and employers to establish and join organizations of their own choosing without previous authorization. Workers' and employers' organizations shall organize freely and not be liable to be dissolved or suspended by administrative authority, and they shall have the right to establish and join federations and confederations, which may in turn affiliate with international organizations of workers and employers.

3. *Right to Organize and Collective Bargaining Convention, 1949 (No. 98)*: This fundamental convention provides that workers shall enjoy adequate protection against acts of anti-union discrimination. Workers' and employers' organizations shall enjoy adequate protection against any acts of interference by each other. The convention also enshrines the right to collective bargaining.

4. *Equal Remuneration Convention, 1951 (No. 100)*: This fundamental convention requires ratifying countries to ensure the application of the principle of equal remuneration for men and women workers for work of equal value. The term 'remuneration' is broadly defined to include the ordinary, basic or minimum wage or salary and any additional emoluments payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment.

5. *Abolition of Forced Labour Convention, 1957 (No. 105)*: This fundamental convention prohibits forced or compulsory labour as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilizing and using labour for purposes of economic development; as a means of labour discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination.

6. *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)*: This fundamental convention defines discrimination as any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. It requires ratifying states to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in these fields. The Convention covers discrimination in relation to access to education and vocational training, access to employment and to particular occupations, as well as terms and conditions of employment

7. *Minimum Age Convention, 1973 (No. 138)*: This fundamental Convention sets the general minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting the general minimum age at 14 (12 for light work) where the economy and educational facilities are insufficiently developed

8. *Worst Forms of Child Labour Convention, 1999 (No. 182)*: This fundamental Convention defines a “child” as a person under 18 years of age. It requires ratifying states to eliminate the worst forms of child labour, including: all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; child prostitution and pornography; using children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children. The Convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children removed from the worst forms of child labour.

5. POLICIES AND PROCEDURES FOR MANAGEMENT OF LABOUR ISSUES UNDER THE PROJECT

This section identifies the key policies and procedures that will be in place to ensure that the risks related to labor management are either avoided or minimized.

5.1 DIRECT PROJECT WORKERS

The following are the mitigation measures that will be implemented during project implementation to ensure that the risks to project direct workers are addressed. The project director will have the overall responsibility to ensure the implementation of the relevant procedures. The Project Director will submit periodic reports to the MoE and the World Bank on the status of LMP implementation in respect of direct workers.

5.1.1 GENERAL PROVISIONS

1. All project staff will be provided with an employment contract as per the requirements of the Employment Act (2/2008).
2. A code of conduct will be issued to each employee together with his/her employment contract which should be read, understood and signed by the recipient employee. A template for a Code of Conduct (CoC) is appended to this LMP.
3. All direct project staff employed for the purpose of the project will be over 18 years.
4. Maximum working hours for staff will not exceed the maximum limit set in the Employment Act, i.e. 48 hours a week.
5. Equal training opportunities will be available to all staff working in the project without discrimination, based on gender or otherwise, as specified in the Employment Act. It is the responsibility of the Project Director to ensure that such discrimination does not exist.

6. All staff will be entitled to breaks from work of 30 (thirty) minutes after every 05 (five) hours during working hours as per the Employment Act. They will also be provided with the entitled leaves under the Employment Act, in addition to paid maternity and paternity leaves as per the social protection policy of the government. In this regard, 06 months of maternity leave and 01-month of paternity leave will be provided. This policy has been established and enforced in all government civil service offices and all government companies.
7. All staff will be made aware of the grievance redress mechanism available for the staff described later in this LMP.
8. Staff will be made aware of the avenues available at the Ministry for victims of sexual harassment. Staff will be able to lodge complaints to the Sexual Harassment Prevention Committee at the Ministry, established under Prevention of Sexual Harassment Act (16/2014).
9. Staff will be provided a pension contribution and deductions will be made from their salaries for their contribution in accordance with the Pension Act 18/2016).
10. Any foreign party employed by the project will have a valid work permit and a work visa while working in the Maldives.

5.1.2 AT PROJECT OFFICE

1. A workstation with computers will be provided to all staff.
2. All software's essential for functioning of the assigned tasks will be provided to all project staff.
3. Separate male and female toilet facilities will be provided at the project office.
4. Drinking water will be available at the project office.
5. Fire detection and firefighting equipment will be available at the project office. Emergency evacuation plan will be established for the project office and staff will be made aware of the plan and periodic simulation exercises that need to be implemented.
6. Ensure that prescribed health guidelines for the prevention of COVID-19 are strictly complied with.

5.1.3 AT THE FIELD

1. When travelling procure sea-vessels that have lifejackets available. Or the project shall provide the life jackets.
2. When procuring sea-vessels for travel in addition to cost, safety aspects should be given due consideration, and the size of the vessel should be adequate from a safety perspective.
3. Hard hats (through contractors, or project directly) will be provided to all project staff when visiting project construction sites.
4. Enclosed shoes will be worn by all project staff when visiting project construction sites (safety shoes are preferable).
5. Arrangements will be made to ensure that water is available to all project staff at the field. Ideally a refillable water bottle would be provided to each project staff to be used during field visits.
6. Official identity cards will be provided to the project staff when attending meetings and sites.
7. Where a state of emergency or an epidemic is declared, all travel to that place will be seized with immediate effect.
8. A daily subsistence allowance (DSA) will be provided to all project staff covering lodging, meals, gratuities and transport costs when travelling in field. The rate of DSA will be determined based on the rates at locations where project is implemented and will be revised based on changes to rates.
9. To ensure enforcement of these aspects highlighted in the LMP, these provisions shall be included in the employment contracts of all direct workers.

5.2 CONTRACTED WORKERS

On behalf of OMSU, the environmental and social safeguards specialist will have the overall responsibility for the implementation of the policies and procedures applicable to the contracted workers. Regular monitoring of the ground conditions of the contracted staff will be undertaken through a project assigned supervision team. At the time of writing, the plan is to utilize island council staff based in the islands for this purpose. In this regard, the safeguards specialist will guide the assigned supervision staff. The safeguards specialist will review input from the supervision team and will communicate issues that require addressing by the contractors. The safeguards specialist will also undertake quarterly reviews to determine compliance and will report to Project Director. The Project Director will take necessary measures to address any non-compliance issues on the part of contracted works and will submit periodic reports to the MoE and the World Bank on the status of LMP implementation in respect of contracted workers.

5.2.1 GENERAL PROVISIONS FOR CONTRACTED WORKERS

- The contractors are required to submit a list of workers to be deployed for the project, with proof of their employment to OMSU.
- Construction work (in this case the refurbishment work in 27 schools) can only commence once the following conditions are met:
 - i. Toolbox training completed by all staff employed by the contractor
 - ii. All the required Personal Protective Equipment are provided by the contractor for all workers
 - iii. Any newly employed party by the contractor will be required to complete the toolbox training prior to commencing any physical work.
 - iv. As per the provisions of the employment, all parties employed by any contracted party will be above 16 years of age. For those between 16 to 18 years of age, the consent of the parents will be required as per the Employment Act. In addition, all other provisions of the act highlighted previously regarding employment of a minor will apply. All contractors will be required to provide documentary evidence (passport, identity card or birth certificate) confirming the age of employees to OMSU prior to involving them on activities of the project. In addition, for minors' consent of the parent shall be obtained in writing together with evidence of legal guardianship.
 - v. Maximum working hours for staff will not exceed the maximum limit set in the Employment Act, i.e., 48 hours a week. To confirm this, monthly attendance and duty sheets need to be submitted to OMSU during the construction phase.
 - vi. The contractor should provide a code of conduct for his staff in a language that is understood by the staff and ensure that the code of conduct is read, understood and signed by the recipient staff member. The CoC must include sanctions for non-compliance, including non-compliance with specific policies related to GBV/SEA/SH. Please see template in the annex.
 - vii. The contractor should ensure that all his/her staff is well informed of the workers' grievance redress mechanism (described later in this LMP) and the Sexual Harassment Prevention Committee established at the MoE for reporting any grievances. Evidence of conducting such awareness programs should be submitted to the OMSU by the contractor.
- The leave policy and other entitlements of the contractors should comply with the national laws and regulations described in this LMP.
- All foreign parties employed by the contractors should have valid work permits. The work permit details shall be shared with OMSU.
- All vehicles used by any contractor for the purpose of the project will have valid registration, insurance and road worthiness.

5.2.2 PROJECT WORK SITES INVOLVING SCHOOL REFURBISHMENT WORK

- All provisions that are required under Health and Safety Regulation for Construction Industry (2019/R-156) will be strictly adhered to.
- All workers will be provided with Personal Protective Equipment (PPE) by the contractor. In this regard the following will be observed:
 - i. Hard hats should be used by all workers when engaged in construction work.
 - ii. Enclosed safety shoes should be worn by all construction workers.
 - iii. Electrical Protective gloves should be provided to workers when dealing with electrical components.
 - iv. Chemical protective gloves should be provided to all workers when dealing with any chemicals.
 - v. Construction safety goggles should be worn by all construction workers.
 - vi. Ear plugs should be worn by all construction workers working in environments with high noise (working above 75 decibels).
 - vii. Masks should be worn when dealing with chemicals and when working in dusty environments.
 - viii. All chemicals will be stored on hard surfaces and should be covered.
 - ix. Portable drinking water will be made available at the construction site during the construction phase.
 - x. Adequate safety signs will be installed at the work site giving clear directions. These will be provided in the language of the workforce in addition to English.
 - xi. Construction work site will be demarcated and fenced, and warning signs will be displayed both in English and Dhivehi.
 - xii. When construction is undertaken, clearly demarcated bins for waste disposal will be placed and emptied daily.
 - xiii. Open pits will not be left for water to accumulate for a long time.
 - xiv. Any stockpiled sand will be covered to prevent sand particles from being airborne.
 - xv. All vehicles and equipment used for the project will be used by well-trained personnel.
 - xvi. Any scaffolding used will be to British Standard (BS1139).
 - xvii. When working at night, adequate lighting will be provided.
 - xviii. A designated toilet facility will be available within 10 minutes of the construction site.
 - xix. Breaks will be given to the workforce during mealtimes.
 - xx. The site will be cleaned daily following completion of days' work.
- To ensure proper enforcement of the above-mentioned requirements on the part of the contracted workers, the said conditions will be included in the contracts signed with all contractors.

6. GRIEVANCE REDRESS MECHANISM (GRM)

While AEDP will have in place a project-based grievance redress mechanism to address concerns of project-affected parties, the nature of workplace concerns of workers is usually different. For example, typical workplace grievances include demand for employment opportunities; labor wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in work environment. Therefore, a separate grievance mechanism will be established for project workers (direct workers and contracted workers), as required in ESS2. Handling of grievances will be objective, prompt and responsive to the needs and concerns of the aggrieved workers. Different ways in which workers can submit their grievances will be allowed, such as submissions in person, by phone, text message, mail and email. The

grievance raised will be recorded and acknowledged within one day. While the timeframe for redress will depend on the nature of the grievance, health and safety concerns in the work environment or any other urgent issues will be addressed immediately. Where the grievance cannot be addressed within a reasonable timeframe, the aggrieved worker will be informed in writing, so that the worker can consider proceeding to the national appeal process. The mechanism will also allow for anonymous complaints to be raised and addressed, especially relevant for sensitive cases of SEA/SH and GBV. In case the PIUs, PMU and the contractor are not equipped to handle complaints or provide relevant services to survivors of GBV/SEA/SH, they will refer them to GBV service providers (could be local NGOs having such program and services) for management of the issue. Individuals who submit their comments or grievances may request that their name be kept confidential.

Grievance Redress for Direct workers

Despite the relatively small number of direct workers employed under AEDP, the project will have an effective grievance system for direct workers. The staff of the OMSU who constitutes the main segment of the direct workers will hold periodic team meetings to discuss any workplace concerns. The grievances raised by workers will be recorded with the actions taken by the Project Director of OMSU. The summary of grievance cases will be reported to the World Bank as part of the regular report.

Grievance Redress for Contract workers

The site manager (or any other appropriate officer) of the contractor will hold weekly team meetings with all present contract workers assigned to different sites to discuss any workplace grievances. As the workers assigned to different construction sites are spread over different islands, bringing them over to a single venue every week may not be practical. Hence, the site manager can communicate with the workers via individual telephone calls or Whatsapp groups. The grievances raised will be recorded with the actions taken by the contractor. The summary of grievance cases will be reported to the OMSU as part of contractor's periodic report. Where the aggrieved workers wish to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor, the workers may raise their issue with the OMSU. The contract workers will be informed of the grievance mechanism at the induction session prior to the commencement of work. The contact information of the OMSU will be shared with contract workers.

National appeal process

As per the laws related to labor dispute resolution, any individual labour dispute can be submitted by any of the parties (direct workers or contracted workers) to either the Labor Relations Authority or the Employment Tribunal. Additionally, both the direct and contract workers will also have access to a Sexual Harassment Prevention Committee established at the MoE to report any grievances related to sexual exploitation and harassment or gender-based violence. In the event of any project worker being dissatisfied with the outcomes of the above-mentioned grievance redress mechanisms, he/she can have recourse to legal action in the country's judiciary.

7. Annex

Individual Code of Conduct Template Implementing ESHS and OHS Standards Preventing Gender Based Violence

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) is important.

The Company considers that failure to follow ESHS and OHS standards, or to partake in activities constituting GBV—be it on the work site, the work site surroundings, at workers’ camps, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the Police of those who commit GBV may be pursued if appropriate. The Code of Conduct is aligned with the key provisions under the Maldives’ Prevention of Sexual Harassment Act (2014) and the Gender Equality Act (2016).

I agree that while working on the project I will:

1. Consent to Police background check.
2. Attend and actively partake in training courses related to ESHS, OHS, and GBV as requested by my employer.
3. Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
4. Take all practical steps to implement the contractor’s environmental and social management plan (C-ESMP).
5. Implement the OHS Management Plan.
6. Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times.
7. 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.
8. Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
9. Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.
10. Not engage in sexual harassment of work personnel and staff—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is prohibited. E.g. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
11. Not engage in sexual favors—for instance, making promises of favorable treatment (e.g. promotion), threats of unfavorable treatment (e.g. loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
12. Not use prostitution in any form at any time.
13. Not participate in sexual contact or activity with children under the age of 18—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.

14. Unless there is the full consent⁵ by all parties involved, I will 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 (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.
15. Consider reporting through the GRM or to my manager any suspected or actual GBV by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

With regard to children under the age of 18:

16. Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
17. Wherever possible, ensure that another adult is present when working in the proximity of children.
18. Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
19. Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
20. Refrain from physical punishment or discipline of children.
21. Refrain from hiring children for domestic or other labor below the minimum age of 14 unless national law specifies a higher age, or which places them at significant risk of injury.
22. Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s safeguard policies on child labor and minimum age.
23. Take appropriate caution when photographing or filming children (See the guidelines given below).

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

24. Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
25. 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 will be used.
26. 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.
27. Ensure images are honest representations of the context and the facts.
28. Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

⁵ **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 using 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 if 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.

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

1. Informal warning.
2. Formal warning.
3. Additional Training.
4. Loss of up to one week's salary.
5. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
6. Termination of employment.
7. 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 will adhere to the occupational health and safety management plan. That I will avoid actions or behaviors that could be construed as GBV. Any such actions will be a breach of 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 issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____