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MINISTRY OF TRANSPORT
PROJECT MANAGEMENT UNIT – WATERWAYS

**SOUTHERN WATERWAYS LOGISTICS CORRIDOR PROJECT
(SWLC)**

Public Disclosure Authorized

DRAFT
LABOR MANAGEMENT PROCEDURES
(LMP)
(The 4th Revised Version)

JANUARY 2022

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ACRONYMS AND ABBREVIATIONS

C/WPC	: Commune/Ward Peoples' Committee
CSC	: Construction Supervision Consultant
DARD	: Provincial Department of Agriculture and Rural Development
DOC	: Provincial Department of Construction
DOLISA	: Department of Labor - Invalids and Social Affairs
DONRE	: Provincial Department of Natural Resources and Environment
DPI	: Provincial Department of Planning and Investment
ESF	: Environmental and Social Framework
ESIA	: Environmental and Social Impact Assessment
ESMP	: Environmental Social Management Plan
ESS	: Environmental and Social Standards
GBV	: Gender-based violence
GOV	: Government of Vietnam
GRM	: Grievance Redress Mechanism
IESMC	: Independent Environmental and Social Monitoring Consultant
LMP	: Labour Management Procedures
M&E	: Monitoring and Evaluation
MOLISA	: Ministry of Labor- Invalids and Social Affairs
OHS	: Occupational health and safety
PC	: Peoples' Committee
PAPs	: Project Affected Persons
PMUW	: Project Management Unit Waterways
PPE	: Personal Protective Equipment
RPF	: Resettlement Policy Framework
SEA	: Sexual Exploitation and Abuse
SEP	: Stakeholder Engagement Plan
SH	: Sexual Harassment
SWLC	: Southern Waterway Logistics Corridor Project
UXO	: Unexploded Explosive Ordnance
WB	: World Bank

I. INTRODUCTION

1.1. Project Background

1. The Mekong Delta is an important role in Vietnam's national economic development. In order to develop the economy of the Mekong Delta in the future, it is necessary to strengthen the transportation network, connecting the region with domestic and international markets. Since the IWT network is already available, it should be exploited and made full use of its potential. Inland water transport has many advantages over road transport for safety reasons, less emissions, and lower transportation costs.
2. The transport infrastructure system is the bottleneck in logistics services in Vietnam. Bulk transport from the Mekong Delta to Ho Chi Minh City must go through Cho Gao channel, Tien Giang, during peak season it can take up to 24-36 hours partly due to congestion due to poor sections of the route synchronous improvement; The current transport route passing through Tien River, Vam Nao River and Hau River is quite long, taking a long time to reach Can Tho Port. Roads connecting to ports in Ho Chi Minh City, especially Cat Lai port, are often congested during the peak export season, businesses have to reserve 1.5 times more transit time than usual to ensure that on-time delivery. While the ports in the HCMC area are being overloaded, the Cai Mep Thi Vai port area has not been utilized and exploited effectively over the years.
3. Multimodal transport in the Southeast (North-South corridor) is currently quite good with dense container traffic, but container transport in the Mekong Delta (East-West corridor) is still very modest (accounting for less 2% of transported cargo) due to the uneven clearance of bridges on the route and the non-synchronous channel.
4. The project area includes the Mekong Delta and the Southeast which are formed by two main river systems, the Dong Nai river system and the Mekong River system. The project includes many rivers with small, folding radius that do not ensure safety for navigation on Mang Thit canal with 8 curved sections, Cho Lach canal with some narrow and shallow sections, Rach La canal with 4 curved sections, Dong Tranh River with 5 sharply curved and shallow sections which only allows ships to pass through during high water level, and Tac Cua River with 5 curved sections. Therefore, water transportation in the region is highly limited.
5. The project will invest in upgrading routes on the East-West Corridor to level II to ensure safe circulation of 3-class container ships, self-propelled vessel up to 1500T, gradually increasing the proportion of freight transport by container, reduce shipping cost. The project also connects port clusters in major economic centers, dry ports (ICD) to transport import and export goods. The project also promotes the potential and advantages of the Cai Mep-Thi Vai port cluster in the logistics chain in the South, contributing to promoting economic development in the region in particular and the country in general.
6. The Government policies¹ put forward development of transport infrastructure, especially waterway transport as an adequate mode for transport development in conformity with the strategy and plan for national and local transport development, to

¹ Including notably Prime Minister Decision No. 11/2012/QĐ-TTg dated 10/02/2012 approving the Plan for Transport Development in the Mekong Delta key economic region to horizon year 2020 with orientation to year 2030.

ensure convenient Inter-provincial transport within the region and transport connections to other regions in the country and abroad.

7. As part of that policy the Government of Viet Nam and the World Bank have agreed to implement the **Southern Waterways Logistic Corridors (SWLC) Project**, hereinafter referred to as “Project” through a Credit from the International Bank for Reconstruction and Development (IBRD) of the World Bank Group (WBG).

1.2. Project Objectives

1.2.1. General Objectives

8. The overall goal of the project is to improve the inland waterway infrastructure system; reduce waterway traffic congestion and accidents; reduce emissions contributing to environmental protection; reduce the transport distance and logistics costs; promote economic development, especially the Mekong Delta region; and increased connectivity for different types of transport. This goal will be realized by renovating and upgrading two transport corridors logistics transport connecting the Mekong Delta region with Ho Chi Minh City and linking the economic triangle area of Ho Chi Minh City-Dong Nai-Binh Duong with Cai Mep-Thi Vai port area, contributing to hunger eradication, poverty reduction, socio-economic development, ensuring border security in localities in the Southeast and Mekong Delta.
9. The project will be built on the basis of advanced transport technology to improve the quality of transportation, minimize the environmental impact through efficient energy use and accelerate the development of multilateral transport. Furthermore, in order to ensure the sustainability of investment, the waterway project will combine (i) development of other transport sectors, rural and urban transport networks in particular and (ii) rural development includes irrigation and flood control to effectively adapt and address the problems of climate change and sea level rise.

1.2.2. Specific Objectives

10. The objective for the East - West corridor [from Hau river (Can Tho City) → Tra On river → Mang Thit canal → Co Chien river → Cho Lach canal → Tien river → Ky Hon canal; (through Cho Gao canal); Rach La canal → Vam Co river → Nuoc Man canal → Can Giuoc river → Soai Rap river (HCM City)]: Improvement, upgrading to grade II inland waterways with channel width $B = 55\text{m}$ for canal, $B = 75\text{m}$ for rivers, operating least available depth $H = 3.3\text{ m}$, minimum bend radius $R = 320\text{m}$ for canals and $R = 450\text{m}$ for rivers, vertical clearance $T=7.5\text{m}$ (7m limit) for self-propelled vessel up to 600DWT and 3-layer container vessel navigating 24/24h. Self-propelled vessel up to 1,500DWT using tides at high water level to navigate.
11. The objective for the North - South Corridor [crossing Dong Nai river (Dong Nai port) → Nha Be River → Long Tau river → Dong Tranh river → Tac Cua river → Go Gia river → Thi Vai river (Cai Mep Thi Vai Port Area)]: Improvement channel with width $B=90\text{m}$, least available depth $H=7.0\text{m}$, minimum bend radius $R=450\text{m}$, clearance $T=9.5\text{m}$ for safe and smooth navigation of self-propelled vessel 5,000 DWT, 4-layer container vessel.

1.3. Project Components and main construction activities

1.3.1. Project Components

12. The SWLC Project consists of three components as follows:

- (i) **Components A:** Upgrading East – West Corridor to meet the standard of grade II for inland waterways. The component A aiming at renovating and upgrading the infrastructure of East – West corridor: connecting Mekong delta (Can Tho economic centre) with HCMC.
 - (ii) **Component B:** Renovating the North-South corridor to meet the standard of navigable channels and inland waterways. The component B aiming at renovating and upgrading the infrastructure of North – South corridor: connecting Binh Duong – Dong Nai – HCMC with Cai Mep – Thi Vai (CMTV) port complex.
 - (iii) **Component C:** Consultant service, including technical design and construction supervising.
13. The detailed information on the proposed routes of the project is shown in Table 1 below and the Project Location map is shown in **Figure 1**.

Table 1: Selected routes of the SWLC Project

No.	Proposed Routes for SWLC Project	Length (km)
1	<i>East – West Corridor</i> Hau river (Can Tho port) - Tra On river → Mang Thit river/canal → Co Chien river → Cho Lach canal → Tien River → Rach Ky Hon; (via Cho Gao canal); Rach La → Vam Co River → Nuoc Man canal → Can Giuoc river → Soai Rap River (HCM city).	197
2	<i>North – South Corridor</i> Dong Nai river (Dong Nai port) → Nha Be River → Long Tau river → Dong Tranh river → Tac Cua river → Go Gia river → Thi Vai river (Cai Mep Thi Vai port cluster)	82
	Total	279

II. OVERVIEWS ON LABOR USE ON THE PROJECT

2.1. Type of workers

16. The World Bank's ESS2 categorizes the workers into four types: direct workers, contracted workers, community workers and primary supply workers. The environmental and social impact assessment (ESIA) indicates that the project's workforce will include a) direct workers (people directly employed or engaged by the PMU), b) contracted workers (people recruited by third parties such as contractors/subcontractors), and c) primary supply workers (people recruited by Borrower's contractors who provide main materials and equipment for the project). The project will not engage community workers as contribution labor force to the project but contractors may mobilize members of community as hired labors for unskilled work of the project. However, as per Decree 84/2015/NĐ-CP (dated 30 September 2015) regarding investment supervision and assessment, local people can establish community investment supervision board to conduct supervision of the implementation of environmental, social risk and impact mitigation measures and construction safety on their voluntary basis. In the sections below, the type and estimated number of workers to be engaged throughout the project life will be described.

2.2. Direct Workers

17. Under the SWLC Project, direct workers are those who are directly employed by the PMUW. They are individual experts, consultants and the implementing agencies hired by the PMUW to work for the project.
18. **Project Management Unit Waterways (PMUW):** The PMUW is the project owner and is responsible for assessment and management of E&S risk and impact, overall project implementation, including detail project design, procurement, disbursement, and management of construction and consulting contracts, including internal monitoring of environmental and social risks and impact management. PMUW will engage approximately 85 staff and individual consultants to carry out the project, including 20 PMUW's staff and about 65 individual consultants. Please see more details in **Section 2.7** and **Table 7** below.

2.3. Direct Government Workers

19. **Direct Government Workers:** Stakeholders working in connection with the Project other than the above project workers will include the Government civil servants. Some provincial government civil servants will be working in connection to the Project, which will include DPI, DOF, DOLISA, DOC, DOT, DARD, DONRE, District Land Fund Development Centers (DLFDC), and provincial, township, district, commune People's Committees. They will remain subject to the terms and conditions of their existing public sector employment, which are governed by the Vietnam Labor Code, the Law on Public Employees, and the Law on Civil Servants. There will be no legal transfer of their employment to the project. The ESS2 will not apply to government civil servants.

However, if they visit the project sites, they have to follow regulations of E&S risk management².

2.4. Contracted Workers

20. During the project implementation, the PMUW will engage various contractors to implement various type of project works, including technical design, construction supervision, civil works construction, etc. The labor requirements for these works depend on the scale of each individual civil works. The timing of labor requirements will fluctuate depending on the construction stages. The different categories of contracted workers are anticipated below.

- **Regarding civil works construction**, a total of about **465 workers** are estimated to be engaged by construction contractors under the project. These include the Consultant who involves in the project preparation/implementation phases (65 persons), skilled workers engaged by contractors and subcontractors (300 persons at the peak period), and unskilled workers (90 persons); and UXO contractor's skilled workers (10 person).
- **Skilled workers of the contractors/sub-contractors (Construction Companies):** Permanent and/or non-permanent technical staff of the contractors/subcontractors will be engaged in the project, including project managers, construction engineers, construction foreman, drivers, environmental and social officers, administrative, finance officers, etc. It is estimated about **300 workers** in total. These workers are distributed along the rivers corridor system crossing 06 city/provinces.
- **Unskilled workers engaged by the contractor/subcontractors:** To reduce a large number of migrant workers to construction sites, the project encourage the contractors and subcontractors to engage local unskilled workers for simple works such as construction of ancillary works, walls, excavation/levelling, loading/unloading materials, supporting for builders, site cleaners, watering construction sites, etc. To ensure equality in employment opportunities, contractors will be required, as part of their contract with PMUW, to coordinate with the PMUW to provide job opportunities to local residents who are poor or affected by the project and need jobs for extra income. Local female workers are encouraged to perform works that are suitable to them as per Labor Code 2019. Where needed, contractor may contact local social organizations such as Women's Union, Farmer's Union, commune PCs to seek their support in recruitment of unskilled male and female workers. For this project, local unskilled workers mobilized for road and bridges construction are estimated to be around **90 unskilled workers** in total and crossing the project provinces.

² ESS2 applies in part to government workers, through the provision of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety).

- **Project consultants:** A number of consulting companies will be mobilized by the PMUW to provide consultancy services or support various works during project preparation and implementation. The consulting companies will consist of about 10-30 specialists depending on scope of assignments. These could include design consultants, environmental and social consultants, procurement consultants, construction supervision consultants, unexploded ordnance (UXO) consultants, etc.
21. Annex 1 details various requirements and procedures to address working conditions for Contracted Workers under situation of COVID-19 pandemic.
- 2.5. Primary supply workers**
22. The construction under the Project will require supply of construction materials such as aggregates, bitumen, steels, and precast concrete interlocking blocks, etc. Where the contractor will procure such construction materials necessary for the project directly from primary suppliers on an ongoing basis, the workers engaged by such primary suppliers are considered “primary supply workers” as defined in ESS2. The number and type of primary suppliers will be determined during project implementation. The timing of labor use of primary supply workers will cover the construction stage of the project (please see Chapter 12 for details on primary supply workers). There are many primary suppliers in the province that project contractors are encouraged to have contract with them.
- 2.6. Community Workers**
23. The PMUW will not engage community workers as contribution of community labor to the project. However, the community members may be engaged by the contractors, if they need, and will be categorized and managed as “**contracted workers**”.
- 2.7. Estimated number of project workers**
24. The total number of direct and contracted workers to be mobilized for project implementation is estimated to be around **485** persons. The number of workers by categories are identified in **Table 7**.

Table 2: Estimated number of workers engaged in the project

Type of project workers	Characteristics of project workers	Duration of labor mobilization	Estimated number of workers
1. Direct workers (Total: 20)			
PMUW staff	National staff	From project preparation until project completion	20
2. Contracted workers (Total: 515)			
Project preparation/implementation consultants (design, M&E, CSC, IESMC, ect)	International and National Specialists	From project preparation until project completion	65

Type of project workers	Characteristics of project workers	Duration of labor mobilization	Estimated number of workers
UXO contractor	National workers	Before project implementation	10
Skilled workers engaged by the contractors and subcontractors	Mostly national technical permanent staff	Duration of labor mobilization vary, depending on construction stages and needs.	300
Unskilled workers	Local workers	• Duration of labor mobilization vary, depending on construction stages and needs.	90
3. Primary supply workers			
Workers engaged by primary suppliers at quarry sites (construction materials)	They are most likely local workers.	The construction stage of the project. The primary supply workers will be identified during the project implementation stage	TBD
Total			485

Source: Estimated data, PMUW, Dec.2021

2.8. Application of ESS2 the group of the workers

25. **Civil servants** working in connection with the project will remain subject to the terms and conditions of their existing public sector employment contracts. ESS2 will not apply to such government civil servants. However, if they visit the project sites, they have to follow regulations of E&S risk management³.
26. **Direct workers**, under the responsibility of the Borrower, will be subject to all requirements under ESS2 covering working conditions, child and forced labor, OHS and grievance redress.
27. **Contracted workers** will also be subject to all ESS2 requirements, including specific requirements on managing and monitoring third parties. The Borrower will be responsible for ensuring this LMP is included in bidding contracts and will monitor compliance. Contractors will be responsible for managing workers in accordance with the LMP.
28. **Primary supply workers** will be subject to requirements under ESS2 covering child and forced labor, as well as safety issues as required. The Borrower will be responsible for assessing these risks and requiring primary suppliers to put in place procedures to manage risks, if needed, or change suppliers as soon as practical.

³ ESS2 applies in part to government workers, through the provision of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety).

III. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

3.1. Project activities

29. The proposed World Bank-funded **Southern Waterways Logistic Corridors (SWLC) Project** (SWLC) Project will improve the direct inland waterways connection with total length of 279 km in: (i) East – West Corridor connecting Mekong Delta (MKD) in Ho Chi Minh City with a total length of 197 km; and in North – South Corridor connecting Binh Duong - Dong Nai Industrial Zones – Ho Chi Minh City (via Dong Nai river) to Cai Mep – Thi Vai (CMTV) Port complex in Ba Ria Vung Tau with a total length of 82 km. Namely:
- East – West corridor: the selected alternative was from Hau river (Can Tho port) – Tra On river → Mang Thit cannal/river → Co Chien river → Cho Lach cannal → Tien river → Ky Hon cannal; Rach La cannal → Vam Co river → Nuoc Man cannal → Can Giuoc river → Soai Rap river (in HCM city).
 - North – South corridor: the selected alternative was from Dong Nai river (Dong Nai port) → Nha Be River → Long Tau river → Dong Tranh river → Tac Cua river → Go Gia river → Thi Vai CMTV complex).
30. The construction activities of the project will include: (i) Channel dredging; (ii) construction of bank protection; (iii) Construction of a bridge; (iv) Renovation of electrical lines; (v) Replacement of the irrigational and drainage culverts; (vi) Repair/Restoration of residential roads; and (vii) Installation of navigation Aids. Please see **section 3.2** for more details.

3.2. Main construction activities of the project

31. According to PFS 2020, the main construction activities of the SWLC Project include:
- **Channel dredging**
32. The dredging of the SWLC project's East-West and North-South corridors is needed to meet the requirements for safe and convenient vessel navigation. Channels must be enlarged, deepened, and in some cases, bend cutting, or bend correction is required.
33. The project's dredging activities will be carried out on a number of rivers/canals within the project scope in the provinces of Dong Nai, Long An, Ben Tre, Tien Giang and Vinh Long. The river/canal network will be dredged in the rural areas which are primarily made up of rural population and the agricultural production (rice, fruit trees) are major activities.

Table 3: Location and volume of the dredging activities

No.	Proposed Routes	Quantity (m ³)	Remarks
East – West Corridor			
1	Mang Thit river/canal (Vinh Long Province)	2,355,000	Bottom dredging, enlarging, bend correction.
2	Cho Lach canal (Ben Tre province)	1,240,000	Bottom dredging, enlarging, bend correction.
3	Rach Ky Hon (Tien Giang province)	50,000	Bottom dredging
4	Rach La (Long An and Tien Giang Provinces)	614,510	Only bend correction
	Sub-Total	4,259,510	
North – South Corridor			
	Tac Cua river (Dong Nai province)	256,000	Only bend correction
	Sub-Total	256,000	
Total		4,515,510	

Source: PFS, 2021

- **Bank protection**
34. A bank protection system must be developed at several sites along the SWLC project's East-West and North-South corridors due to the necessity to complete dredging as planned. The major goal of the bank protection system is to protect the slope from eroding and to ensure structure stability. The second goal is to meet aesthetic standards while also making it easier for small vessels to access the channel and ferry boat stages.
 35. The construction activities of bank protection will also be carried out on a number of rivers/canals of the East – West Corridor in Long An, Ben Tre, Tien Giang and Vinh Long provinces. About 22 km of embankment will be constructed. Embankment construction activities will be implemented in the rural areas which are primarily made up of rural population and the agricultural production (rice, fruit trees) are major activities.

Table 4: Location and volume of the eembankment construction activities

No.	Routes	Type	Length (m)
East – West Corridor			
1	Mang Thit canal (Vinh Long)	A	13,154
2	Cho Lach canal (Ben Tre province)	A	3,345
		B	5,425
3	Rach La (Long An and Tien Giang Provinces)	A	1,060
	Sub-Total		22,904
North – South corridor			
	Sub-Total	-	-
Total			22,904

- **Bridge construction**

36. The existing Cho Lach 2 bridge is primarily used by pedestrians and bikers for residential purposes. Cho Lach 1 bridge, located on the bypass of National highway 57, is used by large and heavy vehicles and does not require renovation. Cho Lach 2 Bridge is designed as a simple cable-stayed bridge, identical to a cable stayed bridge in Cho Gao town, Cho Gao district, Tien Giang province, with a design load of 0.65HL93, pedestrians 300kg/m², and a width of 6.5m (2x3+2x0.25). It is proposed that Cho Lach 2 bridge be built with a vertical clearance of 7.5 m and a navigational clearance of 50 m.
37. The construction activities of Cho Lach 2 Bridge will also be implemented at Cho Gao Town, Cho Gao district, Tien Giang province. This is a district's center, where business and service activities are quite developed, and local community is primarily made up of urban population.

- **Renovation of electrical lines**

38. The East-West corridor is crossed by several electrical lines of different voltages which need to be renovated because of insufficient vertical clearance. There are no electrical lines that need to be renovated in the SWLC project's North-South corridor. Renovation of electrical lines activities will be implemented in the rural areas (in Long An, Ben Tre, Tien Giang and Vinh Long provinces) which are primarily made up of rural population and the agricultural production are major activities.

Table 5: Location and list of electrical lines to be renovated (East – West corridor)

Routes	Voltage	Quantity	Vertical clearance [m]	
			Current	Required
Mang Thit canal (Vinh Long Province)	<22 KV	1	12.0	13.5
Mang Thit canal (Vinh Long Province)	35 KV	1	12.0	13.5
Mang Thit canal	110 KV	1	12.0	14.0
Cho Lach canal (Ben Tre province)	22 KV	1	12.0	15.0
Rach Ky Hon (Tien Giang province)	8,6 KV	1	12.0	13.5
Cho Gao canal (Tien Giang province)	66 KV	1	12.0	14.0
Rach La (Long An and Tien Giang Provinces)	220 KV	2	12.0	15.0
Nuoc Man canal (Long An province)	110 KV	1	8.0	14.0

Source: PFS, 2021

- **Replacement of the irrigational and drainage culverts**

39. When dredging is performed to expand the waterway, a number of irrigation culverts that drain water on the Mang Thit river/canal, Cho Lach and Rach La are affected and

need to be replaced. Replacement of the irrigational and drainage culverts will also be implemented in the rural areas (in Long An, Ben Tre, Tien Giang and Vinh Long provinces) where is primarily made up of rural population and the agricultural production are major activities.

Table 6: The irrigational and drainage culverts need to be replaced

Routes	Quantity (Culvert size – cm)					Total
	2 x 200 x 100	2 x Φ120	Φ100	Φ80	Φ60	
Mang Thit river (Vinh Long)	-	1	-	-	44	45
Cho Lach canal (Ben Tre)	1	-	4	4	20	29
Rach La (Long An and Tien Giang)	-	-	-	-	06	06
Total	1	1	4	4	70	80

Source: PFS, 2021

- **Restoration of residential roads**

40. In some locations in East-West corridor, there are residential roads along Mang Thit river/canal, Cho Lach canal and Rach La which are affected and need to be restored. The residential roads to be built within the project scope are listed as follows:

Table 7: Location and the length of residential road need to be restored

Routes	Types of residential roads impacted	Length (m)
Mang Thit canal (Vinh Long)	A	4,566
Cho Lach canal (Ben Tre)	A	926
	B	570
Rach La (Long An and Tien Giang)	B	1,060
Total		7,122

41. The typical cross-section of residential roads type A and type B are shown in **Figure 2** below.

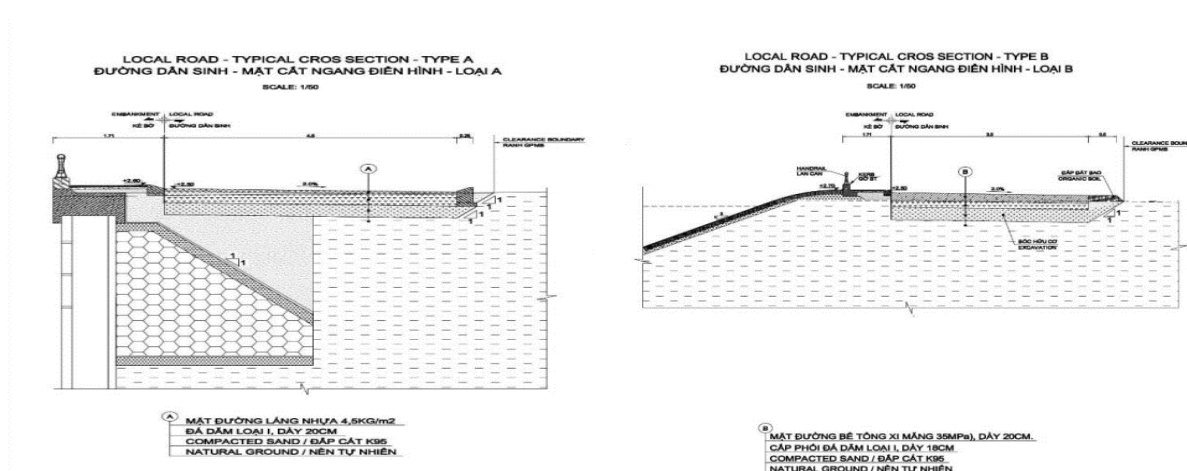


Figure 2 – Typical cross-section of residential roads

3.3. Key labor risks

42. Based on the scope, nature, and geographical locations of the above civil works, the following key labor risks are anticipated. These risks will be further assessed during project implementation.

3.3.1. Occupational health and safety (OHS) risks

43. Key OHS risks related to the project works are anticipated, fall upon four categories, including 1) physical hazards, 2) chemical hazards, 3) personal protective equipment, and 4) special hazard environments.

- **Physical Hazards.** Physical hazards represent potential for accident or injury or illness due to repetitive exposure to mechanical action or work activity. Physical hazards may result in a wide range of injuries, from minor and medical aid only, to disabling, catastrophic, and/or fatal, including structure collapse; fall into river; fall from working at heights or scaffolding; falling object; ditches and trenches; physical injury due to hard work; risks of traffic accidents; fire and electricity risk; heavy equipment.
- **Chemical hazards.** Chemical hazards represent potential for illness or injury due to single acute exposure or chronic repetitive exposure to toxic, corrosive, sensitizing or oxidative substances. Common chemicals used in construction include portland cement clinker (mineral binders), formaldehyde (wood-based materials), polyurethane, vinyl, cadmium or lead (paints and resins), and solvents. They also represent a risk of uncontrolled reaction, including the risk of fire and explosion, if incompatible chemicals are inadvertently mixed. Chemical hazards include fire and explosions; corrosive, oxidizing, and reactive chemicals.
- **Personal Protective Equipment (PPE).** Personal Protective Equipment (PPE) provides additional protection to workers exposed to workplace hazards in conjunction with other facility controls and safety systems. Lack of appropriate PPE may, in circumstance, result in injuries workers' eyes, heads, necks, ears, hands, arms, feet, legs, ears, lungs, and even the whole body.
 - **Health risks.** Health risks due to working in a polluted environment with high level of dust concentration caused by construction activities such as demolishing of old structures, soil excavations, levelling, machine operation and transportation.
 - **Contamination during infectious disease outbreaks.** If frequent and proper hygiene practices are not consistently applied (in particular frequent and proper hand hygiene and wearing masks to serve as barriers to human-to-human transmission of virus).
 - **COVID-19.** The project will be implemented under the outbreak of COVID-19 pandemic in the world and Viet Nam, high risks of COVID-19 infection among workers who may come from other regions/cities/provinces or countries. Risk factors for worker exposure to COVID-19 include job duties that involve contact with other workers, the community, and patients and healthcare workers in the health facilities.

- **Special hazard environments**

44. The above mentioned OHS risks have been rated low to moderate because (i) the impacts are localized within the construction sites; (ii) the construction activities that may cause these risks would take place in relative short time; (iii) workers will be provided with personal protective equipment (PPE); (iv) mitigation measures for these risks will be in place, as set out in the ESMP and specified in C-ESMPs. In addition, workers will be trained on labor safety, traffic safety, and sanitation practices before starting any civil works.
45. All contractors and subcontractors shall be required to develop and implement written labor management procedures, including procedures to establish and maintain a safe working environment as per ESS2. All contractors shall be required to prepare and comply with Contractor's Environmental and Social Management Plan (C-ESMP) (as part of the contract between the PMUW and the Contractor) and provide detailed explanation of how the contractor will comply with the safeguard documents such as the ESMP and demonstrates that sufficient funds are budgeted and timely available for such purpose. The C-ESMP must include specific mitigation measures based on the ESMP, the final design, the proposed work method statements, the nature of the project site, etc., to ensure that workers use appropriate safety gears and receive basic safety training and other preventive actions as provided in the Environmental and Social Management Plan (ESMP).

3.3.2. Child labor

46. The existing Vietnamese Labor Law specifies minimum working age being 15 years while ESS2 refers to 14 years of age or higher as national law specifies. As the project construction takes place in the rural area, there is a possibility that people under 18 years of age are engaged by contractors to undertake manual works. Under this project, people under 18 could not be engaged for project work. The project's bidding documents will require the contractors not to engage labor under 18 years of age.

3.3.3. Labor Influx

47. The project construction activities will mobilize a number of workers, in which some workers come from other cities/provinces (migrant workers) who may have social experience different from the cultures of local people in the civil works area. Social risks related to labor influx are typically as follows:
 - Conflicts with local people due to Contractors' inappropriate management of their workers and worker camp which lead to environmental pollution to local area (e.g. discharging wastewater, dumping solid waste into rivers/streams/canals or agricultural land). Common health problems as a result of transmission of communicable diseases (e.g. eye disease, skin disease, and respiratory infections, including STD).
 - Potential risk of contracting sexually transmitted diseases such as HIV/AIDS, and the risk of COVID-19,
 - Increased impacts on the ability to respond effectively by local services such as health care system which exacerbate the health problem and disease prevalence, water supply and electricity supply.

- Potential conflict between workers and local communities because of differences in cultures, custom and habits, and living activities.
- Gender Based Violence risks/Sexual exploitation and abuse/Sexual Harassment risks related to the concentration of relative large number of male workers to the project area.

3.3.4. Labor disputes over terms and conditions of employment

48. Labor disputes in a new construction environment are common in Vietnam. Possible causes for labor disputes include demand for limited employment opportunities; labor wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in work environment. In addition, employers such as contractors/subcontractors may retaliate workers who demand for improved working conditions, or raising concerns regarding unsafe or unhealthy work situations, or any grievances raised, and such situations could lead to labor unrest.

3.3.5. Discrimination and exclusion of vulnerable/disadvantaged groups

49. The project will not tolerate discrimination, exclusion or preference made on the basis of race, colour, national extraction or social origin, ethnicity, sex, age, pregnancy status, marital status, religion, belief, political opinion, disability, family responsibilities, or on the basis of HIV status, or due to forming, joining and undertaking activities of a trade union or workers' organisation at the enterprise level, that affects equality of opportunity in employment or occupation. The project will not tolerate any work that involves the use of force, the threat to use force, or other means to induce a worker to work against their will, that is, forced labor.

50. Vulnerable/ disadvantaged groups of people may be subject to increased risk of exclusion from employment opportunities under the Project. Such groups will include women and persons with disabilities. Lack of equal payment for similar work for men and women may happen in project.

3.3.6. Sexual Exploitation and Abuse /Sexual Harassment (SEA/SH)

51. There might be a risk of sexual abuse and sexual harassment in connection with the recruitment or detention of unskilled female workers or technical female workers under the project as well as women and girls of surrounding communities. Sexual harassment is forbidden under the Code of Labor (2019) which requires employers to develop and implement the solutions to prevent sexual harassment at workplace – as their rights and obligations and include provisions in employer's labor regulations to prevent and fight against sexual harassment at workplace, including steps and procedures for addressing sexual harassment at workplace. The Project will consider sexual harassment, which is considered to be any behavior of a sexual nature by any person towards another person at a workplace that is not wanted or accepted by the latter person, as a serious offense which will not be tolerated and is grounds for contract termination. Regulations of SEA/SH will be included in bidding documents and contract of contractors as well as Code of Conduct for workers.

3.3.7. Seasonal/Temporary Workers

52. From January 1, 2021, the term "seasonal contract" is no longer use under the new Code of Labor 2019. The term of "definite term contract" is used instead for contract that lasts

36 months or less. According to the Law of Social Insurance 2014, contract that is at least one month is subject to registration for social insurance. Also, under new Code of Labor 2019, written contract is required for all contracts except for seasonal work that is less than one month where verbal agreement is allowed.

53. The above social risks are assessed to be low to moderate, and manageable. To further reduce these risks, the following actions will be implemented:
- (i) Workers will sign the code of conduct when recruited for the project;
 - (ii) Workers will be trained in occupational health and safety, traffic safety, and environmental sanitation before commencing the construction of any civil works;
 - (iii) Local labor will be engaged – as a priority in contractor’s workforce, for construction activities;
 - (iv) Measures will be taken to ensure workers under 18 years of age will not be recruited to work in construction site. PMUW will coordinate with local authorities and relevant agencies to strictly control the contractor's labor management procedure;
 - (v) Mitigation measures of prevention of sexually transmitted diseases, such as HIV/AIDS, and prevention of COVID-19 will be made available to workers through trainings provided by the contractors;
 - (vi) Regulations, including penalties, shall be developed by the contractors and apply to all project workers, particularly for the matter of sexual exploitation and abuse and sexual harassment (SEA/SH).

IV. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

54. Labor Code 2019 No. 45/2019/QH14 (dated November 20, 2019 and effective since 01 January 2021) is the current legal document that sets forth labor standards; rights, obligations and responsibilities of employees, employers, internal representative organizations of employees, representative organizations of employers in labor relations and other relations directly related to labor relations; and state management of labor related issues.
55. In Vietnam, the following laws, decrees and circulars provide regulations related to terms and work conditions, and are applicable to direct workers, contracted workers and primary supplier's workers.

Laws

- Code of Labor 2019 (No. 45/2019/QH14, dated November 20, 2019)
- Law on Occupational Safety and Health (No. 84/2015/QH13, dated 25 June 2015);
- Law on Employment (No. 38/2013/QH13, dated 16 November 2013)
- Law on Trade Union (No. 12/2012/QH13, dated 20 June 2012)
- Law on People with Disabilities (No. 51/2010/QH122010, dated 17 June 2010)
- Law on Social Insurance (No. 58/2014/QH13, dated 20 November 2014);
- Law on Health Insurance 2014 (Modified) (No. 46/2014/QH13 dated 13 June 2014)
- Law on Health Insurance 2008 (No. 25/2008/QH12 dated 14 November 2008).

Decrees under Labor Code 2019

- Decree No. 145/2020/ND-CP dated on December 14, 2020 of the Government detailing and guiding the implementation of a number of articles of the Labor Code regarding working conditions and industrial relations;
- Decree No. 39/2016/ND-CP dated May 15, 2016, of the Government on detailing the implementation of a number of articles of the Law on Occupational Safety and Hygiene;
- Decree No. 44/2016/ND-CP dated May 15, 2016 of the Government on details some articles of the law on occupational safety and sanitation, technical inspection of occupational safety, training of occupational safety and sanitation and monitoring of occupational environment;
- Decree No. 24/2018/ND-CP dated February 27, 2018 of the Government on provide for the settlement of complaints and denunciations in labor force, vocational education, activities of sending overseas Vietnamese work contract, safety, environmental sanitation;
- Decree No. 157/2018/ND-CP dated November 16, 2018 of the Government providing for region-based minimum wages applied to employees working under labor contracts;
- Decree No. 38/2019/ND-CP dated May 9, 2019 of the Government on statutory pay rate for public officials and public employees and armed forces' personnel;

- Decree No. 146/2018/ND-CP dated October 17, 2018 of the Government on elaborating and providing guidance on measures to implement certain articles of law on health insurance;
- Decree No. 44/2017/ND-CP dated 14/4/2017 of the Government on the rate of contribution to the occupational accident and disease insurance fund;
- Decree No. 143/2018/ ND-CP dated October 15, 2018 of the Government: detailing the law on social insurance and the law on occupational safety and sanitation on compulsory social insurance for employees and a foreign citizen working in Vietnam.
- Decree No. 88/2020/ND-CP dated 27/7/2020 of the Government on elaborating some articles of the law on occupational safety and health on compulsory insurance for occupational accidents and occupational diseases.

Circular under Labor Code 2019

- Circular No.10/2020/TT-BLĐTBXH dated 12 November 2020 elaborating and guiding certain articles of the labor code concerning employment contracts, collective bargaining council and jobs with hazards to reproductive function and children raising.
- Circular No.10/2013/TT-BLĐTBXH dated 10 June 2013 promulgating the lists of jobs and workplaces in which the employment of minor persons is prohibited;
- Circular No.11/2013/TT-BLĐTBXH dated August 1, 2013: promulgating the list of light tasks permitted for persons under 15 years old;
- Circular No.25/2013/TT-BLĐTBXH dated 05/12/2013: Guiding the regime of in-kind allowances for people working in hazardous and hazardous conditions;
- Circular No.26/2013/TT-BLĐTBXH dated 15/12/2013: List of jobs that are not allowed to employ female workers;
- Circular No.30/2013/TT-BLĐTBXH dated July 1, 2013: Guiding the implementation of Decree No. 44/2014 on labor contracts;
- Circular No.23/2014/TT-BLĐTBXH dated 20/10/2013: Guiding the implementation of Decree No.03/2014 on employment;
- Circular No.29/2015/TT-BLĐTBXH dated 15/9/2015: Guidance on collective bargaining, agreement of collective labor and resettlement of labor disputes;
- Circular No.47/2015/TT-BLĐTBXH dated 16/11/2015: Providing some articles on contracts, labor rules and material responsibilities of Decree No.05/2015 dated 12/01/2015 of The Government detailing and guiding the implementation of a number of contents of the Labor Law;
- Circular No.13/2016/TT-BLĐTBXH dated June 16, 2016: Promulgating a list of jobs with strict occupational safety and sanitation requirements;
- Circular No. 40/2016/TT-BLĐTBXH dated October 25, 2016, guidance on implementation of a number of articles of Decree No.11/2016/ND-CP dated February 3, 2016 detailing a number of articles of the Labor Code in respect of foreign workers in Vietnam;

- Circular No.53/2016/TT-BLĐTBXH dated 28/12/2016: Promulgating the list of machines, equipment, supplies and substances with strict requirements on occupational safety and sanitation;
 - Circular No. 23/2015/TT-BLĐTBXH dated June 23, 2015: guiding the implementation of a number of articles on wages of Decree No.05/2015/ND-CP dated January 12, 2015 of the Government detailing and guiding the implementation of some contents of the labor code.
56. The **Table 8** below summarizes key issues of Vietnam Labor Code, focusing on basic wage, payment arrangement and deductions, working hours, overtime work, rest per week, shifts, and leaves, including annual leave, sick leave, maternity, and other personal/family leave. Although these provisions are generally applicable to all types of employees in Vietnam, some are more likely applied to certain type of works. For example, work in shift is applied in reality to construction workers (contracted workers and primary supplier's workers) rather than office/ PMUW workers (direct workers).

Table 8 - Summary key issues of Vietnam Labor code 2019

Key provisions of labor legislation (Code of Labor 2019)	Laws/ Decrees/ Circular	Categories of workers
<p>Basic wage</p> <ul style="list-style-type: none"> Basic wage is defined as the lowest payment for an employee who performs the simplest work in normal working conditions. The basic wage is determined based on monthly and hourly basis, and by regions and shall be decided by the Prime Minister of Government on the basis of the recommendation of the Ministry of Labour-Invalids and Social Affairs and recommendation of National Wage Council. Application of basic wage is based the region where employee live and can be adjusted upwards based on employee’s qualification. 	<p>Labor Code 2019 Decree 90/2019/NĐ-CP (dated 15 November 2019) Decree No. 145/2020/NĐ-CP (dated 14 December 2020)</p>	<p>Direct workers, Contracted workers, Primary suppliers’ worker</p>
<p>Payment & Deductions</p> <p>Payment</p> <ul style="list-style-type: none"> Wage should be paid timely, sufficiently, and directly to the employee. Employers are not allowed to intervene how their employee’s wage is used. Payment can be made monthly, or fortnightly Employers must issue monthly pay statement with details on wage, including pay for overtime, night shift, and deduction, if any. Payment can be made in cash, or bank transfer. In case of bank transfer, costs related to opening bank account for employee and transfer fee must be borne by employers Overtime wage should be minimum 150% for normal day, 200% for weekends, and 300% for national, lunar New Year holidays and for rest day <p>Deductions.</p> <ul style="list-style-type: none"> No deductions other than those prescribed by the Labor Code, or regulations made hereunder, or any other law or collective Labour agreement shall be made from a worker’s remuneration, except for repayment of advances received from the employer and evidenced in writing. The contractor shall not demand or accept from workers any cash payments or presents of any kind in return for admitting them to employment, or for any other reasons connected with the terms and conditions of employment. 	<p>Labor Code 2019 Decree No. 145/2020/NĐ-CP</p>	<p>Direct workers, Contracted workers, Primary suppliers’ worker</p>
<p>Working hours</p> <ul style="list-style-type: none"> Normal working hours shall not exceed 8 hours a day and 48 hours a week 	<p>Labor Code 2019 Decree No. 145/2020/NĐ-CP</p>	<p>Direct workers, Contracted workers,</p>

Key provisions of labor legislation (Code of Labor 2019)	Laws/ Decrees/ Circular	Categories of workers
<ul style="list-style-type: none"> 40 hour per week is recommended by law but employers can agree with workers on working schedule (by day, by hour, or by week) provided that maximum work time does not exceed 10 hours per day and 48 hours per week Overtime work hour should not exceed 50% of the time required for normal work hour per day, and total normal working hours and overtime-working hours should not exceed 12 hours per day and 40 hours per month The number of hours per day, and days per week, are established in the contract agreed between the employer and employee. 		Primary suppliers' worker
<p>Overtime work</p> <ul style="list-style-type: none"> Overtime work must be agreed with employee Not exceed 50% normal working hour per day, and not exceed 200 hours per year Female worker who are pregnant or breastfeeding child under 12 months of age are not allowed to work at night-time, overtime, or travel. 	Labor Code 2019	Contracted workers, Primary suppliers' worker
<p>Rest per week</p> <ul style="list-style-type: none"> Employee shall be entitled to rest for at least 24 consecutive hours each week. In cases where employee cannot take weekly rest because of work nature, employer is responsible for ensuring that employees are entitled to at least 04 days off per month, on average 	Labor Code 2019 Decree 45/2013/NĐ-CP (10 May 2013)	Direct workers, Contracted workers, Primary suppliers' worker
<p>Shifts</p> <ul style="list-style-type: none"> Night shift is defined to last from 22:00 PM to 6:00 AM the following day). If night shift is expected, it should be mentioned in the contract for agreement by contracted workers. When night shift is required, work time and relevant rest arrangement, including related payment Working time may be varied by season 	Labor Code 2019	Contracted workers, Primary suppliers' worker
<p>Annual leave</p> <ul style="list-style-type: none"> Workers completing a full 12-month work is entitled to 12 days of leave with full pay for every year of The minor, or worker with disabilities, and those who perform heavy or hazardous duties are entitled to 14 days. 	Labor Code 2019 Decree No. 145/2020/NĐ-CP	Direct workers, Contracted workers, Primary suppliers' worker

Key provisions of labor legislation (Code of Labor 2019)	Laws/ Decrees/ Circular	Categories of workers
<ul style="list-style-type: none"> The employer is required to take initiative in agreeing with the employees how their annual leave is used and inform the employees such agreement in advance. <p>Sick leave</p> <ul style="list-style-type: none"> Employee working under normal work condition can take sick leave with pay for 30 days/year for those with insurance paid under 15 years, 40 days for 15-30 years, and 60 days for 30 years Employee working in hazardous conditions, or perform heavy works, are entitled additional 10 days as per above scheme. For long sickness, 180 days are allowed as a maximum (including holiday, national holiday, weekend) <p>Child care leave</p> <ul style="list-style-type: none"> Maximum 20 working days/year if child is below 3 years of age Maximum 15 working days/year if child is from 3 to 7 years of age 	Law on Social Insurance 2014	Direct workers, Contracted workers, Primary suppliers' worker (with contract of at least 1 month)
<p>Maternity leave</p> <ul style="list-style-type: none"> Pregnant workers can take maternal leave (6 months) as stipulated by the law, and can request for extra leave without pay, if they need The leave before the confinement shall not be over 2 months. In case a female employee gives birth to twins or more, from the second child onwards, for each child, the mother is entitled to 01 additional month for maternity leave During maternity leave, the female employee is entitled to maternity benefits as regulated in the Law on Social Insurance. Female workers are supported to have equal job and wage opportunities, including health care 	Labor Code Decree No. 145/2020/NĐ-CP (dated 14 December 2020) Decree 85/2015/NĐ-CP (dated 01 October 2015)	Direct workers, Contracted workers, Primary suppliers' worker
<p>Personal/family leave</p> <ul style="list-style-type: none"> Personal leaves are allowed with full pay but with prior notice to employers, as follows: 3 days for employee's marriage, 1 day for their children's marriage, 3 days in case of death of their parent(s) and parent(s)-in-law. 	Labor Code Decree No. 145/2020/NĐ-CP	Direct workers, Contracted workers, Primary suppliers' worker

V. BRIEF OVERVIEW OF OCCUPATION HEALTH & SAFETY LEGISLATION

57. The Law on Occupational Health and Safety (No. 84/2015/QH13, dated June 25, 2015) aims to ensure that employees work in a safe and healthful environment by setting and enforcing standards and regulations, as well as specifying the rights and responsibilities of employers, employees and other relevant parties as to exercising the OSH principles and measures to prevent occupational accidents and diseases.
58. It also specifies deeds that are prohibited and provide preventative measures that shall be taken to protect employees from exposure to hazards and risks that are harmful to them. Preventative measure includes a) use of information, education, communication (IEC), b) provision of training, c) promulgation of work regulation, d) control of workplace hazards, e) technical solutions for problem solving, f) health care, g) use of Personal Protective Equipment and h) regular check of machinery, i) health insurance and entitlements, j) some special regulations to ensure safety for female employees, minors, and people with disability, etc.
59. More specifically, Employers are required to implement measures to ensure OSH at the workplace, and the employees must comply with them. The main measures are as follow:
 - All types of machinery, equipment and materials with strict requirements for Labor safety as detailed by the Vietnamese Government from time to time must be tested and verified prior to being commissioned for use, and must be periodically tested and verified by an organization conducting technical Labor safety testing and verification.
 - The employers must provide the employees engaged in hazardous work activities with sufficient personal protective equipment and facilities which meet quality standards as provided by the relevant laws, and the employees must use such equipment and facilities during work in accordance with the regulations of the Ministry of Labor, War Invalids and Social Affairs of Vietnam (MOLISA). The employers must hold training classes on OSH for employees, apprentices and trainees when they are recruited and when work is assigned to them.
 - The employers must arrange periodic health checks for the employees once per year or once per each six months.
 - The employers are also required to: (i) ensure that the workplaces meet the requirements on spaces, airiness, dust, steam, toxic gas and other harmful factors as prescribed in relevant technical regulations; (ii) ensure safe and hygienic working conditions for machines, equipment and workshops as required by the promulgated or applied national technical regulations or standards on OSH at the workplaces; (iii) check and evaluate dangerous and harmful factors at the workplaces in order to put forward measures to avert and minimize dangers and harm and improve working conditions and healthcare for the employees; (iv) examine and maintain machines, equipment, workshops and warehouses on a periodic basis; (v) display signboards of instructions regarding OHS covering the operation of machines, equipment and the workplaces at easy-to-read and visible locations at the workplaces; and (vi) obtain opinion from the organization representing the Labor collective at the grassroots level (trade union or Labor union) when formulating and implementing plans on activities ensuring OHS.

- The employers' obligation to contribute to insurance covering labor accident and occupational disease insurance for the employees covered by the social insurance under the Law on Social Insurance. Vietnamese employees who work under the labor contracts with a total term of 03 months or more are entitled to social insurance.
60. Thus, when a Vietnamese employee working in Vietnam, who contributed to social insurance, is injured or becomes ill or even dies during the course of his or her employment, all related costs such as payment for being unable to work, retraining and even lump sum amounts for permanent impairments or death, are covered by the Social Insurance Fund of Vietnam.
61. Under the Law on Occupational Health and Safety 2015, decree and circulars have been issued to provide guidelines for implementation of the law. Some of the key documents include:
- Decree No. 39/2016/ND-CP dated May 15th, 2016, detailing the implementation of some articles of the law on occupational safety and health
 - Circular No. 19/2016/TT-BYT dated June 30, 2016, providing guidelines for occupational health and safety management.
 - Circular No. 13/2020/TT-BLDTBXH dated November 27, 2020 providing guidance on collection, storage, consolidation, provision, publicizing and assessment of occupational accidents and technical difficulties causing serious loss of occupational safety and hygiene
 - Decree No. 44/2016/ND-CP dated May 15, 2016 detailing some articles of the law on occupational safety and sanitation, technical inspection of occupational safety, training of occupational safety and sanitation and monitoring of occupational environment.
 - Decree No. 88/2020/ND-CP dated July 28, 2020 detailing and guiding a number of articles of the law on occupational safety and health regarding compulsory occupational accident and disease insurance
 - Decree No. 58/2020/ND-CP dated May 27, 2020 regulating rates of compulsory insurance contributions to the occupational accident and disease benefit fund.

VI. RESPONSIBLE STAFF

62. **The Project Management Unit Waterways (PMUW).** PMUW will be responsible for the overall management of all project workers, contractors and subcontractors. PMUW, through their contract agreement with relevant parties, will ensure project activities that involve required labor engagement, and labor management thereof are in compliance with the requirements set for in this LMP. During project implementation, PMUW will:
- Be responsible for the overall implementation of this LMP.
 - Engage and manage direct workers, contractors/subcontractors and ensure these project workers are managed and follow the all the requirements mentioned in this LMP.
 - Ensure that contractors prepare their own labor management procedures (Contractor's LMP) in compliance with this LMP for PMU's review and approval before allowing the contractor to proceed staff mobilization to the project site.
 - Conduct regular monitoring⁴ and evaluation of contractors/subcontractors' performance as to this LMP, and relevant provision required in the project's ESMP and procurement documents.
 - Maintain an oversight of potential risks related to child labor, forced labor, SEA/SH, contract management of the contractors and subcontractors as to their staff, including primary supply workers.
 - Conduct training of relevant project workers on key issues mentioned in this LMP for their respective management responsibility.
 - Ensure that the grievance mechanism for project workers is established and implemented and that workers are informed of it.
 - Monitor the implementation of the Workers' Code of Conduct and Code of Conduct related to sexual exploitation and abuse (SEA)/sexual harassment (SH).
 - Report regularly to the World Bank performance of labor and occupational safety and health.
63. **The Construction Supervision Consultant.** The PMUW will recruit a construction and supervision consulting firm who will be responsible for monitoring the implementation of the civil works of contractors/subcontractors as well as monitoring the compliance to the environmental and social instruments. They will oversee the performance of contractors/subcontractors on labor and working conditions on a daily basis on behalf of the PMUW, which will be explicitly set out in their contract. The Construction and Supervision Consultant will employ qualified expert(s) for such oversight and report on performance to the PMUW.
64. **The Contractor/subcontractors.** The Contractor will be responsible for the following:

⁴ The PMUW shall establish resources and procedures for managing and monitoring the performance of the contractor in relation to the LMP. The PMUW will ensure that the contract with the construction and supervision consultants explicitly set out their monitoring responsibility for the contractor's performance on labor and working conditions on a daily basis. The monitoring may include, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by the contractor. For more details, see Chapter 11 "Contractor Management".

- Employ or appoint qualified staff to undertake necessary actions and measures to ensure labor related issues, such as occupational safety and health expert(s) to manage OSH issues.
- Prepare a labor management procedure (Contractor's LMP) and an ESMP (Contractor's ESMP) including OSH regulations)⁵ which will apply to their contracted workers who work on the projects.
- Submit Contractors' LMP and ESMP to PMUW for review and approval prior to commencing staff mobilization to the project site for the awarded assignments.
- Supervise subcontractors' construction works, including their implementation of the Contractor's LMP and ESMP.
- Maintain recruitment and employment records for contracted workers (including subcontractors), including documentation that verify minimum labor age as set forth in this LMP.
- Provide regular training to contracted workers on issues, but not limited to, such as occupational safety and health, and other social risks such as SEA/SH, code of conduct to maintain good relationship with local community, etc.
- Require primary supplier to identify and address risks of child labor, forced labor, SEA/SH, and occupational safety and health for primary supply workers.
- Develop and implement the grievance mechanism based on the GRM set forth in this LMP for contracted workers, including ensuring that grievances received from their contracted workers resolved promptly, and reporting the status of grievances and resolutions to CSC and PMUW. This grievance mechanism will be part of the Contractor's LMP.
- Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct prior to the commencement of works,
- Implement all necessary measures to address the risks of sexual exploitation and abuse (SEA)/sexual harassment (SH) as specified in the contractor's LMP/C-ESMP and ensure full implementation of these measures.
- Report timely to PMUW any accident happened in their construction workplace and on the performance of labor and occupational safety and health.
- Develop plans and take actions for prevention and mitigation of COVID-19 outbreaks (See the World Bank Interim Note on construction of civil works in Annex 1).

⁵ The Contractor's LMP and the Contractor's ESMP may be prepared as separate documents or integrated into a single document.

Table 9 - Summary of the Project Staff/Party Responsible for Key Issues

Key Issues	Direct worker	Contracted workers	Primary Supply worker
Hiring and managing individual project workers	PMUW	Contractors of civil works, design and construction supervision consultants, monitoring consultants	N/A
OHS	PMUW/Construction Supervisions, Contractors, local labor inspectors	Contractors of civil works, construction supervision consultants	PMUW/Construction supervision Consultants will be responsible for due diligence on potential for serious safety issues of primary suppliers. If needed, PMU/agency may ask primary suppliers to take corrective actions or change suppliers.
Child labor and/or forced labor	Contracts for Direct workers to stipulate no child or forced labor allowed	Contractors of civil works, design and construction supervision consultants, monitoring consultants	PMUW/Construction Supervision Consultants/Contractors will be responsible for due diligence on potential for child or forced labor. If needed, PMU/agency may ask primary suppliers to take corrective actions or change suppliers.
Training	PMUW	PMUW or the related Consultants Also by the Contractors to their workers	N/A
Code of Conduct	<i>Signed by all Direct Workers and submitted to PMUW</i>	Contractors (civil works), consultants, (design, supervision, monitoring and others) will be responsible all staff have signed	N/A
Grievance Mechanism	<i>Implemented by PMUW</i>	Contractors (civil works), consultants, (design, supervision, monitoring and others)	N/A

Key Issues	Direct worker	Contracted workers	Primary Supply worker
		will be responsible for implementing	
Monitoring and Reporting	Reports submitted to the WB by PMUW	Contractors/Consultants to report to PMUW. PMUW to report to WB.	PMUW to report to the WB

VII. POLICIES AND PROCEDURES

65. The Southern Region Waterways and Transport Logistic Corridors (SWLC) Project will apply the following policies and procedures to address the key labor risks identified under Chapter 3. The summary of indicative procedures to implement the policies is presented in the following table (Table 3).

- **Occupational health and safety (OHS).** Pursuant to the relevant provisions of the Labor Code (Chapter IX on Labor Safety, Labor Sanitation Articles 132-134), Law on Occupational Health and Safety, ESS2 (including WBG General Environmental, Health and Safety Guidelines (EHSG⁶)), the Project's ESMP and WB standard procurement documents⁷, the contractor shall manage all construction sites in such a way that the workers and the community are properly protected against possible OHS risks. Key elements of OHS measures should include (a) identification of potential hazards to workers; (b) provision of preventive and protective measures; (c) training of workers and maintenance of training records; (d) documentation and reporting of occupational accidents and incidents; (e) emergency preparedness; and (f) remedies for occupational injuries and fatalities.
- **Child labor.** The minimum age of project workers eligible for any type of work under this project, including construction work, is set at 18. People of more than 15 to under 18 years of age are not encouraged to undertake project work. In all contracts between PMU and contractors, there shall be provisions that require compliance with the minimum age requirements, and penalties for non-compliance. The contractor is required to maintain labor registry of all contracted workers with supporting documents confirming their verification of workers' age.
- **Labor influx.** To minimize the labor influx and their dependents to the project area, all contractors will be required to recruit unskilled workers from local communities as a priority. All contracted workers will be required to sign individual contract with employer and sign in the code of conduct for workers prior to commencement of work. This includes provisions to address the risk of Gender Based Violence (GBV) (see Annex 2 on the Guideline on Code of Conduct). Relevant trainings will be provided to workers with regards to their expected conducts in relation to local community culture, customs and habits.
- **Labor disputes over terms and conditions of employment.** To avoid labor disputes, fair terms and conditions will be applied for project workers in the SWLC project (see details in Chapter 9). The Project will have a grievance redress mechanism in place for project workers (direct workers and contracted workers) to promptly address their grievances at the workplace (more details are provided in Chapter 10). Further, workers' right of labor unions and freedom of association, as set out in the national Labor Code (Chapter XIII, Trade Union), is observed.

⁶ The WBG General ESHGs are technical reference documents with general statements of Good International Industry Practice, which provide guidance to users on general EHS issues. The applicability of the ESHGs should be tailored to the hazards and risks established for each project.

⁷ The WB Standard Procurement Document for Work is likely to be used for the SWLC Project construction works, which will include relevant OHS provisions, such as the appointment of ESHS officer, development of Contractor-ESMP, compliance with OHS measures and reporting, and the use of Code of Conduct.

- **Discrimination and exclusion of vulnerable/disadvantaged groups.** The employment of project workers under the SWLC Project will be based on the principle of equal opportunity and fair treatment, and discrimination based on employment relationship, such as recruitment, terms of employment (including wages and benefits), termination and access to training, etc., are prohibited. To address the risk of exclusion of vulnerable groups (such as women and persons with disabilities) from employment opportunities, contractors are required to employ such groups as part of their unskilled workforce. The contractor will be also required to comply with the Labor Code (Chapter X) on gender equality in the work place, which will include provision of maternity leave and nursing breaks and sufficient and suitable toilet and washing facilities for women workers. The contractor will be also required to have regulations and measures in place to ensure female works are from the risk of sexual exploitation or harassment in connection with the recruitment or retention of skilled or unskilled female workers under the project.
 - **COVID-19 specific Occupational Safety and Health:** World Health Organization (WHO) is maintaining a website specific to the COVID-19 pandemic with up-to-date country and technical guidance. As the situation remains fluid it is critical that those managing both the national response as well as specific Health Care Facilities (HCF) and programs keep abreast of guidance provided by the WHO and other international best practice. WHO resources include technical guidance on: (i) laboratory biosafety, (ii) infection prevention and control, (iii) rights, roles and responsibilities of health workers, including key considerations for occupational safety and health, (iv) water, sanitation, hygiene and waste management, (v) quarantine of individuals, (vi) rational use of Personal Protective Equipment (PPE), (vii) oxygen sources and distribution for COVID-19 treatment centers (See Annex 1 for contractor’s general guideline of COVID-19 considerations in construction/civil works).
66. **Monitoring and reporting.** The contractor shall report to the PMU and to the construction and supervision consultants on the status of implementation of the above policies and procedures on a monthly basis. The PMU and the construction and supervision consultants will closely monitor the contractor/subcontractor on labor and occupational health and safety performance and report to the World Bank on a quarterly basis (see Chapter 11 for more details).
67. **Fatality and serious incidents.** In the event of an occupational fatality or serious injury, the PMU shall report to the Bank as soon as becoming aware of such incidents and inform the government authorities (where available) in accordance with national reporting requirements (Labor Code Chapter III, section 1). Corrective actions shall be implemented in response to project-related incidents or accidents. The PMU or, where relevant the contractor, will be required to conduct a root cause analysis for designing and implementing further corrective actions.

VIII. AGE OF EMPLOYMENT

68. **Age limitation for hazardous work.** As mentioned, the Labor Code 2019 (Articles 143-147) states that it is not allowed to use under 15-year-old employees, except for professions and jobs to be defined by Ministry of Labor - Invalids and Social Affairs. Similarly, ESS2 (para 19) sets out further conditions on the minimum age, stating that a child over the minimum age and under the age of 18 will not be employed or engaged in connection with the Bank-financed project in a manner that is likely hazardous⁶ to or interfere with the child's education or harmful to the child's health or physical, mental and any other relevant development. Considering these national and WB requirements, the minimum age for hazardous work under the project (including construction works) is set at 18 (for example, work at quarries to obtain construction materials; work with dangerous machinery, equipment or tools; work involving handling or transport of heavy loads; or work at height).
69. **Minimum age for project workers.** The national Labor Code as well as ESS2 allow persons under 18 and over 15 to be engaged if the work is non-hazardous and does not interfere with the child's education and not harmful to the child's development (for example, administrative work, site cleaning or rubbish removal). Considering this, no job is relevant with such labor force under the project, so the minimum age of project workers for SWLC Project is set at 18 years of age. This regulation will be included in bidding documents and contract for contractors.
70. **The process of age verification.** All work contracts shall have contractual provisions to comply with the minimum age requirements including penalties for non-compliance, and it will be well communicated to all potential stakeholders including the local community where the unskilled workforce will be sourced. Contractors will be required to verify and identify the age of all workers. Prior to the engagement of labor, all project employees will be asked to present a proof of their age as part of the contract signing process. The contractors are required to maintain labor registry of all contracted workers with age information. Verification of the age shall be undertaken prior to the engagement of labor and be documented based on the workers' ID or other relevant legal documents. This will require workers to provide official documentation, which could include a birth certificate, national identification card, or relevant legal documents. A copy of the age verification supporting documents will be kept in files by the human resources personnel of the contractors.

IX. TERMS AND CONDITIONS

71. **Direct workers.** The terms and conditions for direct workers in PMUW and the individual consultants will be governed by the World Bank Consultancy Standard which sets higher standards than that of the national Labor Code and this LMP.
72. **Contracted workers.** The Labor Code 2019 regulates employment terms and conditions for contracted workers. Relevant decrees and circulars issued under the Labor Code 2019, and this LMP, are applicable to contracted workers of the project.
73. **Provision of written individual contract of employment.** A written individual contract of employment shall be provided to workers that specify the following: (a) name of workers; (b) address, occupation, age and sex of workers; (c) nature and duration of contract; (d) working hours, overtime work and place of work; (e) annual leave and sick leave; (f) remuneration payable (basic wage, bonus...) to the worker; (g) procedures for suspension or termination of contract. Depending on the origin of the employer and the employee, employment terms and conditions will be communicated in a language that is understandable to both parties. In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.
74. **Notice for termination of contract.** According to the Labor Code 2019, employee may terminate a contract of employment by giving written notice: (a) at least 45 days if employed under an indefinite term employment contract; (b) at least 30 days if employed under a definite employment contract with a term of between 12 months and 36 months; (c) at least 03 working days if working under a definite term employment contract with a term of less than 12 months (Labor Code 2019, Article 35).
75. **Minimum Wage.** The minimum wage shall be determined on monthly and hourly basis, and by regions. The minimum wages shall be decided and announced by the Prime Minister of Government on the basis of the recommendation of the Ministry of Labour-Invalids and Social Affairs and recommendation of National Wage Council. Minimum wage of employee in the project's provinces shall apply to employee of the project and will be adjusted upwards based on employee's qualification. Prevailing market rates will be identified for each type of work and work requirements.
76. **Working Hours.** The normal number of working hours for project worker shall not exceed 8 hours a day, and 48 hour a week.
77. **Government encourages employers to adopt 40 hours per week schedule,** but employers can agree with workers on working schedule (by day, by hour, or by week) provided that maximum work time does not exceed 10 hours per day and 48 hours per week. Overtime working hour should not exceed 50% of the time required for normal work hour per day, and total normal working hours and overtime working hours should not exceed 12 hours per day and 40 hours per month. The number of hours per day, and days per week, are established in the contract agreed between the employer and employee.
78. **Night shifts.** For contracted worker, depending on the nature of the project and construction progress, contracted workers may be working extra time, including night shifts. Night shift (from 22:00 PM to 6:00 AM the following day) is allowed as per Labor

Code 2019 but is not encouraged under the Project. For contracted worker, in case night shift is required, to meet project timelines for instance, discussion and agreement with project workers must be made beforehand. If night shift is foreseen as a possibility, it should be mentioned in the contract for agreement by contracted workers.

79. **Arrangement for night shifts.** When night shift is required, work time and relevant rest arrangement, including related payment, have to be in accordance with the Code of Labor 2019, and relevant applicable Decrees and Circulars. Their work time arrangement may be varied by season (wet season versus dry season) to meet quality and progress of the civil works.
80. **Rest per week:** Every worker shall be entitled to at least 24 consecutive hours each week. In special cases, due to the fact that the labor cycle cannot take weekly rest, the employer is responsible for ensuring that employees are entitled to at least 04 days off on average per month.
81. **National holidays and New Year holidays:** Workers shall be entitled to a total of 11 public days a year.
82. **Annual leave.** Workers who have completed a full 12-month work shall be entitled to 12 days of leave with full pay for every year of. The minor or worker with disability and those who perform heavy or hazardous duties are entitled to 14 days. The employer is required to take initiative in agreeing with the employees how their annual leave is used and inform the employees such agreement in advance.
83. **Maternity leave.** A female worker shall be entitled to 6 months maternity leave before and after her confinement. The leave before the confinement shall not be over 2 months. In case a female employee gives birth to twins or more, from the second child onwards, for each child, the mother is entitled to 01 additional month for maternity leave. During maternity leave, the female employee is entitled to maternity benefits as regulated in the Law on Social Insurance.
84. **Personal leave.** Personal leaves are allowed with full pay but with prior notice to employers, including 3 days for their marriage, 1 day for their children' marriage, 3 days in case of death of their parent(s) and parent(s)-in-law.
85. **Women workers.** Code of Labor (2019) establishes provision to encourage the participation of women workers as well as protecting them in their work. Employer is required to consult with women workers on issues related to their rights and benefits as women workers, including appropriate bathroom and toilet at workplace. Women worker who are pregnant and breastfeeding their child (under 12 months of age) are not allowed to work at night-time, overtime or travel. Pregnant workers can take maternal leave (6 months) as stipulated by the law, and can request for extra leave without pay, if they need. Decree 85/2015/NĐ-CP (dated 01 October 2015) provides provisions to support women workers such as equality for women workers with regards to job opportunities, payments, health care for women workers. Female worker will be paid the same rate of male worker for the same work without any discrimination.
86. **Payment arrangement.** Wage should be paid timely, sufficiently, and directly to the labor. Employers are not allowed to intervene how the wage is spent. Payment can be made monthly or fortnightly. Wage for overtime should be minimum 150% the rate for normal

day, and minimum 200% the rate for weekends, and 300% for national, lunar New Year holidays, for rest day. Employers must issue monthly pay statement with details on salary, including pay for overtime, night shift, and deduction. Payment can be made in cash, or bank transfer. In case of bank transfer, costs related to opening bank account for employee and transfer fee must be borne by employers.

87. **Deductions from remuneration.** No deductions other than those prescribed by the Labor Code or regulations made hereunder, or any other law or collective Labour agreement shall be made from a worker's remuneration, except for repayment of advances received from the employer and evidenced in writing. The contractor shall not demand or accept from workers any cash payments or presents of any kind in return for admitting them to employment or for any other reasons connected with the terms and conditions of employment.
88. **Death benefit.** In case of death during his contract of employment, the employer shall pay to his heirs an amount equivalent to 30 months' wages Law on OSH).
89. **Medical treatment of injured and sick workers.** The employer shall be responsible for accomplish co-payment responsibility and pay the full costs of services which are not covered by health insurance for workers who participate in the health insurance scheme and pay all medical expenses incurred for workers who is not covered by the health insurance scheme.
90. **Collective Agreements.** A collective agreement is an agreement relating to terms and conditions of work concluded between the representatives of one or more trade unions, on the one hand, and the representatives of one or more employers, on the other hand. Where collective agreements exist between the employer and project workers, such agreements will be applied, where relevant.

X. GRIEVANCE MECHANISM

91. **General principles.** While the Southern Region Waterways and Transport Logistic Corridors (SWLC) Project will have in place a grievance 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 types of project workers (direct workers and contracted workers) as required in ESS2.
92. Handling of grievances should be objective, prompt and responsive to the needs and concerns of the aggrieved workers. Different ways in which workers can submit their grievances should be allowed, such as submissions in person, by phone, text message, mail and email. The grievance raised should 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 work environment or any other urgent issues should be addressed immediately. Where the grievance cannot be addressed within a reasonable timeframe, the aggrieved worker should be informed in writing, so that the worker can consider proceeding to the State inspection on labor (see below for more details). The mechanism will also allow for anonymous complaints to be raised and addressed. Individuals who submit their comments or grievances may request that their name be kept confidential.
93. **Direct workers.** PMUW will hold periodic team meetings to discuss any workplace concerns. The grievance raised by direct workers will be recorded with the actions taken by the unit. The summary of grievance cases will be reported to the World Bank as part of the regular report. Where the aggrieved direct worker wishes to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor/hiring unit, the worker may raise the issue with responsible municipal authorities (e.g. DOLISA), where relevant.
94. **Contracted workers.** The site manager and the OHS officer (or any other appropriate officers) of the contractor will hold a daily team meeting with all present contracted workers at site at the end of the daily work to discuss any workplace issues or grievances. The grievance raised will be recorded with the actions taken by the contractor. The summary of grievance cases will be reported to the PMUW and the Construction Supervision Consultant (CSC) as part of contractor's periodic monthly reports. The contracted workers shall be trained in LMP and existing grievance mechanism as specified in the Project's LMP, as well as the appropriate intake, reporting and resolution of complaints. The contact information of the PMUW and/or the construction supervision consultants will be shared with contracted workers. In case of 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 contact and raise their issue with the PMUW's GRM focal person who will receive and process their complaints.
95. **State Inspection on Labor, Sanctions against Violations of Labor Legislation.** As per the Labor Code (Articles 212-213), the labor inspector is mandated to settle complaints and denunciations of employees of violations of the labor legislation and to receive and settle

complaints and denunciations about violations of the labor legislation, as prescribed by law.

96. **Grievance Handling Procedure.** Procedures for grievance redress are set up in step by step for direct and contracted workers and responsibilities related to handling complaints about labor issues. The main purpose of this literature is to present the GRM process in an efficient and user-friendly manner.

10.1. Principles

- Complaint will be solved in a timely, fair, transparent manner
- Complaint can be lodged in writing, verbally, directly by the complainant, or their delegate
- Complaint will be documented, acknowledged in writing upon receipt
- Resolution process specifies parties in charge of complaint resolution, timeframe for each tier, and complainant' right to initiate a lawsuit at any tier
- In addition to agencies in charge of complaint handling as per law, PMUW is an alternative channel through which complaint can be lodged.
- Collective complaint is possible – through representative of the complainant group.

10.2. Procedure for resolving complaints of contracted workers

10.2.1. For complaints related to labor issues, such as working conditions, occupational safety and health, etc.

- **First-time complaint**
 - Complaint can be submitted to complainant's employer (including site representative such as Contractor's Chief Site Engineer) in writing or verbally. Personnel in charge of complaint resolution shall accept the complaint and notify the complainant in writing as soon as possible but no later than 3 days from receipt of the complaint. Where necessary, dialogue with complainant will be hold by personnel in charge of complaint resolution, to resolve the complaint. Complaint resolution decision will be sent to the complainant within 3 working days from the date of decision issuance.
 - In case of the complainant is not satisfied with the results of the contractor's complaint settlement, they can contact and submit their complaint to PMUW's GRM focal person. PMUW's staff-in-charge will review the complaint and, if necessary, the intervention actions will be taken such as requesting the Contractors to review the complaint handling and/or convening a committee or brings in a mediator to avoid escalation to court or formal inspection.
 - Resolution time for first-time complaint shall be no more than 30 days (45 days for complicated case) from complaint acceptance date. If complainant disagrees with first-time complaint resolution decision, he/she can make a second-time complaint or initiate a lawsuit to the Court within 30 days (45 days for complicated case) from the date the complaint resolution decision is

issued. If complaint remains unsolved upon expiry of resolution time-limit, complainant can initiate a lawsuit.

- **Second-time complaint**

- Complaint can be submitted in writing to either Chief Labor Inspector of provincial DOLISA, or to the court of law. Personnel in charge of complaint resolution shall accept complaint and notify the complainant in writing within 7 days from complaint receipt. Time duration for resolution of second-time complaint shall be no more than 45 days (60 days for complicated case) from the date of acceptance.
- Second-time complaint resolution decision shall be sent to complainant within 3 days following the date of decision issuance. If complainant disagrees with second-time complaint resolution decision, they can initiate a lawsuit within 30 days from the date of issuing complaint resolution decision (45 days for remote area).

10.2.2. For complaints related to insurance

- **First-time complaint** related to insurance such as social insurance, jobless insurance, health insurance shall be sent to complainant's employer who is responsible for first-time complaint resolution. Complainant can also submit first-time complaints to Director of Social Insurance at district or provincial level if they wish. Time duration for resolution of first-time complaint shall be no more than 30 days (45 days for complicated case) from the date of acceptance.

10.3. Procedures for complaint resolution for direct workers

10.3.1. For complaints related to administrative decision and administrative act⁸

- **First-time complaint**

- Complaint can be lodged in writing or verbally to PMUW. Personnel in charge of complaint resolution shall accept the case and notify the complainant in writing within 10 days from complaint receipt. In case of rejection, explanation will be provided in the letter of notification. The personnel in charge of complaint resolution shall hold dialogue with complainant to resolve complaint if request of complainant and complaint verification result are different. Resolution time for first-time complaint shall be no more than 30 days (45 days for complicated case) from the date of complaint acceptance.
- First-time complaint resolution decision will be sent to the complainant within 3 days from the date of decision issuance. If disagreeing with first-time complaint resolution decision, complainant can make a second-time complaint, or initiate a lawsuit to the Court within 30 days from the date of issuing the complaint resolution decision.

- **Second-time complaint**

⁸ Applicable to civil servant, public employee, and staff contracted directly by PMUW.

- Complaint can be submitted to provincial People's Committee. Personnel in charge of complaint resolution shall accept the case and notify complainant in writing of complaint receipt within 10 days from complaint receipt. Personnel in charge of complaint resolution shall hold dialogue with complainant to resolve the complaint.
- Resolution time for second-time complaint shall be no more than 45 days (60 days for complicated case) from the date of complaint acceptance and shall not be more than 60 days for complicated case. Second-time complaint resolution decision will be sent to the complainant within 7 days from the date of decision issuance. If disagreeing with second-time complaint resolution decision, complainant can initiate a lawsuit to the Court within 30 days from the date of issuing the complaint resolution decision.

10.3.2. For complaint related to disciplinary decision of PMUW Director⁹

- **First-time complaint**

- Complaint can be submitted to the PMUW's personnel in writing. Statute of limitation is 15 days from the date of receipt of discipline decision. Within 10 days from the receipt of complaint, the personnel in charge of complaint resolution shall accept the case and notify the complainant in writing. The personnel must hold dialogue(s) with complainant to resolve the complaint prior to issuing the complaint resolution decision.
- Resolution time for first-time complaint shall be no more than 30 days (45 days for complicated case) from the date of complaint acceptance. First-time complaint resolution decision will be sent to the complainant within 3 days from the date of decision issuance. If complainant disagrees with the complaint resolution decision, they must make second-time complaint to the next level within 10 days from the date of receiving the first-time complaint resolution decision. For forced resignation decision, complainant can initiate a lawsuit to the Court within 30 days from the date of issuance of the discipline resolution decision.

- **Second-time complaint**

- Complaint can be submitted to Ministry of Transport with similar procedures and timeframe of the first-time complaint.
- If disagreeing with second-time discipline resolution decision, complainant can make third-time complaint within 30 days from the date of receiving the discipline decision. For a forced resignation decision, complainant can initiate a lawsuit to the Court within 30 days from the date of issuance of the discipline resolution decision.

⁹ Applicable only to civil servant and public employee according to the complaint law No 02/2011/QH13

10.3.3. Grievance mechanism for SEA/SH allegations¹⁰

Risk rating of SEA/SH for the project is “low”. So the most effective grievance mechanism with a six-step value chain is recommended, including: (1) uptake; (2) sort and process; (3) acknowledge and follow up; (4) verify, investigate, and act; (5) monitor and evaluate; and (6) provide feedback to the complainant.

Following this mechanism, SEA/SH allegations can be reported, just like any other project-related grievance, using a regular project-level GRM channel, such as mail, text message, email, website, telephone, suggestion/grievance box, or grievance form. Survivors can also use the channels set-up by contractors. Any parallel grievance mechanism operated by contractor should include processes to refer complaints to the project-level grievance mechanism, in order to ensure an accurate understanding of the project’s complaints throughout project implementation. The GRM operator—the person in charge of sorting, processing, and monitoring grievances - logs the SEA/SH allegations, acknowledges their receipt, and takes two key actions:

- **ACTION 1:** The GRM operator refers the survivor to relevant GBV service providers (including health and medical services, psychosocial support, and shelter), identified in advance and according to pre-established and confidential referral procedures. The GBV service providers accompany survivors throughout the process and play a critical role by updating them on the grievance management progress and on safety planning, especially when sanctions are envisaged or will soon be implemented. The service providers should enter into an information-sharing protocol with the GRM operator to close the case.
 - **ACTION 2:** If the survivor gives consent, the second action for the GRM operator is to communicate the allegation to PMU staff responsible for grievance matters. The allegation is reviewed and a determination made regarding the likelihood of the allegation being linked to a project. If the allegation is likely to be linked to the project, the PMU asks the contractor to take disciplinary action against the alleged perpetrator and that this is communicated back to the survivor.
97. **Disclosure of GRM.** PMUW and contractor will be responsible for disclosing the GRMs to direct workers and contracted workers and ensure that GRM is explained to them at recruitment time and available at the PMUW’s office and contractor’s office. Contact number of the contact persons for the GRM is also provided to the workers.

¹⁰ This Grievance Mechanism does not apply for civil servants.

XI. CONTRACT MANAGEMENT

98. **Selection of Contractors.** The Southern Region Waterways and Transport Logistic Corridors (SWLC) Project will use the World Bank Standard Procurement Documents for Works for solicitations and contracts. These include labor and occupational, health and safety requirements. The PMUW shall make reasonable efforts to ascertain that the contractor who will engage contracted workers is legitimate and reliable entities and able to comply with the relevant requirements under the LMP. Such requirements shall be included in the bidding documents. As part of the process to select the contractors who will engage contracted workers, the PMUW may review the following information:
- Business licenses, registrations, permits, and approvals;
 - Public records, for example, corporate registers and public documents relating to violations of applicable labor law; accident and fatality records and notifications to authorities; labor-related litigations;
 - Documents relating to the contractor's labor management system and OHS system (e.g., HR manuals, safety program); Environmental, Social, Health and Safety (ESHS) personnel and their qualification;
 - Previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.
99. **Contractual Provisions and Non-Compliance Remedies.** The PMUW shall incorporate the agreed labor management requirements as specified in the bidding documents into contractual agreements with the contractor, together with appropriate non-compliance remedies (such as the provision on withholding 10 % of payment to the contractor in case of non-compliance with relevant environmental, social, health and safety requirements; removal of personnel from the works; or lack in the OHS performance security). In the case of subcontracting, the PMUW will require the contractor to include equivalent requirements and non-compliance remedies in their contractual agreements with subcontractors.
100. **Managing and Monitoring the Performance of Contractors.** The PMUW shall establish resources and procedures for managing and monitoring the performance of the contractor in relation to the LMP. The PMUW will ensure that the contract with the construction and supervision consultants explicitly set out their monitoring responsibility for the contractor's performance on labor and working conditions on a daily basis. The monitoring may include, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by the contractor. Contractors' labor management records and reports that should be reviewed would typically include the following:
- Representative samples of employment contracts and signed code of conduct;
 - Grievances received from the community and workers and their resolution;
 - Reports relating to fatalities and incidents and implementation of corrective actions;
 - Records relating to incidents of non-compliance with national Labor Code and the provisions of the LMP; and

- Records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.
 - Report on COVID-19 issues and liaising with other relevant parties.
101. The Project requires that contractors monitor, keep records and report on terms and conditions related to Labor management. The contractor must provide workers with evidence of all payments made, including social security benefits, pension contributions or other entitlements regardless of the worker being engaged on a fixed term contract, full-time, part-time or temporarily. The application of this requirement will be proportionate to the activities and to the size of the contract, in a manner acceptable to the PMUW and the World Bank:
- **Labor conditions:** records of workers engaged under the Project, including contracts registry of induction/training of workers including Code of Conduct, working hours, working overtime, remuneration and deductions, collective bargaining agreements.
 - **Safety:** recordable incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, and so forth).
 - **Workers:** number of workers, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child Labor is involved, and skill level (unskilled, skilled, supervisory, professional, management).
 - **Training/induction:** dates, number of trainees (males and females), and topics.
 - **Details of any security risks:** details of risks the contractor may be exposed to while performing its work—the threats may come from third parties external to the project.
 - **Worker grievances:** details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.
 - **COVID-19 management:** detail including the specific requirements for certain types of contractors, medical insurance covering treatment for COVID-19, specific procedures relating to the workplace and the conduct of the work.

XII. PRIMARY SUPPLY WORKERS

102. **Potential risks in relation to primary supply workers.** The construction work under the Southern Region Waterways and Transport Logistic Corridors (SWLC) Project will require primary supplies including construction materials essential for the functions of the proposed infrastructure, such as aggregates, bitumen and precast concrete interlocking blocks. Some contractors may be able to produce such construction materials by their workforce. However, where the contractor will source (a) essential materials (b) directly from primary suppliers (c) on an ongoing basis, the workers engaged by such primary suppliers (that meet all three criteria (a) to (c)) are deemed “primary supply workers”, as defined in ESS2. As discussed in Chapter 3 (Key Labor Risks), The OHS risks are also deemed to be generally significant in the construction sector including quarry sites where there is no functioning Labor inspection mechanism. To address these potential risks, the following measures will be taken:

- **Selection of primary suppliers.** When sourcing construction materials from primary suppliers, the contractor will require such suppliers to identify the risk of child labor/force labor and serious safety risks in producing the construction materials. The PMUW and the construction and supervision consultants will review and approve the purchase of primary supplies from the suppliers following such risk identification/assessment and any other relevant due diligence (such as the review of license for quarries). Where appropriate, the contractor will be required to include specific requirements on child labor/forced labor and work safety issues in all purchase orders and contracts with primary suppliers.
- **Remedial process.** If child labor/forced labor and/or serious safety incidents are identified in relation to primary supply workers under the Project, the PMUW and the construction supervision consultants will require the contractor to request their primary supplier to take appropriate steps to remedy them. Such mitigation measures will be monitored periodically to ascertain their effectiveness. Where the mitigation measures are found to be ineffective, the PMU will, within reasonable period, shift the project’s primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements.

ANNEXES

Annex 1: General guidance on COVID-19 considerations for Contractors in construction/civil works

INTRODUCTION. The Contractor should identify measures to address the COVID-19 situation. What will be possible will depend on the context of the project: the location, existing project resources, availability of supplies, capacity of local emergency/health services, the extent to which the virus already exist in the area. A systematic approach to planning, recognizing the challenges associated with rapidly changing circumstances, will help the project put in place the best measures possible to address the situation. As discussed above, measures to address COVID-19 may be presented in different ways (as a contingency plan, as an extension of the existing project emergency and preparedness plan or as standalone procedures). Implementing Agencies (IA) and contractors should refer to guidance issued by relevant authorities, both national and international (e.g. WHO), which is regularly updated (WHO advice for the public, including on social distancing, respiratory hygiene, self-quarantine, and seeking medical advice, can be consulted on this WHO website: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-forpublic>).

Addressing COVID-19 at a project site goes beyond occupational health and safety, and is a broader project issue which will require the involvement of different members of a project management team. In many cases, the most effective approach will be to establish procedures to address the issues, and then to ensure that these procedures are implemented systematically. Where appropriate given the project context, a designated team should be established to address COVID-19 issues, including PMU representatives, the Supervising Engineer, management (e.g. the project manager) of the contractor and sub-contractors, security, and medical and OHS professionals. Procedures should be clear and straightforward, improved as necessary, and supervised and monitored by the COVID-19 focal point(s). Procedures should be documented, distributed to all contractors, and discussed at regular meetings to facilitate adaptive management. The issues set out below include a number that represent expected good workplace management but are especially pertinent in preparing the project response to COVID-19.

(a) ASSESSING WORKFORCE CHARACTERISTICS

Many construction sites will have a mix of workers e.g. workers from the local communities; workers from a different part of the country; workers from another country. Workers will be employed under different terms and conditions and be accommodated in different ways. Assessing these different aspects of the workforce will help in identifying appropriate mitigation measures:

- The Contractor should prepare a detailed profile of the project work force, key work activities, schedule for carrying out such activities, different durations of contract and rotations (e.g. 4 weeks on, 4 weeks off).
- This should include a breakdown of workers who reside at home (i.e. workers from the community), workers who lodge within the local community and workers in on-site accommodation. Where possible, it should also identify workers that may be more at risk from COVID-19, those with underlying health issues or who may be otherwise at risk.

- Consideration should be given to ways in which to minimize movement in and out of site. This could include lengthening the term of existing contracts, to avoid workers returning home to affected areas, or returning to site from affected areas.
- Workers accommodated on site should be required to minimize contact with people near the site, and in certain cases be prohibited from leaving the site for the duration of their contract, so that contact with local communities is avoided.
- Consideration should be given to requiring workers lodging in the local community to move to site accommodation (subject to availability) where they would be subject to the same restrictions.
- Workers from local communities, who return home daily, weekly or monthly, will be more difficult to manage. They should be subject to health checks at entry to the site (as set out above) and at some point, circumstances may make it necessary to require them to either use accommodation on site or not to come to work.

(b) ENTRY/EXIT TO THE WORK SITE AND CHECKS ON COMMENCEMENT OF WORK

Entry/exit to the work site should be controlled and documented for both workers and other parties, including support staff and suppliers. Possible measures may include:

- Establishing a system for controlling entry/exit to the site, securing the boundaries of the site, and establishing designating entry/exit points (if they do not already exist). Entry/exit to the site should be documented.
- Training security staff on the (enhanced) system that has been put in place for securing the site and controlling entry and exit, the behaviours required of them in enforcing such system and any COVID - 19 specific considerations.
- Training staff who will be monitoring entry to the site, providing them with the resources they need to document entry of workers, conducting temperature checks and recording details of any worker that is denied entry.
- Confirming that workers are fit for work before they enter the site or start work. While procedures should already be in place for this, special attention should be paid to workers with underlying health issues or who may be otherwise at risk. Consideration should be given to demobilization of staff with underlying health issues.
- Checking and recording temperatures of workers and other people entering the site or requiring self-reporting prior to or on entering the site.
- Providing daily briefings to workers prior to commencing work, focusing on COVID-19 specific considerations including cough etiquette, hand hygiene and distancing measures, using demonstrations and participatory methods.
- During the daily briefings, reminding workers to self-monitor for possible symptoms (fever, cough) and to report to their supervisor or the COVID-19 focal point if they have symptoms or are feeling unwell.
- Preventing a worker from an affected area or who has been in contact with an infected person from returning to the site for 14 days or (if that is not possible) isolating such worker for 14 days.
- Preventing a sick worker from entering the site, referring them to local health facilities if necessary or requiring them to isolate at home for 14 days.

(c) GENERAL HYGIENE

Requirements on general hygiene should be communicated and monitored, to include:

- Training workers and staff on site on the signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular hand washing and social distancing) and what to do if they or other people have symptoms (for further information see [WHO COVID-19 advice for the public](#)).
- Placing posters and signs around the site, with images and text in local languages.
- Ensuring hand washing facilities supplied with soap, disposable paper towels and closed waste bins exist at key places throughout site, including at entrances/exits to work areas; where there is a toilet, canteen or food distribution, or provision of drinking water; in worker accommodation; at waste stations; at stores; and in common spaces. Where hand washing facilities do not exist or are not adequate, arrangements should be made to set them up. Alcohol based sanitizer (if available, 60- 95% alcohol) can also be used.
- Review worker accommodations, and assess them in light of the requirements set out in [IFC/EBRD guidance on Workers' Accommodation: processes and standards](#), which provides valuable guidance as to good practice for accommodation.
- Setting aside part of worker accommodation for precautionary self-quarantine as well as more formal isolation of staff who may be infected.

(d) CLEANING AND WASTE DISPOSAL

Conduct regular and thorough cleaning of all site facilities, including offices, accommodation, canteens, common spaces. Review cleaning protocols for key construction equipment (particularly if it is being operated by different workers). This should include:

- Providing cleaning staff with adequate cleaning equipment, materials and disinfectant.
- Review general cleaning systems, training cleaning staff on appropriate cleaning procedures and appropriate frequency in high use or high-risk areas.
- Where it is anticipated that cleaners will be required to clean areas that have been or are suspected to have been contaminated with COVID-19, providing them with appropriate PPE: gowns or aprons, gloves, eye protection (masks, goggles or face screens) and boots or closed work shoes. If appropriate PPE is not available, cleaners should be provided with best available alternatives.
- Training cleaners in proper hygiene (including hand washing) prior to, during and after conducting cleaning activities; how to safely use PPE (where required); in waste control (including for used PPE and cleaning materials).
- Any medical waste produced during the care of ill workers should be collected safely in designated containers or bags and treated and disposed of following relevant requirements (e.g., national, WHO). If open burning and incineration of medical wastes is necessary, this should be for as limited a duration as possible. Waste should be reduced and segregated, so that only the smallest amount of waste is incinerated (for further information see WHO interim guidance on water, sanitation and waste management for COVID-19).

(e) ADJUSTING WORK PRACTICES

Consider changes to work processes and timings to reduce or minimize contact between workers, recognizing that this is likely to impact the project schedule. Such measures could include:

- Decreasing the size of work teams.
- Limiting the number of workers on site at any one time.
- Changing to a 24-hour work rotation.
- Adapting or redesigning work processes for specific work activities and tasks to enable social distancing, and training workers on these processes.
- Continuing with the usual safety trainings, adding COVID-19 specific considerations. Training should include proper use of normal PPE. While as of the date of this note, general advice is that construction workers do not require COVID-19 specific PPE, this should be kept under review (for further information see WHO interim guidance on rational use of personal protective equipment (PPE) for COVID-19).
- Reviewing work methods to reduce use of construction PPE, in case supplies become scarce or the PPE is needed for medical workers or cleaners. This could include, e.g. trying to reduce the need for dust masks by checking that water sprinkling systems are in good working order and are maintained or reducing the speed limit for haul trucks.
- Arranging (where possible) for work breaks to be taken in outdoor areas within the site.
- Consider changing canteen layouts and phasing meal times to allow for social distancing and phasing access to and/or temporarily restricting access to leisure facilities that may exist on site, including gyms.
- At some point, it may be necessary to review the overall project schedule, to assess the extent to which it needs to be adjusted (or work stopped completely) to reflect prudent work practices, potential exposure of both workers and the community and availability of supplies, taking into account Government advice and instructions.

(f) PROJECT MEDICAL SERVICES

Consider whether existing project medical services are adequate, taking into account existing infrastructure (size of clinic/medical post, number of beds, isolation facilities), medical staff, equipment and supplies, procedures and training. Where these are not adequate, consider upgrading services where possible, including:

- Expanding medical infrastructure and preparing areas where patients can be isolated. Guidance on setting up isolation facilities is set out in [WHO interim guidance on considerations for quarantine of individuals in the context of containment for COVID-19](#). Isolation facilities should be located away from worker accommodation and ongoing work activities. Where possible, workers should be provided with a single well-ventilated room (open windows and door). Where this is not possible, isolation facilities should allow at least 1 meter between workers in the same room, separating workers with curtains, if possible. Sick workers should limit their movements, avoiding common areas and facilities and not be allowed visitors until they have been clear of symptoms for 14 days. If they need to use common areas and facilities (e.g. kitchens or canteens), they should only do so when unaffected workers are not present and the area/facilities should be cleaned prior to and after such use.

- Training medical staff, which should include current WHO advice on COVID-19 and recommendations on the specifics of COVID-19. Where COVID-19 infection is suspected, medical providers on site should follow [WHO interim guidance on infection prevention and control during health care when novel coronavirus infection is suspected](#).
- Training medical staff in testing, if testing is available.
- Assessing the current stock of equipment, supplies and medicines on site, and obtaining additional stock, where required and possible. This could include medical PPE, such as gowns, aprons, medical masks, gloves, and eye protection. Refer to WHO guidance as to what is advised (for further information see [WHO interim guidance on rational use of personal protective equipment \(PPE\) for COVID-19](#)).
- If PPE items are unavailable due to world-wide shortages, medical staff on the project should agree on alternatives and try to procure them. Alternatives that may commonly be found on construction sites include dust masks, construction gloves and eye goggles. While these items are not recommended, they should be used as a last resort if no medical PPE is available.
- Ventilators will not normally be available on work sites, and in any event, intubation should only be conducted by experienced medical staff. If a worker is extremely ill and unable to breathe properly on his or her own, they should be referred immediately to the local hospital (see (g) below).
- Review existing methods for dealing with medical waste, including systems for storage and disposal (for further information see WHO interim guidance on water, sanitation and waste management for COVID-19, and WHO guidance on safe management of wastes from health-care activities).

(g) LOCAL MEDICAL AND OTHER SERVICES

Given the limited scope of project medical services, the project may need to refer sick workers to local medical services. Preparation for this includes:

- Obtaining information as to the resources and capacity of local medical services (e.g. number of beds, availability of trained staff and essential supplies).
- Conducting preliminary discussions with specific medical facilities, to agree what should be done in the event of ill workers needing to be referred.
- Considering ways in which the project may be able to support local medical services in preparing for members of the community becoming ill, recognizing that the elderly or those with pre-existing medical conditions require additional support to access appropriate treatment if they become ill.
- Clarifying the way in which an ill worker will be transported to the medical facility, and checking availability of such transportation.
- Establishing an agreed protocol for communications with local emergency/medical services.
- Agreeing with the local medical services/specific medical facilities the scope of services to be provided, the procedure for in-take of patients and (where relevant) any costs or payments that may be involved.

- A procedure should also be prepared so that project management knows what to do in the unfortunate event that a worker ill with COVID-19 dies. While normal project procedures will continue to apply, COVID-19 may raise other issues because of the infectious nature of the disease. The project should liaise with the relevant local authorities to coordinate what should be done, including any reporting or other requirements under national law.

(h) INSTANCES OR SPREAD OF THE VIRUS

WHO provides detailed advice on what should be done to treat a person who becomes sick or displays symptoms that could be associated with the COVID-19 virus (for further information see [WHO interim guidance on infection prevention and control during health care when novel coronavirus](#) infection is suspected). The project should set out risk-based procedures to be followed, with differentiated approaches based on case severity (mild, moderate, severe, critical) and risk factors (such as age, hypertension, diabetes). These may include the following:

- If a worker has symptoms of COVID-19 (e.g. fever, dry cough, fatigue) the worker should be removed immediately from work activities and isolated on site.
- If testing is available on site, the worker should be tested on site. If a test is not available at site, the worker should be transported to the local health facilities to be tested (if testing is available).
- If the test is positive for COVID-19 or no testing is available, the worker should continue to be isolated. This will either be at the work site or at home. If at home, the worker should be transported to their home in transportation provided by the project.
- Extensive cleaning procedures with high-alcohol content disinfectant should be undertaken in the area where the worker was present, prior to any further work being undertaken in that area. Tools used by the worker should be cleaned using disinfectant and PPE disposed of.
- Co-workers (i.e. workers with whom the sick worker was in close contact) should be required to stop work, and be required to quarantine themselves for 14 days, even if they have no symptoms.
- Family and other close contacts of the worker should be required to quarantine themselves for 14 days, even if they have no symptoms.
- If a case of COVID-19 is confirmed in a worker on the site, visitors should be restricted from entering the site and worker groups should be isolated from each other as much as possible.
- If workers live at home and has a family member who has a confirmed or suspected case of COVID19, the worker should quarantine themselves and not be allowed on the project site for 14 days, even if they have no symptoms.
- Workers should continue to be paid throughout periods of illness, isolation or quarantine, or if they are required to stop work, in accordance with national law.
- Medical care (whether on site or in a local hospital or clinic) required by a worker should be paid for by the employer. (i) CONTINUITY OF SUPPLIES AND PROJECT ACTIVITIES Where COVID-19 occurs, either in the project site or the community, access to the project site may be restricted, and movement of supplies may be affected.

- Identify back-up individuals, in case key people within the project management team (PIU, Supervising Engineer, Contractor, sub-contractors) become ill, and communicate who these are so that people are aware of the arrangements that have been put in place.
- Document procedures, so that people know what they are, and are not reliant on one person's knowledge.
- Understand the supply chain for necessary supplies of energy, water, food, medical supplies and cleaning equipment, consider how it could be impacted, and what alternatives are available. Early pro-active review of international, regional and national supply chains, especially for those supplies that are critical for the project, is important (e.g. fuel, food, medical, cleaning and other essential supplies). Planning for a 1-2 month interruption of critical goods may be appropriate for projects in more remote areas.
- Place orders for/procure critical supplies. If not available, consider alternatives (where feasible).
- Consider existing security arrangements, and whether these will be adequate in the event of interruption to normal project operations.
- Consider at what point it may become necessary for the project to significantly reduce activities or to stop work completely, and what should be done to prepare for this, and to re-start work when it becomes possible or feasible.

(j) TRAINING AND COMMUNICATION WITH WORKERS

Workers need to be provided with regular opportunities to understand their situation, and how they can best protect themselves, their families and the community. They should be made aware of the procedures that have been put in place by the project, and their own responsibilities in implementing them.

- It is important to be aware that in communities close to the site and amongst workers without access to project management, social media is likely to be a major source of information. This raises the importance of regular information and engagement with workers that emphasizes what management is doing to deal with the risks of COVID-19. Allaying fear is an important aspect of work force peace of mind and business continuity. Workers should be given an opportunity to ask questions, express their concerns, and make suggestions.
- Training of workers should be conducted regularly, as discussed in the sections above, providing workers with a clear understanding of how they are expected to behave and carry out their work duties.
- Training should address issues of discrimination or prejudice if a worker becomes ill and provide an understanding of the trajectory of the virus, where workers return to work.
- Training should cover all issues that would normally be required on the work site, including use of safety procedures, use of construction PPE, occupational health and safety issues, and code of conduct, taking into account that work practices may have been adjusted.

- Communications should be clear, based on fact and designed to be easily understood by workers, for example by displaying posters on hand washing and social distancing, and what to do if a worker displays symptoms.

(k) COMMUNICATION AND CONTACT WITH THE COMMUNITY

Relations with the community should be carefully managed, with a focus on measures that are being implemented to safeguard both workers and the community. The community may be concerned about the presence of non-local workers, or the risks posed to the community by local workers presence on the project site. The following good practice should be considered:

- Communications should be clear, regular, based on fact and designed to be easily understood by community members.
- Communications should utilize available means. In most cases, face-to-face meetings with the community or community representatives will not be possible. Other forms of communication should be used; posters, pamphlets, radio, text message, electronic meetings. The means used should take into account the ability of different members of the community to access them, to make sure that communication reaches these groups.
- The community should be made aware of procedures put in place at site to address issues related to COVID-19. This should include all measures being implemented to limit or prohibit contact between workers and the community. These need to be communicated clearly, as some measures will have financial implications for the community (e.g. if workers are paying for lodging or using local facilities). The community should be made aware of the procedure for entry/exit to the site, the training being given to workers and the procedure that will be followed by the project if a worker becomes sick.
- If project representatives, contractors or workers are interacting with the community, they should practice social distancing and follow other COVID-19 guidance issued by relevant authorities, both national and international (e.g. WHO).

Annex 2: Codes of Conduct

[This CoC will be translated into Vietnamese]

Instructions: This Code of Conduct should be included in bidding documents for Contractors/Consultants and in their contracts once hired. This Code of Conduct is to be signed by Contractors, Consultants (Direct workers) and all their staff (Contracted workers) working in the project.

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), in particular Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)¹¹, and Violence Against Children (VAC) is important.

Failure to follow ESHS and OHS standards, or to partake in activities constituting GBV/SEA/SH/VAC be it at the office, 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/SEA/SH or VAC may be pursued if appropriate.

I agree that while working on the project I will:

- a. Consent to a background check in any place I have worked for more than six months.
- b. Attend and actively partake in training courses related to ESHS, OHS, GBV, SEA/SH, VAC as requested by my employer.
- c. Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
- d. Implement the Labor Management Procedures (LMP) and OHS Management Plan.
- e. Take all appropriate measure to take care of my health and those of my fellow workers by following OHS measures, including Covid-19 prevention measures which may include letting my supervisor know if I am feeling unwell or have symptoms consistent with Covid-19.
- f. Follow Covid-19 measures that apply at the time and may include testing, temperature checks, mask wearing, etc.
- g. 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.

¹¹ **GBV** is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on gender differences. GBV includes acts that inflict physical, mental, sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or in private life. GBV disproportionately affects women and girls.

SH refers to unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH is specific to occurrences between personnel/staff working on the project.

SEA refers to any actual or attempted abuse of a position of vulnerability, power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. SEA is specific to interactions between project staff and project beneficiaries or communities.

- h. 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.
- i. Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- j. Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.
- k. 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: i.e. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
- l. Not engage in sexual favors—for instance, making promises of favorable treatment (i.e. promotion), threats of unfavorable treatment (i.e. loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- m. Not use prostitution in any form at any time.
- n. 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.
- o. Unless there is the full consent¹² by all parties involved, I will not have sexual interactions with members of the surrounding communities or fellow staff. 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.
- p. 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 respect to children under the age of 18:

- q. Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
- r. Wherever possible, ensure that another adult is present when working in the proximity of children.
- s. Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.

¹² **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.

- t. 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).
- u. Refrain from physical punishment or discipline of children.
- v. No hiring of children for any project activity (no persons under the age of 18).
- w. Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s ESS2 on child labor and minimum age.
- x. Take appropriate caution when photographing or filming children (see y-cc below). Photos or films of children should generally not be taken the project.

Use of children's images for work related purposes

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

- y. Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- z. 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.
- aa. 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.
- bb. Ensure images are honest representations of the context and the facts.
- cc. Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

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

- dd. Informal warning;
- ee. Formal warning;
- ff. Additional Training;
- gg. Loss of up to one week’s salary;
- hh. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months;
- ii. Termination of employment;
- jj. 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/SEA/SH or VAC. That I will respect and take all preventive measures relating to Covid-19.

I 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/SEA/SH/VAC 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: _____

Annex 3: Guidelines for Worker's Camps

WORKER RECRUITMENT

The Contractor is required to prioritise mobilization of local unskilled workers including a target of 25% female to minimize number of workers coming from outside of project province. The recruitment will be based on their skills and education. The Contractor will maximise the number of skilled and unskilled workers that are recruited from the local communities along the project site. The Contractor will be required to provide justification for any skilled workers recruited from outside and explain why this position cannot be filled in local. The project will not employ workers under 18 years. There will be no tolerance for forced labor.

WORKERS CAMP FACILITIES

All facilities in the Workers Camp must be compliant with the stipulations of the ESMP. The following will be complied with:

- Construction sites, including concrete mixing stations and asphalt stations as well as construction camps will minimize the land occupation by setting them at the interchange areas where relatively large areas of land will be needed eventually.
- Site offices shall be located at least 200 meters from any existing residential settlements;
- Camp facilities should not be located in steep slopes;
- Site offices or camps should be located at least 100 meters from any watercourses, and be operated so that no pollutants enter watercourses.
- Camp areas shall be located to allow effective natural drainage;
- All construction camps shall be zoned according to their use. For example, workers' camp zone, sanitary facilities, offices, etc.
- The workforce shall be provided with safe, suitable and comfortable accommodations, which have to be maintained in clean and sanitary conditions.
- Camp sites will comply with all Covid-19 measures applicable at the time in Vietnam.
- In every site, adequate and suitable facilities for washing clothes and utensils shall be provided and maintained.
- Potable water for human consumption shall be provided for at camps, site offices, medical facilities, and other areas. Potable water shall follow the National Standards for Drinking Water Quality, and the other municipal water will be in accordance with class B1 of QCVN 08-MT:2015/BTNMT - National technical regulation on surface water quality.
- The camp can be characterized as a housing estate, and the water quota could refer to class B1, QCVN 08-MT:2015/BTNMT - National technical regulation on surface water quality.
- Drainage, wastewater treatment and solid waste disposal of the construction site shall follow national regulations and the mitigation measures presented in the Contractor's Waste Management Plan.
- Eating space and dormitories as required shall be constructed of suitable materials to provide a safe healthy environment for the workforce and which facilitate regular cleaning and the provision of ventilation and illumination. Covid-19 measures need to be taken into account when setting up these facilities. There should be separate dormitories for females.

- The Contractor will be required to provide adequate provisions for the workers for the duration of the project so as not to be a burden on the food or water security of the surrounding communities. The Contractor will strive to hire local labor to provide cleaning and food services.

Sanitary Facilities.

- In every camp site, separate and adequate lavatory facilities (toilets and washing areas) shall be provided for the use of male and female workers. Toilet facilities should also be provided with adequate supplies of running water, soap, and toilet paper. Such facilities shall be conveniently accessible and shall be kept in clean and hygienic conditions.
- Sanitary arrangements, latrines and urinals shall be provided in every workplace on the following scale: at least one latrine for every 15 females and at least one latrine for every 20 males.
- At every construction camp there must be at least one mobile septic tank. The wastewater from the tank shall not be discharged into any watercourses. The wastewater shall be periodically transported away by a water tank to the nearest treatment plant.
- Sewage tanks shall be designed and installed by the Contractor(s) in accordance with the National Design Code for construction of camps.

Medical Facilities.

- A medical and first aid kit, medicine cabinets, condoms, etc., emergency phone number, phone number of the person in charge of safety, chief construction supervision engineer, hotline shall be provided at each camp area. All consumables in the first aid kit should be checked and recharged regularly.

Firefighting equipment.

- Fire-extinguishers must be provided and setup with safety instructions on fire prevention and emergency phone number provided at the site office and camp.

Security. Some security measures shall be put into place to ensure the safe and secure running of the camp and its residents. Some of these security measures include:

- The list of workers must be registered to local authorities in accordance with existing Vietnamese regulations;
- Adequate, day-time night-time lighting shall be provided;
- Access to the camp shall be limited to the residing workforce, construction camp employees, and those visiting personnel on business purposes;
- Prior approval from the construction camp manager for visitor's access to the construction camp;
- No overnight visitors will be allowed.
- A perimeter security fence at least 2m in height constructed from appropriate materials;
- Provision and installation in all buildings of firefighting equipment and portable fires extinguishers.

MANAGEMENT OF WORKERS

The Contractor will prepare ensure all staff sign and adhere to the Individual Code of Conduct to describe the expected behaviours of their project worker in relation to the local communities and their social sensitivities.

The Contractor is to ensure that all overseas project staff *[for both local and foreign workers if working in an area where ethnic minorities are present]* undergo a cultural familiarisation session as part of their induction training. The purpose of this induction will be to introduce the project staff to the cultural sensitivities of the local communities and the expected behaviours of the staff in their interactions with these communities.

The Contractor shall ensure that basic social/collective rest spaces are provided equipped with seating within the Workers Camp to help minimise the impact that the workers would have on the leisure and recreational facilities of the nearby communities. Provisions should also be made to provide the workers with an active recreation space within the camp.

PROHIBITIONS

The following activities are prohibited on or near the project site and/or campsite:

- Cutting of trees for any reason outside the approved construction area;
- Hunting, fishing, wildlife capture, or plant collection;
- Buying wild animals for food;
- Use of unapproved toxic materials, including lead-based paints, asbestos, etc.;
- Disturbance to anything with architectural or historical value;
- Building of fires;
- Use of firearms (except authorized security guards);
- Use of alcohol by workers during working hours;
- Gambling;
- Washing cars or machinery in streams or creeks;
- Doing maintenance (change of oils and filters) of cars and equipment outside authorized areas;
- Disposing of trash in unauthorized places and/or littering the site;
- Driving in an unsafe manner in local roads;
- Having caged wild animals (especially birds) in camps;
- Working without safety equipment (including boots and helmets);
- Creating nuisances and disturbances in or near communities;
- The use of rivers and streams for washing clothes;
- Indiscriminate disposal of rubbish or construction wastes or rubble;
- Spillage of potential pollutants, such as petroleum products;
- Collection of firewood;
- Poaching of any description;
- Explosive and chemical fishing;
- Latrine outside the designated facilities;
- Burning of wastes and/or cleared vegetation; and
- Any activity which violates the Code of Conduct.

Any construction worker, office staff, Contractor's employees or any other person related to the project found violating these prohibitions will be subject to disciplinary actions that can range from a simple reprimand to termination of his/her employment depending on the seriousness of the violation.

WORKERS CAMP MANAGEMENT PLAN

A Worker's Camp Management Plan shall be submitted by the Contractor to *[PMUW or CSC]*. The Worker's Camp Management Plan will be compliant with the specific prescriptions of the ESMP and will describe:

- Recruitment strategy
- Accommodation
- Canteen and dining areas
- Toilet and bathing facilities
- Water supply
- Wastewater management system
- Proposed power supply
- Code of Conduct for Workers
- Recreational/leisure facilities for workers
- Visitors to the Workers Camp
- Interactions with the local communities
- Covid-19 measures

Throughout the period of the contract, the employer, the engineer, or their representatives shall have uninterrupted access to and from the camp for the purpose of carrying out routine inspections of all buildings, facilities or installations of whatever nature to ensure compliance with these specifications.

Annex 4 - Workers and Workforce Management

A concern during construction phase of the project is the potentially negative impacts of the workforce interactions with the local communities. For that reason, a Code of Conduct shall be established to outline the importance of appropriate behavior, alcohol abuse, and compliance with relevant laws and regulations. Each employee shall be informed of the Code of Conduct and bound by it while in the employment of the Client or its Contractors. The Code of Conduct shall be available to local communities at the project information centers or other place easily accessible to the communities.

The Contractor is responsible for providing appropriate training to all staff according to their level of responsibility for environmental, health and safety matters.

The Code of Conduct shall address the following measures (but not limited to them):

- All of the workforce shall sign in the CoCs and abide the laws and regulations of the Socialist Republic of Vietnam;
- Illegal substances, weapons and firearms shall be prohibited;
- Pornographic material and gambling shall be prohibited;
- Fighting (physical or verbal) shall be prohibited;
- Creating nuisances and disturbances in or near communities shall be prohibited;
- Disrespecting local customs and traditions shall be prohibited;
- Smoking shall only be allowed in designated areas;
- Maintenance of appropriate standards of dress and personal hygiene;
- Maintenance of appropriate standards hygiene in their accommodation quarters;
- Residing camp workforce visiting the local communities shall behave in a manner consistent with the Code of Conduct; and
- Failure to comply with the Code of Conduct, or the rules, regulations, and procedures implemented at the construction camp will result in disciplinary actions.
- Develop a Code of Conduct for sexual harassment in the workplace and check their compliance. The PMU should supervise the implementation of this code strictly; regularly organize activities for raising legal awareness for male and female workers such as provision of leaflets, regular activities.

Prohibitions. The following activities are prohibited on or near the project site:

- Cutting of trees for any reason outside the approved construction area;
- Hunting, fishing, wildlife capture, or plant collection;
- Buying of wild animals for food;
- Use of unapproved toxic materials, including lead-based paints, asbestos, etc.;
- Disturbance to anything with architectural or historical value;
- Building of fires;
- Use of firearms (except authorized security guards);
- Use of alcohol by workers during working hours;
- Gambling should be strictly forbidden.
- Washing cars or machinery in streams or creeks;

- Doing maintenance (change of oils and filters) of cars and equipment outside authorized areas:
- Disposing trash in unauthorized places;
- Driving in an unsafe manner in local roads;
- Having caged wild animals (especially birds) in camps;
- Working without safety equipment (including boots and helmets);
- Creating nuisances and disturbances in or near communities;
- The use of rivers and streams for washing clothes;
- Indiscriminate disposal of rubbish or construction wastes or rubble;
- Littering the site;
- Spillage of potential pollutants, such as petroleum products;
- Collection of firewood;
- Poaching of any description;
- Explosive and chemical fishing;
- Latrine outside the designated facilities; and
- Burning of wastes and/or cleared vegetation.

Security. Some security measures shall be put into place to ensure the safe and secure running of the camp and its residents. Some of these security measures include:

- The list of workers must be registered to local authorities in accordance with existing Vietnamese regulations
- Children under 14 years of age will not be hired under the Project
- Adequate, day-time night-time lighting shall be provided;
- Control of camp access. Access to the camp shall be limited to the residing workforce, construction camp employees, and those visiting personnel on business purposes;
- Prior approval from the construction camp manager for visitor's access to the construction camp;
- A perimeter security fence at least 2m in height constructed from appropriate materials;
- Provision and installation in all buildings of firefighting equipment and portable fire extinguishers.

Any construction worker, office staff, Contractor's employees or any other person related to the project found violating these prohibitions will be subject to disciplinary actions that can range from a simple reprimand to termination of his/her employment depending on the seriousness of the violation.

Annex 5 - Worker camps requirement

Workers Camps

Workers' Camp and Site Installation Requirement. Potential sites of workers' camps were discussed with and proposed by local communities and authorities during consultations. Construction camp sites will have to be approved by local authorities and agreed with local communities prior to their establishment. If additional camps and ancillary construction sites are selected, for following criteria must be used:

- Construction sites, including concrete mixing stations and asphalt stations as well as construction camps will minimize the land occupation by setting them at the interchange areas where relatively large areas of land will be needed eventually.
- Site offices shall be located at least 200 meters from any existing residential settlements
Camp facilities should not be located in steep slopes;
- Site offices, camps be located at least 100 meters from any watercourses, and be operated so that no pollutants enter watercourses. Camp areas shall be located to allow effective natural drainage;
- All construction camps shall be zoned according to their use. For example, workers' camp zone, sanitary facilities, offices, etc.
- The workforce shall be provided with safe, suitable and comfortable accommodations. They have to be maintained in clean and sanitary conditions;
- In every site adequate and suitable facilities for washing clothes and utensils shall be provided and maintained for the use of contract labor employed therein;
- Potable water for human consumption shall be provided for at camps, site offices, medical facilities, and other areas. Potable water shall follow the National Standards for Drinking Water Quality, and the other municipal water will be in accordance with class B1 of QCVN 08-MT:2015/BTNMT - National technical regulation on surface water quality.
- The camp can be characterized as a housing estate, and the water quota could refer to class B1, QCVN 08-MT:2015/BTNMT - National technical regulation on surface water quality.
- Drainage, wastewater treatment and solid waste disposal of the construction site shall follow national regulations and the mitigation measures presented in the Contractor's Waste Management Plan.
- Firefighting equipment, fire extinguishers shall be available at every camp.

Sanitary Facilities. In every camp site separate and adequate lavatory facilities (toilets and washing areas) shall be provided for the use of male and female workers. Toilet facilities should also be provided with adequate supplies running water, soap, and toilet paper. Such facilities shall be conveniently accessible and shall be kept in clean and hygienic conditions;

- Where workers of both sexes are employed, there shall be displayed outside each block of latrine and urinal, a notice in the language understood by the majority of the workers "For Men Only" or "For Women Only" as the case may be;
- Sanitary arrangements, latrines and urinals shall be provided in every work place on the following scale: Where female workers are employed, there shall be at least one latrine

for every 25 females or part thereof; Where males are employed, there shall be at least one latrine for every 25 males or part thereof;

- At every construction camp, there must be at least one mobile septic tank. The wastewater from the tank shall not be discharged into any watercourses. The wastewater shall be periodically transported away by a water tank to the nearest treatment plant;
- Sewage tanks shall be designed and installed by the Contractor(s) in accordance with the National Design Code for construction of camps.

Medical Facilities. A medical and first aid kit, medicine cabinets, condoms, etc., emergency phone number, phone number of the person in charge of safety, chief construction supervision engineer, and hotline shall be provided at each camp area. All consumables in the first aid kit should be checked and recharged regularly.

Firefighting equipment. Fire-extinguishers must be provided and setup the safety instructions on fire prevention and emergency phone number at the site office, camp.

Detailed Information on Workers Camps

Experience from similar projects shows that contractors have often rented houses of local people for workers. The detailed information/figures about worker camps will be specified and included in the Construction Environmental and Social Management Plan of contractors (C-ESMP) which will be prepared by the Contractor and approved by PMUW/Construction Supervision Consultant (CSC) before commencing construction work.

Annex 6 - Guidelines for work camps during COVID-19 breaking out

The PMUW, Contractors and Construction Supervision Consultants should refer to guidance issued by relevant authorities, both national and international (e.g. WHO), which is regularly updated (WHO advice for the public, including on social distancing, respiratory hygiene, self-quarantine, and seeking medical advice, can be consulted on this WHO website: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-forpublic>).and following the 5K instruction by Ministry of Health for prevention of COVID, that is: facemask-disinfection-distance-no gathering – health declaration). To minimize the impacts of the COVID-19 pandemic, the following measures and procedures are proposed:

Staffing

- The PMUW and CSC each will assign the Environmental Officer (EO) to conduct regular monitoring and enforce the Contractors on the implementation of the precautionary and prevention measures in relation to COVID-19 at the project construction sites and camps;
- Each Contractor assign one staff to be in charge on COVID-19 prevention and related actions at the construction sites and camps.

Rules to Follow

To provide training for all employees and workers to take standard precautions. Follow the 5K instruction of the Ministry of Health, meaning " Face mask – Disinfection – Distance – No gathering – Health declaration" with the following main contents:

- Face mask: to wear cloth masks regularly in public places, places where people gather; Wear medical masks at medical facilities and quarantine areas.
- Disinfection: to wash hands often with soap or hand sanitizer. To disinfect the surfaces or items which are frequently touched (doorknobs, phones, tablets, desks, chairs, etc.). Keep the house clean, wash and keep the house well ventilated.
- Distance: to keep your distance when in contact with others.
- No gathering: not to gather in crowds.
- Health declaration: to make medical declaration on PC covid developed by Ministry of Police; to install the BlueZone application at <https://www.bluezone.gov.vn> to be warned about the risk of COVID-19 infection.

Workplace and Staff Management

Office, Site Offices, Camp, Accommodations

- Provide disinfection hand-washing liquid and request all staff and visitors to wash hands when coming into the office.
- Practice the 5K rules declared by the Ministry of Health Wear Masks, Disinfection, Maintain Distances, no gathering and implement Health Declaration.
- Place posters and notices at the office with regards to wearing masks and hand disinfection
- Establish and maintain log books for staff and visitors

- The Contractors shall provide adequate face masks and hand disinfectants for all staff including technical staff and the workers to use;
- Training on EHS include COVID-19 preventions, in addition to awareness about STDs

Staff Management

- When social distancing is applied, the PMU allocate staff to work from home using information technology. Only limited number of staff will be allowed to come to the office.
- Stay at home and isolate with others if do not feel well.
- Remember COVID hotlines
- Regularly clean up the surfaces and door handles.
- Wear masks at the construction sites, maintain the 2m distance.
- Obtaining full information about employees and workers and promptly and strictly implementing measures to prevent and control the COVID-19 epidemic under the motto "4 on-site" i.e. on-site guidance, on-site mobilization, on-site handling and on-site logistics;
- Having a plan to ensure adequate area for all employees, workers of subcontractors and suppliers to accommodate and work on the site; preparing medical forces, isolation rooms and implement medical control measures to prevent and control the COVID-19 epidemic, ensure an effective response to all possible situations, minimize the possibility of infection in the construction site
- No gathering of more than the number of workers/people declared by authorities in working spaces such as meeting rooms, working platforms, elevators and other confined spaces at the construction site;
- Organizing to measure body temperature for people going in and out of the construction; measuring workers' temperature at the beginning and end of each shift; In case the body temperature is 37.5 ° C or higher, the person must be put in temporary quarantine and the case must be immediately reported to the local health authorities.
- Organizing the screening of laborers coming from epidemic zones inside and outside the country to notify local administrations to have proper quarantine arrangements.

Responses in Specific Circumstances

***Scenario 1:** Detected someone belonging to high risk groups due to being in contact with commers from infected countries or regions. Implement the followings:

- Inform local health authorities
- Follow the instructions and requests of local health authorities including isolations;
- Inform the CSC and PMU by email or telephones. Contact in-person to PMU/CSC staff is forbidden.
- Request all other staff working at the project construction site/offices where covil-19 positive case (F0) are recorded not to leave the project areas while waiting for instruction of local health authorities.

- Trace-tracking those who have been in contact with F0

***Scenario 2:** There is a suspected COVID-positive case. Implement the followings:

- Strictly follows the instructions of health authorities
- Transfer the documents and materials related to the case for the health authorities, including health declaration document, family contacts, medical history and other relevant materials
- Isolate at home, carry out self-monitoring and inform the medical staff about the health of related project staff who are not subjected to compulsory centralised isolation.
- Establish communication channel with health authority about the status of the patient or suspected to be positive so as supports can be provided in timely manner
- Halt all activities at the work place/construction sites where a positive case has been detected during isolation period. For the works that cannot be halted, allocate alternative staff to carry out the works.
- Regularly report to the CSC and PMU on the situation

*** Scenario 3:** When “negative” in confirmed by health authority to the case of suspected “positive” case or patient recovered after treatment. Implement the followings:

- Isolate at home, carry out self-monitoring and inform the medical staff about the health of related project staff who are not subjected to compulsory centralised isolation.
- Maintain communication with health authority about the status of the related individuals so as supports can be provided in timely manner
- Mass clean up the workplace and accommodation areas where the suspected cases have been too after the health authority have disinfected the areas or lifted the isolations