

The Federal Democratic Republic of Ethiopia  
Office of the Prime Minister  
National ID Program

**ETHIOPIA DIGITAL ID FOR INCLUSION AND SERVICES (P179040)**

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National ID  
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Labor Management Procedures

November 2023

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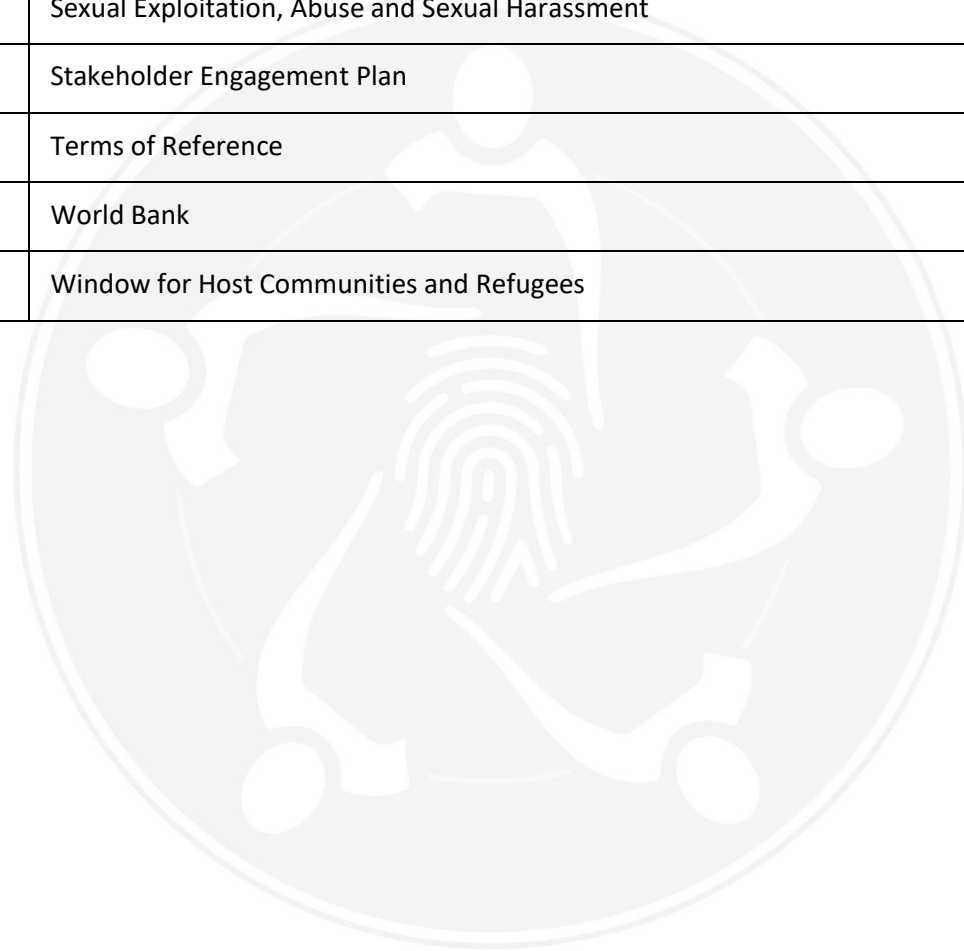
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## Acronyms

CoC	Code of Conduct
CoM	Council of Ministers
EHS	Environmental, Health and Safety
ESF	Environmental and Social Framework
ESHS	Environment, Social, Health and Safety
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
GoE	Government of Ethiopia
GBV	Gender Based Violence
GRC	Grievances Redressal Committee
GRM	Grievances Redress Mechanism
HIV/AIDS	Human immunodeficiency virus /acquired immunodeficiency syndrome
HR	Human Resources
ICT	Information Communication Technology
ID	Identity Document
IDA	International Development Association
ILO	International Labour Organization
IT	Information Technology
LMP	Labor Management procedure
MINT	Ministry of Innovation and Technology
NIDP	National Identification Program

OHS	Occupational health and safety
PIU	Project Implementation Unit
PMU	Project Management Unit
PSC	Project Steering Committee
RF	Resettlement Framework
SA	Social Assessment
SEA/SH	Sexual Exploitation, Abuse and Sexual Harassment
SEP	Stakeholder Engagement Plan
TOR	Terms of Reference
WB	World Bank
WHR	Window for Host Communities and Refugees



## 1. Project Background

The National ID Program (NIDP) is a program constituted by the Office of the Prime Minister with the aim of establishing a digital ecosystem in Ethiopia. The digital ID, named Fayda ID, issued by the program serves as a unique identifier for residents in Ethiopia, with the goal of supporting the nation's digital transformation efforts. Fayda ID is a twelve-digit number ID issued to uniquely identify individuals upon successful registration of their demographic and biometric attributes. The project development Objective is to establish an inclusive and secure digital ID ecosystem and improve service delivery for registered persons in Ethiopia.

## 2. Project Components

Ethiopia's Digital ID for Inclusion and Services has five major components:

### **Component 1 – Building Institutions and Trust (US\$21 million – US\$16 million International Development Association (IDA), US\$5 million Window for Host Communities and Refugees (WHR))**

This component will invest in the 'analogue' foundations, including stakeholder engagement, legal frameworks, and the institutions that are key for the successful implementation of Fayda and use cases.

**Subcomponent 1.1 – Stakeholder engagement and communications (US\$9 million IDA, US\$5 million WHR).** This will support two-way engagement with the population (especially vulnerable groups), regional governments and kebeles, service-providing agencies, civil society, academia, the private sector, and other stakeholders to inform the implementation of all aspects of Fayda, notably to implement corrective measures if needed to ensure that Fayda remains inclusive for all and to raise awareness about Fayda and its use, promote registration and usage, and to address misinformation.

**Subcomponent 1.2 – Operationalizing the ID Institution (US\$4 million IDA).** This will support the establishment of the ID entity, as provided for in the *Digital ID Proclamation*, and its presence in all regions and two chartered cities to coordinate registration and ID issuance operations, use case development, communications, stakeholder engagement, and grievance redress. **Subcomponent 1.3 – Operationalizing the Data Protection Authority (US\$3 million IDA)** Subject to the passage of the *Personal Data Protection Proclamation*, this will support the establishment of the federal Personal Data Protection Authority and its local presence.

### **Component 2 – Establishing scalable and secure Fayda ICT infrastructure (US\$68 million – US\$60 million IDA, US\$8 million WHR)**

This component will invest in developing Fayda's software and hardware with a view to ensuring high performance and scalability, system integrity and security, interoperability, and vendor and technology neutrality.

**Subcomponent 2.1 – Software Development (US\$40 million IDA, US\$4 million WHR)** This will support NIDP in developing, maintaining, and enhancing open-source software for Fayda and NIDP's back-office operations, including upgrading and scaling up Fayda systems developed as part of the pilots to date, development of a mobile ID application that will include a consented data sharing function and a digital wallet to store, present, and share data and verifiable credentials<sup>1</sup>, as well as integration and interoperability with other sectoral systems, notably RRS and UNHCR systems for refugees specifically.

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<sup>1</sup> For instance, by using the World Wide Web Consortium's (W3C) Verifiable Credentials standard

**Subcomponent 2.2 – Data infrastructure development (US\$15 million IDA, US\$3 million WHR).** Funds will be used for the development of data infrastructure such as ID data storage and computing capabilities for Fayda through server equipment and other equipment expected to be co-located in the existing data centers, as well as business continuity through disaster recovery and backup systems, procurement of data center software, minor renovations to existing data center facilities, cloud computing subscriptions, and related licenses.

**Subcomponent 2.3 – Strengthening digital security (US\$5 million IDA, US\$1 million WHR).** This will support NIDP to strengthen its operational, technological, and policy capabilities for information and cyber security aspects of Fayda, which is particularly important due to the vulnerability of refugees and host communities.

### **Component 3 – Inclusive ID issuance (US\$214 million – US\$194 million IDA, US\$20 million WHR)**

This component will finance the voluntary registration and issuance of physical and digital IDs to at least 90 million<sup>2</sup> Ethiopian nationals and non-nationals (e.g., refugees, other migrants, and stateless persons).

**Subcomponent 3.1 – Registration and ID issuance (US\$190 million IDA).** This will support a mass registration through Registration Partners, Super Agents, and Fayda Centers, and to produce and distribute IDs to up to 90 million nationals and non-nationals, including disadvantaged groups, such as women, girls and persons with disabilities (except for refugees and host communities, which are funded by subcomponent 3.2).

**Subcomponent 3.2 – Prioritization of host communities and refugees (US\$20 million WHR).** This will support NIDP, in collaboration with UNHCR and RRS, to prioritize registration and ID issuance, through Registration Partner and Fayda Center channels, to host communities and refugees in regions where large populations exist, namely Gambella, Somali, Benishangul-Gumuz, Afar, Tigray<sup>3</sup> and Amhara, as well as urban refugees in Addis Ababa.

**Subcomponent 3.3 – Integration with civil registration (US\$4 million IDA).** In coordination with the *Ethiopia Program for Results for Strengthening Primary Health Care Services Project (P181399)*, which is supporting ICS to digitalize the civil registration system under ICS, this project Funds will be used for supporting the integration of Fayda and digital civil registration systems at federal and regional levels, including Fayda registration for children whose births have been registered by Immigration and Citizenship Service (ICS).

### **Component 4 – Improving service delivery (US\$35 million – US\$20 million IDA, US\$15 million WHR)**

This component will promote usage of Fayda to transform service delivery by integrating authentication and e-KYC into priority sectors, as well as developing an ‘Ethiopia Digital Stack’ of platforms and application programming interfaces (APIs) to help public and private sector service providers build better systems.

**Subcomponent 4.1 – Priority use cases (US\$12 million IDA, US\$15 million WHR).** This will support the integration of Fayda authentication and e-KYC and the data exchange platform supported under subcomponent 4.2 into priority services in the public and private sectors, which will be determined by the Project Steering Committee based on the variables of population reach, impact, and feasibility.

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<sup>2</sup> This is in addition to the estimated 5 million persons registered by NIDP at the time of Project approval.

<sup>3</sup> Numbers of refugees in Tigray require confirmation as RRS is currently in the process of re-engaging in the region following the recent conflict.

**Subcomponent 4.2 – Creating an Ethiopia Digital Stack (US\$8 million IDA).** This will support NIDP, in collaboration with other government agencies (e.g., NBE, EthioSwitch, and MinT) and the private sector, to develop a whole-of-government data exchange platform and set of open APIs.

### **Component 5 – Project management (US\$12 million-US\$10 million IDA, US\$2 million WHR)**

This component will facilitate effective implementation of the Project by supporting the establishment and functioning of the Project Management Unit (PMU) to undertake financial management, procurement, risk management, ESF management, and reporting responsibilities, as well as act as the secretariat for the Project Steering Committee (PSC) and augment technical expertise in more complex activities.

#### **3. Rationale for NIDP’s LMP**

This LMP is developed in line with the ESS2 of the Environmental and Social Framework (ESF) as well as national labour law framework, including Federal Democratic Republic of Ethiopia (FDRE) Constitution Proclamation No. 1/1995, Labour Proclamation 1156/2019, National Employment Policy and Strategy 2009, Ethiopia’s Overseas Employment Exchange Proclamation 932/2016 with its amendment, Ethiopia’s Overseas Employment Proclamation 1264/2021. It is developed as the main reference document to provide guidance on how to manage labor or workplace-related risks and to provide mitigating measures. The preparation of this LMP provides easy access to information for all types of project workers to be engaged by the project, whether they are full-time, part-time, or temporary workers, enables monitoring, and emphasizes the government’s commitment to the welfare and safety of workers.

#### **4. Objectives of the LMP**

##### **4.1. General Objectives**

The main objective of this LMP is to provide a standard procedure on all labour related matters, such as workers’ rights, grievance redressal, and identifying employment risks associated with the project, and provide mitigation mechanisms thereof.

##### **4.2. Specific Objectives**

Within the framework of the general objective mentioned above, the LPM has the following specific objectives.

- Ensure fair treatment, non-discrimination, and equal opportunity of project workers at workplace for all employees in NIDP-led projects.
- Protect all types of project workers, including vulnerable workers.
- Mitigate the risks of potential discrimination in employment, remuneration disparities, Gender Based Violence (GBV) and all aspects of Sexual Exploitation, Abuse and Sexual Harassment (SEA/SH) at the workplace.
- Provide a set of commitments to project management that enable sustainable project execution in compliance with ESS2, and
- Ensure health and safety of workers and set out the rules that need to be adhered to by workers.



## 5. Overview of Labor Use in NIDP

NIDP's labor management will be implemented in accordance with Labour Proclamation No. 1156/2019<sup>4</sup> (and subsequent regulations and directives issued in accordance with this proclamation) and the World Bank's ESS2. Any agencies as well as contracted institutions that will collaborate with the program are responsible for ensuring compliance with the legislation. The LMP is important for workers involved in the Digital ID program. This LMP applies to the implementation of the five components. The NIDP project does not anticipate the mobilization of community workers as defined in ESS2 - people engaged and employed in providing community labor.

Regarding the composition and characteristics of employees, all project workers are likely to be above the age of 18. As the project does not involve major construction, there will not be a labor influx in any areas of project implementation. In addition, since the project primarily involves interactions with community members, local professionals will be engaged in the project. Hence, the engagement of international staff is minimal and limited to technical assistance and consulting roles. The female to male ratio of the project workers will be balanced. This LMP will also include potential labor risks anticipated in the project, terms and conditions that will be applicable for workers as per the applicable labor proclamations, legal frameworks on OHS, the responsibility of staff management, and an employee grievance redressal mechanism. It is not possible to exactly list out the employees of the project at this stage due to the dynamic nature of the enrollment activities. However, the below tables provide indications of the number and types of employees.

### 5.1 PIU Position Employees

No.	Position	#
1	Project Coordinator	1
2	Procurement Specialist	1
3	Finance Manager	1
4	Environmental & Social Safeguard Specialist	1
5	Monitoring and Evaluation Specialist	1

### 5.2 Other Position Employees

No.	Position	#
1	Executive Director	1
2	Deputy Director	1
3	Technical Director	1
4	Finance and Admin Head	1
6	Enrollment Head	1
6	Legal Director	1
7	Monitoring and Evaluation Director	1
8	Communications Director	1
9	Procurement Head	1
10	Stakeholders Engagement Director	1

<sup>4</sup> Federal Negarit Gazette, Labour Proclamation No.1156/2019, 5<sup>th</sup> September 2019.

11	Engineering Head	1
12	Infrastructure Head	1
13	Cybersecurity head	1
14	Other program workers	15
15	Other technical workers	15
16	Registration Officers of NIDP	49
17	Registration Officers of Partners	335
18	Supervisors	22

### 5.3 Workers by job classification across components

No	Type of worker by job classification across components	Estimated number	Remark
1. Workers on Component One – Building institutions and trust			
	Workers of the federal and regional digital ID authorities and the data protection authority, as well as the program team of the project	20	International consultants could be engaged.
2. Workers on Component Two – establishing scalable and secure Fayda ICT infrastructure			
	Workers of technology service providers and workers of the project engaged in technology development at federal level	14	Technical consultants are involved in this component.
3. Workers on component Three – inclusive ID issuance			
	Enrolment officers of the project, including assistants and supervisors, as well as enrolment officers of the registration partners	360	International consultants could be engaged.
4. Workers on component Four - Improving service delivery			
	The technical staff of the project	50	International consultants could be engaged.
5. Workers on component Five- project management			
	PMU staff members	10	International consultants could be engaged

### 5.4 Types of workers by job classification

No.	Description of Project Workers by Job Classification	Female	Male	Total
1.	Local staff	177	177	354
2.	National Workers	50	50	100
3.	International Workers	8	7	15

The LMP requires the recruitment process to provide equality of opportunity, reduce risks associated with gender-based violence and health and safety risks, and provide grievance redressal mechanisms.

## 6. Project Workers

Project workers, as per ESS2, are classified into four categories depending on their engagement in the project. Direct workers, contracted workers, primary supply workers, and community labor. Among these categories, community labor is defined as people engaged and employed in providing community labor. NIDP does not anticipate the mobilization of community workers as defined under ESS 2. The below paragraphs elaborate on the definitions and workers categorized under the remaining three categories.

1. **Direct workers**
2. **Contracted workers**
3. **Primary supply workers**

### **Direct Workers:**

Direct workers are defined as people employed or engaged directly by NIDP to work specifically in relation to the project. The direct workers are likely to include the project coordinator, Financial Management Specialist, Procurement Specialist, Environmental and Social Safeguard Specialist, M&E Specialist, IT Specialist, Computer Engineering Specialist, supporting staff who are currently employees of the project, and focal persons who will be assigned to all regions. It is expected that direct workers would also include consultants who are specialized in certain disciplines (such as training, supervision, stakeholder engagement, communication, etc.). These consultants will be hired under individual contracts, on a part-time basis, with a specific definition of the assigned tasks and responsibilities (such as with defined Terms of Reference-TOR).

### **Contracted Workers:**

Contracted workers are defined as people employed or engaged through third parties to perform work related to the core functions of the project, regardless of the location. Contracted workers engaged in NIDP could include the following.

**Employees of relying parties, registration partners, and agents:** Relying parties engaged in the enrollment of residents will engage their employees to register residents. In addition, super agents and agents operating as per the enrollment modalities of NIDP will have employees engaged in NIDP projects.

**Data entry and processing:** Contract workers are hired to help with the collection and processing of data for the national ID database. This could involve entering data from paper forms (consent) into a digital system, directly registering on the system, verifying the accuracy and quality of the data, and ensuring that all necessary information is collected.

**Quality assurance:** Contract workers are also responsible for reviewing the work of other team members to ensure that it meets the required standards of quality and accuracy. This could involve reviewing the

data for errors or inconsistencies, checking that all necessary information is present, and verifying that the data has been correctly entered into the system.

**IT support:** Contract workers with expertise in IT and database management will be hired to provide technical support to the project team. This could involve troubleshooting issues with the database, setting up and configuring hardware and software, and ensuring that the system is secure and reliable.

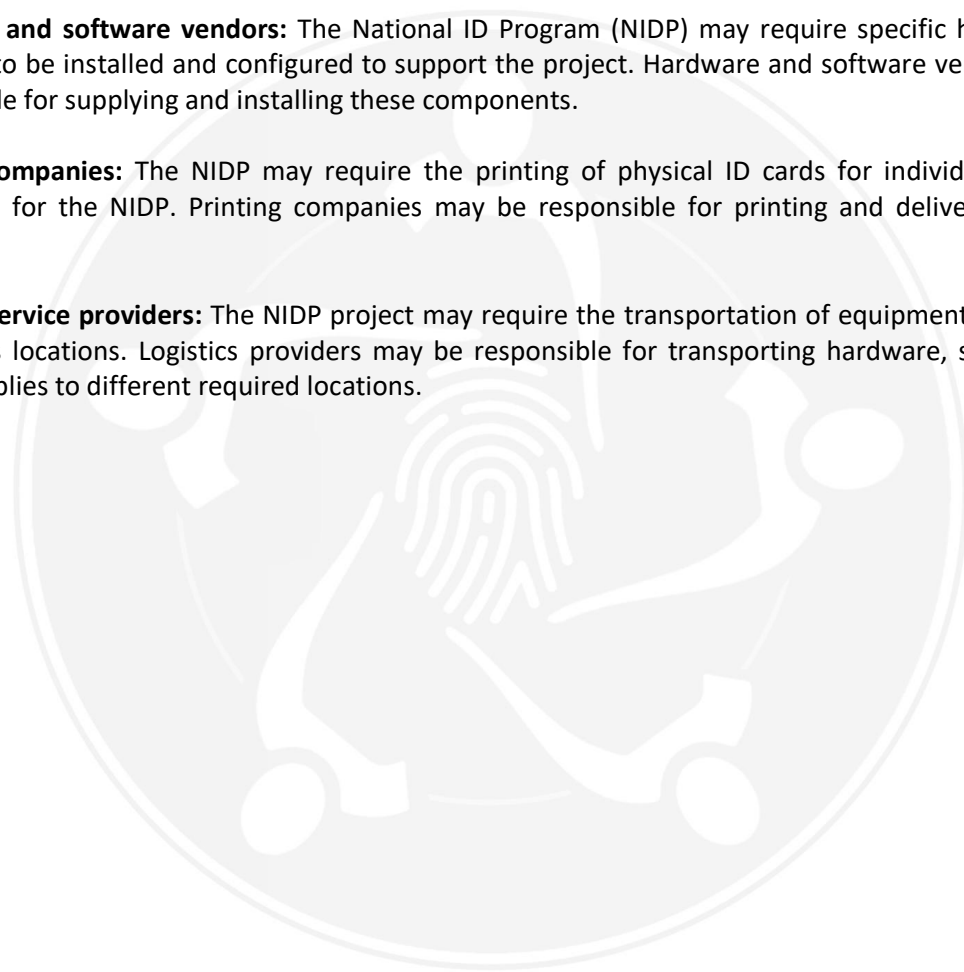
### **Primary Supply Workers**

As per ESS 2, primary supply workers are people employed or engaged by NIDP's primary suppliers. Below are the various subcategories of primary suppliers' workers.

**Hardware and software vendors:** The National ID Program (NIDP) may require specific hardware and software to be installed and configured to support the project. Hardware and software vendors may be responsible for supplying and installing these components.

**Printing companies:** The NIDP may require the printing of physical ID cards for individuals who are registered for the NIDP. Printing companies may be responsible for printing and delivering these ID cards.

**Logistics service providers:** The NIDP project may require the transportation of equipment and supplies to various locations. Logistics providers may be responsible for transporting hardware, software, and other supplies to different required locations.



## 7. Assessment of Key Potential Labor Risks and Mitigation Measures

The project employees will mainly engage in enrolment of residents, technology development, regional establishment, program management, stakeholder engagement, communication, and legal framework preparation.

Components one, two, and five will involve the national engagement of employees as the establishment of institutions on national and regional levels, registration of residents and issuance of ID, and management of the project will cover Ethiopia. Components three and four will mainly be a central task at the headquarters level, as these engagements involve technology development and system to system integration.

The major labor risks of the project are associated with component 3 of the project. The below table shows the labor risks workers may face and the mitigation measures the project should take to prevent and control labor risks.

Risk Description	Mitigation Measures
<p>Employees engaged in conflict-affected areas could be exposed to security risks.</p>	<ul style="list-style-type: none"> <li>● A conflict monitoring system that helps in the early detection of conflicts should be put in place.</li> <li>● Training should be provided as part of OHS on recognizing and avoiding security risks.</li> <li>● A proactive effort should be made to engage local security offices and hold dialogue with local leaders and community members.</li> <li>● The PMU shall ensure that registration partners provide training for project workers on emergency prevention, preparedness, and response to emergency situations.</li> </ul>
<p>A lack of understanding about the technology used by NIDP may result in opposition from certain groups or individuals. Workers involved in the project may be subject to harassment or violence from these groups, potentially leading to physical harm or psychological distress.</p>	<ul style="list-style-type: none"> <li>● Implement appropriate security measures, such as security personnel or surveillance systems, to ensure the safety of workers involved in the project.</li> <li>● Provide training for the community to have a clear understanding of NIDP.</li> <li>● Workers should receive training on conflict management and de-escalation techniques to help manage potential social risks.</li> </ul>
<p>Ergonomic Hazards: Workers involved in the NIDP may be required to work with computers and other equipment for long periods, which could cause ergonomic problems such as back pain, eye strain, and carpal tunnel syndrome.</p>	<ul style="list-style-type: none"> <li>● Workstations and equipment should be designed with ergonomics in mind, such as adjustable chairs, desks, and computer monitors that can be positioned at the appropriate height and angle to reduce strain on the neck, back, and arms. Other ergonomic</li> </ul>

Risk Description	Mitigation Measures
	<p>equipment, such as wrist rests, footrests, and ergonomic keyboards and mouse, can also be provided to improve comfort and reduce the risk of repetitive strain injuries.</p> <ul style="list-style-type: none"> <li>● Workers should receive training on occupational health and safety.</li> <li>● Encourage regular breaks: Workers should be encouraged to take regular breaks to rest their eyes, stretch, and move around. Supervisors should also encourage workers to take breaks and model this behavior themselves.</li> </ul>
<p><b>Gender-based violence:</b> Employees, especially women employees, could be exposed to workplace harassment and other types of gender-based violence.</p>	<ul style="list-style-type: none"> <li>● Gender-based violence will be addressed under the SEA/SH action plan that is prepared as part of the ESMF. All workers shall be inducted into the project code of conduct before signing the contract agreement.</li> <li>● Sensitization on what constitutes GBV and the penalties</li> <li>● Establish GBV prevention and response GRMs for reporting and handling systems.</li> <li>● All criminal cases shall be reported to police.</li> <li>● Establish multiple modes of communication and outreach for awareness.</li> </ul>
<p>Discrimination, exploitation, and abuse in the recruitment process for vulnerable groups, including marginalized communities.</p>	<ul style="list-style-type: none"> <li>● Continuous coordination with the labor office with regards to the recruitment of all personnel;</li> <li>● Provide roles earmarked for vulnerable groups like flag personnel, and record or stock-taking team members, among others;</li> <li>● Have the non-discrimination project-related policy discussed during inductions with all staff;</li> <li>● Provide secure channels for reporting any actual or suspected abuse of human rights, including aspects related to vulnerable groups and GBV.</li> </ul>
<p><b>Child Labor:</b> Most of the components of the project require skilled or semi-skilled labor. Hence, the engagement of children under the age of 15 is minimal. However, suppliers and partners may engage children below the minimum age.</p>	<ul style="list-style-type: none"> <li>● Provide minimum employment standards on contracts with third parties.</li> <li>● Periodic inspection of partners, agents, and super agents.</li> </ul>
<p><b>Forced Labor:</b> Given the broad definition of</p>	<ul style="list-style-type: none"> <li>● Incorporate terms and conditions on the</li> </ul>

Risk Description	Mitigation Measures
<p>forced labor as any form of involuntary work, project workers could be exposed to some form of indenture labor and bonded labour. Licensed agents, super agents, and other NIDP partners engaged in enrollment may force workers to engage in long hours of work without a proper break.</p>	<p>contract with agents and super agents on prohibition of forced labor.</p> <ul style="list-style-type: none"> <li>● Supervise and monitor labor conditions in the enrollment center.</li> <li>● Establish and efficiently operate grievance redress mechanisms to address labour related grievances.</li> </ul>
<p><b>Employee Burnout:</b> Engagement in the project might require long hours of work. This might expose employees to burnout.</p>	<ul style="list-style-type: none"> <li>● Implement work-life balance measures to encourage employee well-being and lessen burnout.</li> <li>● Keep an eye on workload and resolve any issues with excessive workload or stress</li> </ul>

### 8. Brief Overview of Labor Legislation: Terms and Conditions

The Federal Democratic Republic of Ethiopia Constitution, under Article 42, recognizes labor rights. Accordingly, the rights of employees to have rest, periodic leave with pay, and the right to a safe work environment, among others. The constitution lays the foundation for the recognition of workers' rights under the applicable labor legislation. Depending on the employer, the following legislation applies to the project staff.

- Federal Civil Servants Proclamation 1064/2017;
- Labor Proclamation No.1156/2019;
- Right to Employment of Persons with Disability, Proclamation No. 568/2008; and

The project workforce comprises contracted employees, direct employees, and employees of suppliers. Terms and conditions of employment for Federal Civil Servants are determined by Federal Civil Servants Proclamation No. 1064/2017 (Proclamation 1064/2017). The employment relationship between the contracted workers and their employers (private relying parties, super agents, and agents) is governed by Labour Proclamation No. 1156/2019 (Proclamation 1156/2019) and the contract between the parties.

Proclamation 1156/2019 provides protection for employees, addressing key issues such as recruitment, working conditions, leave, occupational health and safety measures, grievance handling, and sexual harassment and violence prevention in the workplace. Proclamation 11156/2019 recognizes the introduction of social dialogue to prevent employment-related disputes.

The major objectives of Proclamation 1156/2019 include the following:

- To set out the rules governing labor relations with the aim of securing industrial peace;
- To establish a labor administration system with the aim of ensuring an expedited dispute settlement;
- To create a favorable investment environment without compromising workers' rights,
- To create a conducive work environment through regulating occupational health and safety, monitoring labor conditions, and encouraging social dialogue;
- The major objectives of Proclamation 1064/2017 include the following;

- ensuring that government offices are competitive through improving conditions of work;
- achieving civil service reform through reforming recruitment and introduction of national professional certification system;
- adopting a system in civil service aimed at uniform administration of civil servants;

With the aim of achieving the above objectives, the proclamations provide detailed rules on the protection of employees' rights and the management of employee-employer relationships. In addition to the Ethiopian labor legislation, the World Bank's ESS2 will apply to the employees engaged in the project. In the event of a discrepancy between ESS2 and Ethiopian labor legislation, the stringent rule applies.

#### **A. Minimum Age for Employment and Prohibition of Child and Forced Labor**

Article 89 (2) of Proclamation 1156/2019 prohibits hiring workers under the age of 15. Even though it is not prohibited to hire individuals between the ages of 15 and 18, young workers within this age bracket shall not be assigned to hazardous work. In addition, young workers shall not be assigned overtime work, night work between 10 p.m. and 6 p.m., work on weekly rest days, and public holidays. Proclamation 1064/2017 provides that the minimum employment age for civil servants, unless lowered with a directive issued by the Civil Service Commission, is 18.

Forced labor is prohibited under Article 18 (2) of the F.D.R.E. Constitution and is a punishable offense as per Article 3 (1) of the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178/2020. Engaging another person in forced labor or service is punishable by rigorous imprisonment ranging from 7 years to 15 years and a fine of 20,000 to 100,000.

NIDP will undertake preventive and monitoring measures to ensure that all direct and contracted employees have attained the minimum employment age and that the rights of young workers are fully respected. In addition, the NIDP will ensure that suppliers provide the NIDP with written confirmation that each worker they employ or engage with the project is at least 15 years of age.

The information listed below will be kept on file in the NIDP offices:

- Written confirmation from the applicant of their age; and
- In case of reasonable doubt regarding the age of the applicant, request and review available documents to verify age (such as a birth certificate, ID, medical or school record, or other document or community verification demonstrating age).
- If a person under the minimum age of 15 years is discovered working concerning the project, the NIDP will take measures to terminate the employment in a manner that does not adversely affect the interests of such employees.

#### **B. Provisions Related to Women's Rights**

##### ***i. The Right to Equality***

Proclamation 1156/2019, Part-Six, Chapter One recognizes women's right to equality in workplaces. Article 87(1) of the proclamation prohibits discrimination against women. An affirmative action measure is provided under Article 87 (2) of the proclamation, which states that women should be given priority if they score equal to men during recruitment or promotion. These measures aim to address the peculiar needs of women and thereby promote equal opportunities.



Article 48 (1) of Proclamation 1064/2017 provides the responsibilities of government entities to take affirmative actions to enable women in workplaces. It further provides the entitlement of women to affirmative action during recruitment, promotion, and training. The proclamation imposes obligations on government entities to avail themselves of nursery services where women civil servants can breastfeed and take care of their babies.

## ***ii. Occupational Health and Safety of Women Employees***

Occupational health and safety rules protecting women employees are provided under Article 87 (3) of Proclamation 1156/2019 vis Article 5 of the Directive Issued to Regulate Types of Work Restricted for Women, Directive Number 42/2013. These rules prohibit the assignment of women to the excavation of tunnels, the mixing and packaging of pesticides, and asbestos production.

Further, protective rules are provided under Articles 6 and 8 of Directive 42/2013, prohibiting the following;

- Exposure to chemicals such as mercury, zinc, and magnesium shall not exceed the limitations provided under the directive.
- Annual health checkups should be conducted for women employed in occupations that require long hours of standing or extremely cold or extremely hot working conditions, among others.
- It is prohibited to assign women to activities that require carrying more than 15 kg continuously and more than 25 kg intermittently.

## ***iii. Rights of Pregnant Women and Mothers***

Both Proclamation 1156/2019 and Proclamation 1064/2017 provide protection to pregnant women and mothers in workplaces. Article 87 (4) of Proclamation 1156, prohibits the assignment of pregnant women to nightwork between 10 p.m. and 6 a.m. and to overtime work. Moreover, as per article 87 (5) of Proclamation 1156/2019, if a pregnant woman's job poses a risk to her health or the health of the fetus, subject to a physician's assessment, she has the right to be assigned to another line of work.

Pregnant women are entitled to paid medical examination leave as per Article 88 (1) of Proclamation 1156/2019 and Article 42 (1) of Proclamation 1064/2017. A total of 120 days of maternity leave are granted to women both under proclamations 1156/2019 and 1064/2017. Women are entitled to 30 days leave prior to the estimated date of delivery and 90 days leave post-delivery. If a pregnant woman does not deliver within the 30 days of confinement, the 90-day post-delivery period shall be extended to accommodate the dates of delay, and the extended parental leave shall be deducted from her annual leave. Women who have miscarried are entitled to 30 to 90 days of leave, depending on the period of pregnancy.

## ***iv. Prohibition of Sexual Harassment***

Proclamation 1156/2019 includes provisions that address the prevention and management of sexual harassment and violence in the workplace. Managers, other employees, and employers are prohibited from perpetrating sexual harassment, subject to termination of contract and dismissal in the case of employees. Victims of sexual harassment are entitled to terminate their employment contract without notice. Such employees are further entitled to severance payments and compensation.

## **C. Rest and Leave**

With the aim of ensuring productivity and providing protection to employees, Proclamation 1156/2019 provides the right to weekly rest and leave for various personal and social reasons, including sick leave, paternal leave, annual leave, and leave for family events. The below paragraphs detail the specific leaves employees are entitled to.

***i. Weekly Rest:*** As per Article 69 (1) of Proclamation 1156/2019, employees are entitled to a weekly rest period lasting a minimum of twenty-four uninterrupted hours within each seven-day period. Unless determined under work rule or collective agreement, the weekly rest period shall be Sunday and shall be given to all the employees simultaneously. A weekly rest period is calculated from 6 a.m. to the following 6 a.m. If the nature of the work or the employee's service does not allow for the weekly rest period to fall on a Sunday, the employer should grant four working days as rest days. Moreover, articles 70 and 71 narrow the list of jobs that require work on weekends.

***ii. Annual leave:*** The amount of annual leave an employee is entitled to is determined depending on the length of service. According to Article 77 (1) of Proclamation 1156/2019, employees are entitled to sixteen (16) working days of annual leave plus one day for every additional year of service. On the other hand, if a worker's length of service is less than one year, they are entitled to annual leave that is proportionate to the duration of their service. This ensures that even workers with shorter periods of employment receive a fair allocation of annual leave. Employees are entitled to full pay during annual leave. Annual leave can be postponed for no more than two years, as agreed between the employer and the employee. Unforeseen circumstances warrant that an employee be called to leave. Employers shall cover the cost of transportation and per-diem incurred by the employee due to being recalled from leave.

***iii. Sick leave:*** As per Article 85 (1) of Proclamation 1156/2019, an employee who has completed probation is entitled to sick leave. As per Article 85 (2) of the proclamation, an employee is entitled to a maximum of six months of sick leave within a year.

The following salary payment structure applies for sick leave;

- I. During the first month of sick leave, the worker will receive 100% of their wages.
- II. For the subsequent two months, the worker will receive 50% of the wage.
- III. During the following three months, the worker will not receive any wages.

## **D. Family events:**

Articles 81 and 82 of Proclamation 1156/2019 provide that workers are entitled to leave with pay for events such as marriage, paternity leave, and a maximum of five days of leave for exceptional and serious events.

## **F. Union members:**

A worker representing a union is entitled to leave in cases of labor disputes, negotiating collective agreements, attending union meetings, and participating in seminars or training.

## **G. Hours of Work**

Proclamation 1156/2019 imposes limitations on daily and weekly working hours, which shall not exceed 8 hours and 48 hours, respectively. The allocation of working hours should be evenly spread across the

working days of the week. However, if the nature of the work requires it, the hours of work for any specific day can be reduced, and the difference can be distributed among the remaining days of the week without exceeding the daily limit of eight hours by more than two hours. When the circumstances of the work require it, it is possible to arrange the working hours as an average over a period longer than a week without exceeding the 8 hours per day and 48 hours per week limits. Weekly hours of work for civil servants shall not exceed 39 hours.

#### **H. Wages and Overtime payments**

Employers are obliged to pay wages as per Article 12 (2) of Proclamation 1156/2019. In principle, wages should be paid after work. However, if work has not been performed as a result of the failure of the employer to provide necessary tools while the employee is ready to work, the employee is entitled to a wage (Article 54(2)). The wage has to be paid in cash, except as agreed otherwise between the employer and the employee. A wage paid in cash shall not exceed 30% of the salary.

In general, the employer is not permitted to make deductions from wages unless authorized by law, a collective agreement, work rules, a court order, or a written agreement with the worker (Article 59 (1)). The deduction amount should not exceed one-third of the worker's monthly wages. As per Article 62 of Proclamation 1156/2019, a reduction of normal hours of work by the employer shall not entail a reduction of wages. Monthly-paid workers should not experience any reduction in wages due to not working on a public holiday (Article 74(1)).

Employees are entitled to overtime pay for work done in addition to exceeding working hours. The applicable wage depends on the segment of overtime hours. Hence, the employee is entitled to the following payment corresponding to the overtime hours of work;

1. For work done between 6 a.m. to 10 p.m., 1.5 hours times the average hourly salary;
2. For work done between 10 p.m. to 6 a.m., 1.75 times the average hourly salary;
3. For work done on weekly rest day, 2 times the average hourly salary;
4. For work done on public holidays, 2.5 times the average hourly salary;

#### **9. Occupational Health and Safety**

In Ethiopia, there are established legal frameworks that govern occupational health and safety (OHS). In addition to Proclamations 1156/2019 and 1064/2017, the National Occupational Health Policy and Strategy, Occupational Health and Safety Directive 183/2013, Occupational Health and Safety Policy and Procedures Manual, and On Work Occupational Health and Safety Control Manual for Inspectors (2017/18) provide guidance and regulation of occupational health and safety. Prioritizing OHS promotion is also reflected in the National Health Policy Statement (1993). The Ministry of Labour and Skills (MoLS), along with its regional counterparts, is entrusted with the responsibility for OHS at both the federal and regional levels. MoLS's OHS & Working Environment Department is specifically tasked with handling OHS matters, while each administrative region has its own OHS department within the Labour and Skills Bureau, responsible for inspection.

Proclamation 1156/2019 provides rules on occupational health and safety in the work environment. It places particular emphasis on (i) preventive measures, (ii) occupational injuries, (iii) the extent of disability, (iv) employment injury benefits, and (v) medical services. The specific regulations pertaining to these matters are outlined in Part Seven of Labor Proclamation 1156/2019, specifically in Articles 92-112. The proclamation delineates the responsibilities of both employers and employees in taking the necessary actions to prevent workplace hazards.

The OHS risks of the project are associated with the enrolment of residents. The major risks and the mitigation measures are provided in detail above. However, to manage the above mentioned OHS risks, the project shall follow the below policies and procedures.

### **OHS Policies and Procedures**

**Prevention focused:** - The project shall focus on prevention of OHS related risks. Hence, any security and health related risks should be prevented with the right measures in place. Before dispatching enrolment officers to areas susceptible to medium to high security risks, the project and super agents should assess the security situations in the areas and liaise with security officers in the areas to arrange safe travel and stay. Enrolment personnel are required to wear protective personal equipment in areas with prevalence of communicable diseases. The project and registration partner shall ensure that these are sufficiently available to workers.

**Adherence to rules:** - project personnel, managers, and personnel of the suppliers engaged in the project shall adhere to all measures put in place to protect health and safety of employees. Adherence to such measures is vital since it protects the workforce from health and safety risks. Workers shall not refuse wearing PPEs.

**No alcohol and drug use:** Any usage of alcohol or drugs in workplaces is strictly forbidden. Employees, managers, or any person engaged on the project should at all times refrain from consuming alcohol or drugs in the workplace.

**Gender based violence:** - Direct workers, contract workers and suppliers' workers including managers shall refrain from any form of gender-based violence including sexual harassment and sexual abuse and exploitation. Any such act will not be tolerated by the project and it shall entail dismissal of the worker involved in any of the above activities.

**Reporting duty:** - In case of health and safety related incidents and accidents, workers shall immediately report to the Woreda level focal person. If the situation cannot be managed on Woreda level, the Woreda focal person shall forthwith report regional focal person. Due to the large-scale nature of the incident and/or accident, if it cannot be managed, the regional focal person shall report to the Federal level human resources department and the Environmental and Social Safeguard Specialist after a preliminary assessment of the incident. The Project shall report the incident to the Bank within 48 hours and shall engage to solve the matter and to implement mitigation measures immediately.

**Referral Procedure:** - In case of health and safety risks that can be addressed using medical intervention, the Woreda level focal person shall facilitate the same together with other workers of the project on Woreda level. If the incident or the accident falls within the definition of employment injury as per the law, the employee will be entitled to compensation as provided under the labour law. In case of any referral associated with a gender-based violence related health or legal issues, the project employees, focal persons or any person who came in contact with such information shall maintain strict confidentiality.

### **A. Obligations of Employer**

The Proclamation obliges employers to ensure that the health and safety of employees are protected by taking appropriate measures, specifically:

- “Comply with the occupational health and safety requirements provided under the Proclamation;
- Take appropriate steps to ensure that workers are properly instructed and notified

- concerning the hazards of their respective occupations; and assign safety officer; and establish an occupational health and safety committee;
- Provide employees with protective equipment, clothing and other materials and instruct them of their use;
- Register employment accidents and occupational diseases and report them to the labour inspection service;
- Arrange, according to the nature of the work, at his own expense for the medical examination of newly employed workers and for those workers engaged in hazardous work;
- Ensure that the workplace and premises of the undertaking do not pose threats to the health and safety of workers.
- Take appropriate precautions to ensure that all the processes of work in the undertaking shall not be a source or cause of physical, chemical, biological, ergonomic, and psychological hazards to the health and safety of the workers." <sup>5</sup>

## **B. Obligations of Worker**

Employees are obliged to:

- "Co-operate in the formulation of work rules to safeguard the workers' health and safety and implement same;
- Inform forth with to the employer any defect related to the appliances used and incidents of injury to health and safety of workers that he is aware of in the undertaking;
- Report to the employer any situation which he may have reason to believe could present a hazard and which he cannot prevent on his own, and any incident of injury to health which arises in the course of or in connection with work;
- Make proper use of all safety devices and other appliances furnished for the protection of his health and safety or for the protection of the health and safety of others;
- Observe all health and safety instructions issued <sup>5</sup> by the employer or by the Competent Authority."<sup>6</sup>

In addition, employees are obliged to refrain from interrupting processes and interfering with devices put in place to protect their health and safety of employees.

Proclamation 1156/2019 grants authority to Regional Bureaus to establish guidelines and criteria for ensuring the safety and health of workers, as well as enforce their implementation. Furthermore, it mandates that these bureaus collect, organize, and share information pertaining to the safety and health of workers.

Proclamation 1064/2017, under Article 54 (3), provides that MOLS shall undertake studies on occupational health and safety and put measures in place to protect employees from occupational health risks. Proclamation 1156/2019 provides the power of the Ministry of Labour and Skills to issue a directive detailing the measures to ensure health and safety in workplaces. The ministry has issued Occupational Health and Safety Directive 183/2013. Hence, employers shall;

1. Ensure that the workplace is clean (article 8) and not overcrowded (article 9);

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<sup>5</sup> Article 92, Federal Negarit Gazette Labour Proclamation Number 1156/2019, 5th September, 2019.

<sup>6</sup> Ibid, Article 93

2. Ensure that the workplace has sufficient ventilation (article 10) and regulated temperature (article 11);
3. Ensure that the work environment is suitable for firefighting, including access to water and vehicle movement (articles 12 to 17);
4. Avail drinking water (article 23), suitable seating arrangement (article 24) and ensure that the work environment has sufficient light (article 20);

NIDP shall ensure that employees' health and safety are protected during project implementation, through the following measures:

- (i) identifying occupational health and safety hazards during the project planning phase;
- (ii) Conduct periodic inspections of the conditions of direct employees;
- (iii) Incorporate legal obligations under contracts with employees of contracted employees;
- (iv) provide personal protective equipment such as gloves and masks in areas susceptible to communicable diseases;

## **10. Employment Injury**

Both Proclamation 1064/2017 and Proclamation 1156/209 provide the same regulation on employment injury, defining it as occupational disease and employment accident caused to an employee, which could take any of the following forms;

- injury caused outside of the workplace or working hours as a result of the employee carrying out activities as ordered by the employer;
- injury sustained before or after work or during interruption of work in the workplace;
- injury sustained during transportation to and from work using vehicle assigned by the employer; or
- injury caused by the employer or third-party during work.

The liability associated with employment injury is vested in the employer regardless of fault, unless;

- the employee disregarded express safety rules; and
- Reporting to work under the influence of drugs or alcohol

An employment injury might cause any one of the following;

- temporary disablement;
- partial permanent disablement;
- total permanent disablement; or
- death

As per Article 104, the employer has the obligation to provide medical care, including surgical care, pharmaceutical care, and prosthetic or orthopedic appliances. An employee who has sustained employment injury shall be entitled to periodic payment in case of temporary disability, disability pension, gratuity, or compensation where it sustains permanent disability, and survivors' pension or compensation to dependents in case of death.

The project could expose workers to safety risks as it involves national rollout. Security situations in the Northern and Western part of Ethiopia and instability in the Southern part of Ethiopia pose safety challenges. Engagement in conflict affected areas with medium to high security risks could expose workers to bodily injury and life risks. The project should assess security situations before any deployment of project workers to these areas. It will also engage local security forces to ensure the safety of project workers.

Enrolment, especially in rural areas, may require enrolment officers, assistants, and supervisors to engage to assist residents. This might involve physical contact with residents. In areas where skin diseases and communicable respiratory diseases are prevalent, this may expose workers to health risks. The project should engage in active monitoring to identify health risks. Upon finding any incident, the incident should be reported to the nearby health station, and the proper procedure should be followed to contain health related risks. In addition, the necessary personal protective equipment should be used in areas susceptible to health risks.

Workers may be pressured, directly or indirectly, to work extra-hours without overtime pay. Suppliers and partners may engage children under the minimum age. The project incorporates terms and conditions on service level agreements and other types of contracts stating that suppliers and partners should adhere to rules on the prohibition of forced labor and child labour. The project should periodically conduct labor inspections to assess issues associated with forced labor and child labor.

### 11. Roles and Responsibilities to Manage the LMP

This section outlines the roles and responsibilities pertaining to the labor-management procedure in three key areas: (i) occupational health and safety; (ii) engagement and management of registration partners, and (iii) training of workers. NIDP bears the overall responsibility of overseeing the complete implementation of the LMP. This includes ensuring the occupational health and safety of workers, as well as guaranteeing compliance. The Project Management Unit (PMU) will address all aspects of the LMP during the procurement process for work and registration partner induction/training.

Registration partners, on a day-to-day basis, will be accountable for executing the plan and providing the necessary human, financial, and training resources to ensure effective compliance. However, the implementation of the project will be carried out in collaboration with various stakeholders at the national, regional, woreda (district), and community levels. These stakeholders will also be expected to assist in managing workers within their respective areas of jurisdiction for the project.

The management of workers is contingent upon their specific categorization. Direct workers will be under the supervision of NIDP - PMU, which will be established at the federal level. On the other hand, contract and primary supply workers will be managed by their respective companies. It is important to note that the requirements concerning child labor, forced labor, and occupational health and safety (OHS) are applicable to all worker categories within NIDP.

NIDP will be constituted by direct workers who will be permanent employees of the project or those that will be contracted for the duration of the project. NIDP is expected to have a project coordinator, technical lead, data protection officer, HR manager, procurement specialist, financial management specialist, environmental safeguard specialist, social safeguard specialist, and monitoring and evaluation specialist. Hence, NIDP PMU will be responsible for LMP implementation activities. The specific roles are presented below.

Activity	Responsible Staff
Responsible for ensuring that the working environment is safe and healthy for workers. This includes identifying and mitigating potential hazards, providing appropriate safety equipment and training, and responding to incidents and accidents.	Environmental and Social Safeguards Manager

Activity	Responsible Staff
Responsible for ensuring that workers are provided with appropriate compensation and benefits and that they are treated fairly and equitably. This includes developing and implementing policies and procedures related to recruitment, performance management, and professional development.	Human Resources Manager
Engagement and management of registration partner	Procurement Specialist and Project Coordinator
Providing appropriate training and support to workers involved in the NIDP This includes providing initial training on job duties as well as ongoing training and professional development opportunities to help workers improve their skills and knowledge.	Social Safeguard Specialist, Environment Safeguard Specialist, and Project Coordinator Training officers Technical experts
Addressing worker's grievances, resolving conflicts, and promoting a positive work culture.	Social Safeguard Specialist and Management Team
Responsible for ensuring that all workers are treated fairly and equitably, regardless of their background or identity. This includes promoting diversity and inclusion in the workplace and addressing any incidents of discrimination or bias.	Human resources manager and project coordinator
Monitoring and evaluation of LMP	M&E Specialists

## 12. Terms and Conditions

Proclamations No.1156/2019 and Proclamation 1064/2017 apply to regulating the employee-employee relationship in the NIDP. In addition, the Right to Employment of Persons with Disabilities Proclamation No. 568/2008, provides protection to people with disabilities by guaranteeing equal treatment during recruitment, work, and promotion. Further, Ethiopia is a signatory to the ILO conventions and has ratified the major international labor rights listed below;

- Forced Labor Convention No. 29/1930;
- Freedom of Association and Protection of the Right to Organize Convention, No. 87/1948;
- Employment Service Convention, No. 88/1948;
- Right to Organize and Collective Bargaining Convention, No. 98/1949;
- Abolition of Forced Labor Convention, No.105/1957;
- Minimum Age Convention No. 138/1973;
- Occupational Safety and Health Convention, No. 156/1981;
- Termination of Employment Convention, No. 158/1982;
- The Rights of the Child Convention, 1989; and
- The Worst Forms of Child Labor Convention No. 182/1999.

The below paragraphs state the terms and conditions of employment at the Project.

1. **Recruitment and retention:** The NIDP does not discriminate based on gender or disability. Apart from recruitment, NIDP will ensure the protection of the rights of women and people with disabilities, as well as the rights of ethnic minorities in recruitment, and promotion. Due to the



nature of the work, minors under the age of 18 will not be employed. Employees will be provided with the relevant induction training, including topics pertaining to health and safety. NIDP shall refrain from any form of retaliatory act against any person who exercised his/her rights in compliance with ESS2.

2. **Occupational Health and Safety:** NIDP PMU shall ensure supervision of the working conditions of employees. Measures shall be taken to protect the rights of employees and mitigate any risks associated with their employment. Employees should be given notification regarding health and safety risks, including security risks. Women, especially pregnant and breastfeeding women, shall not be assigned tasks dangerous to their health.
3. **Rest and leave:** NIDP shall respect the rights of employees to weekly rest and the right to have leave as per the relevant proclamation. In addition, overtime payments accrued by an employee shall be paid as appropriate.
4. **Terms and conditions of the employment agreement shall include the** name and location of the employer; the employee's name; job title; employment date; where the employment is not permanent, contract duration; the place of work or, where the work is mobile, the main location; benefit packages; working hours and rest, leave; rules relating to overtime and overtime compensation; the pension arrangements; rules regulating notice; the disciplinary procedures and any appeals mechanism; and details of grievance redress procedures.
5. **Gender-based violence:** Mitigation measures against GBV and SEA shall be addressed through the existing legal procedures and processes in place, including police, courts, and prosecution, in addition to the applicability of measures specified under the labor proclamations. The human resources manager shall cause the documentation of the incident and facilitate the provision of psycho-social support to the victim by the Sociologist/GBV incident, or service providers. It shall facilitate the handling of the incident by the police and other criminal justice system authorities.

### **13. Grievance Mechanism**

As per ESS 2 (paragraphs 21-23) and Ethiopian legislation, the establishment of a workers' grievance redressal mechanism (GRM) is mandatory. Ethiopian Labour Proclamation No. 1156/2019 emphasizes the significance of grievance redressal in addressing and managing conflicts, complaints, as well as grievances related with Gender-Based violence (GBV) in the workplace.

In line with this, NIDP's human resources department will create an accessible and functional GRM that caters to all categories of workers outlined in this LMP. Additionally, Chapter 3, Article 141 of Proclamation 1156/2019 introduces the use of social dialogue between employers, workers, or their respective associations to amicably prevent and resolve labor disputes.

During the recruitment process, workers will be informed about the existence of the WRM and the measures in place to protect them against any retaliation for utilizing it. Efforts will be made to ensure that the GRM is easily accessible to all project workers.

GBV-related grievance cases are handled through distinct channels. The GBV-SEA-related grievance redress mechanism is different from the GRM dealing with project workers. A worker or any person who has any complaint or grievance has the right to present it and get a proper response.

It is understood that the project workers could be exposed to various labor risks, including gender based violence. Hence, establishing the structure and working procedures to address labour related grievances is immensely crucial for the project. Direct and contracted project staff have the right to lodge complaints to obtain redress through the GRM. A GRM that sufficiently addresses the grievances of workers will be established with the right structure and will operate based on the principles set out under this LMP.

The GRM officers and members will operate in an independent and fair manner. It will provide all the necessary information and feedback in a timely manner and in a language the worker understands. The process has to be free from retribution. Easy access to the GRM is a key aspect of the redress mechanism. To ensure accessibility of the GRM, it will be established at the Federal Regional and Woreda Level. On all levels, the GRM will be led by the Grievance Redressal Committee (GRC). The GRC will comprise women representatives, youth representatives, the respective government office representative and employee representative.

#### **Principles and Procedures of GRM**

The following principles and procedures guide the GRM process.

- The workers' GRM should be transparent and should have clear procedures. It should be easily accessible via in person visit, suggestion box and creating awareness amongst employees to raise their concerns.
- The workers' GRM will not be the same as the grievance mechanism established to provide redress of grievances related to service provision for residents.
- The workers' GRM, however, does not replace requirements related to supervision, monitoring and evaluation of working conditions and reporting requirements regarding workplace injuries and accidents.
- The PIU and other responsible project management will treat grievances seriously and take timely and appropriate action in response.

- The aggrieved parties shall be informed within 10 days of their grievance application, either with a respective solution or with a request of extension in cases where more information is needed.
- The aggrieved party shall have the option to refer to a grievance log with key information that will be established by the *Woreda* level project office and grievance logbook will be maintained in the project office.
- The GRC will always strive to be gender-responsive and make deliberate efforts to include women to address specific needs and grievances.
- The workers' GRM will not prevent workers from using judicial procedure or administrative remedies that are available under the Labour Proclamation.
- If not satisfied with the outcome of the *Woreda* level GR committee decision, the aggrieved party shall be able to access a second level committee at the Federal level, housed in NIDP.
- There will be no discrimination against those who express grievances, and all grievances will be treated confidentially. GRM shall accept anonymous grievances and treat such grievances equally as other grievances whose origins are known.

### **Workers' Grievance Redress Mechanism Structure**

As state above, GRM will have a three-tiered

1. **Woreda level:-** In case of workers grievance at Woreda level, aggrieved workers can present their complaint at Woreda level. The project focal person at the Woreda level will serve as Grievance Focal Point to file the grievances. He/she will be responsible to coordinate with relevant Labor Affairs offices and persons to facilitate addressing these grievances. If the issue cannot be resolved at the Woreda level within five working days, then it will be escalated to the Level.
2. **Regional level:-** In case of dissatisfaction or lack of response at Woreda level, regional GRC will receive grievances of workers from Woreda. It also receives grievances from regional level workers. The regional focal person in each of the regions and city administrations will be responsible to file grievances. It shall coordinate the GRC and ensure that grievances are responded to timely.
3. **Federal level:** In cases of dissatisfaction or lack of response from regional level GRCs, complainants have the option to file a complaint at the Federal level. The Human Resources Department at the Federal level shall follow up on the matter, including the review of the case by the GRC. The GRC at Federal level should have women representatives, employee representatives, a representative from the legal department, and technical team members as applicable. Dissatisfied complainants can obtain redress using judicial or quasi-judicial resources.

### **14. Contractor Management**

The PMU will conduct a thorough evaluation of labor practices to ensure compliance with international conventions ratified by Ethiopia, national laws, ESMF, ESS2, and the labor-management procedure. The contract will incorporate clauses pertaining to the ESCP, SEP, and LMP obligations. The PMU has the responsibility to conduct due diligence measures to detect potential risks associated with registration partners concerning child labor, forced labor, and employee safety. In the event that such risks are identified, the PMU will develop appropriate mitigation procedures and inform the Bank accordingly. Additionally, the PMU will provide regular reports on the registration partner' performance.

#### **14.1. Selection of Suppliers**

The World Bank Standard Procurement Documents, together with the labor requirements of the project, will be incorporated in solicitations and contracts. These requirements shall be included in the bidding documents. Registration partners will be required to develop and implement procedures for managing workers. The below activities will be conducted with a due focus on ensuring the protection of workers rights.

1. The registration partner will be required to have Codes of Conduct (CoCs) covering conditions of service, OHS, GBV/SEAH and security requirements;
2. The PMU will ensure that the right GRM channel is provided for employees of the registration partner.
3. The PMU will ensure that registration partners provide details on their oversight of environmental, social, health, and safety (ESHS) performance and adequate mechanisms for serious incident reporting as required.
4. The PMU will monitor the performance of registration partners to ensure that they comply with the ESHS specifications of their respective contracts in accordance with the LMP, Sexual Exploitation, Abuse, and Harassment (SEAH) Action Plan, and Security Management Plan.

#### **14.2. Performance Monitoring**

The PMU shall establish resources and procedures for managing and monitoring the performance of the registration partner in relation to the LMP, the GBV/SEA AP, and the SRAMP. The monitoring may include inspections, checking labor management records, and reports compiled by the registration partner. registration partner's labor management records and reports that should be reviewed. The records would typically include the following:

1. Representative samples of employment contracts and signed code of conducts;
2. Reports relating to fatalities and incidents and implementation of corrective actions;
3. Records relating to incidents of non-compliance with national labor law and the provisions of the LMP; and
4. Records of training were provided for contracted workers to explain occupational health and safety risks and preventive measures.

The registration partners are required to provide workers with evidence of all payments made, including social security benefits, pension contributions, or other entitlements, regardless of the terms of the employment agreement.

#### **14.3. Contractual Provisions and Non-Compliance Remedies**

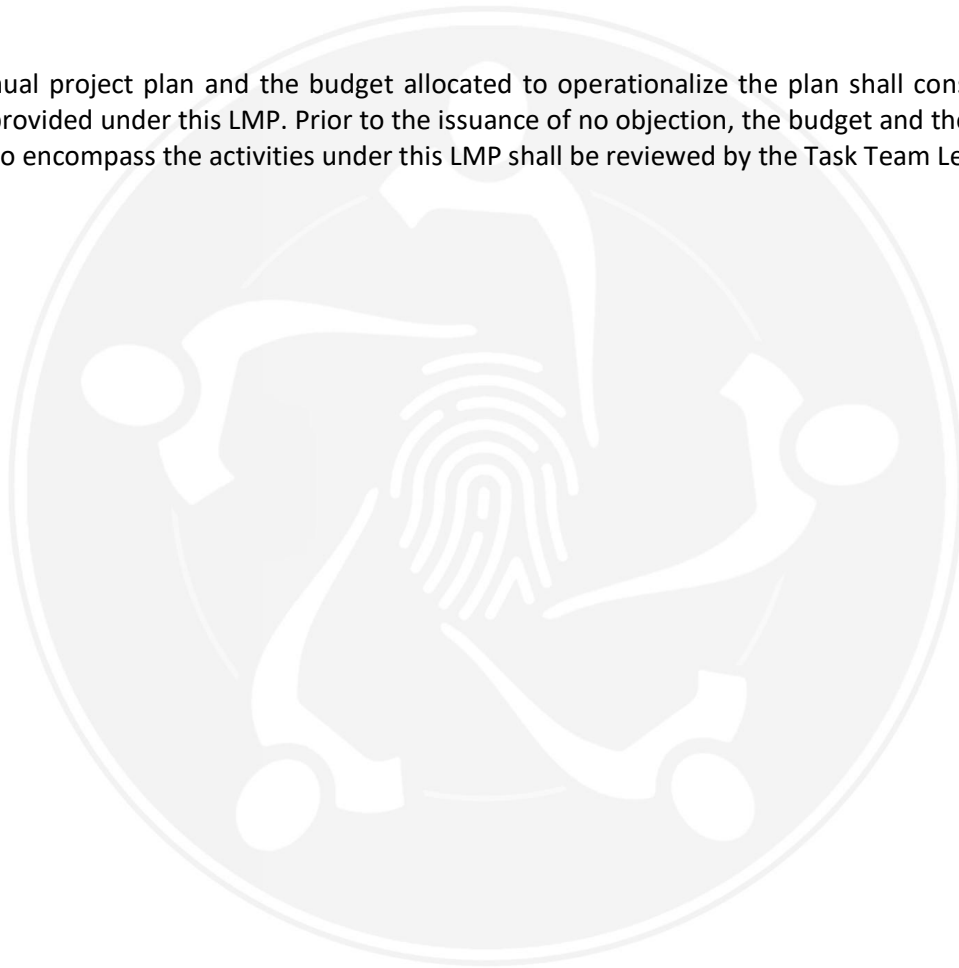
The PMU shall incorporate the agreed labor management requirements as specified in the bidding documents into contractual agreements with the registration partner, together with appropriate non-compliance remedies (such as the provision on withholding payment to the registration partner in case of non-compliance 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 PMU will require the registration partner to include equivalent requirements and non-compliance remedies in their contractual agreements with agents.

### **15. Primary Suppliers**

Primary suppliers to the NIDP include hardware and software vendors, providers, security companies, printing companies, and logistics service providers. These companies, referred to as primary suppliers, are expected to form contracts with registration partners working on subprojects. However, some of these primary suppliers might pose risks related to occupational health and safety, child labor, forced labor, and SEA/SH. Therefore, suppliers are required to conduct thorough investigations to identify such risks associated with the primary suppliers' activities. Suppliers must develop, communicate, and enforce procedures to address the identified risks. Furthermore, during the procurement process, suppliers need to inquire about any accusations or sanctions related to these risks, especially if the suppliers are based in foreign countries. The PMU at NIDP will be responsible for monitoring the compliance of primary suppliers.

## **16. Operationalization of the LMP**

NIDP's annual project plan and the budget allocated to operationalize the plan shall constitute all the activities provided under this LMP. Prior to the issuance of no objection, the budget and the activity plan prepared to encompass the activities under this LMP shall be reviewed by the Task Team Leaders (TTL).



## References

1. Labor Proclamation 1156/2019
2. Federal Civil Servants Proclamation 1064/2017
3. F.D.R.E Constitution Proclamation No. 1/1995
4. The Right to Employment of People with Disability Proclamation No.568/2008
5. Directive Issued to Regulate Types of Work Restricted for Women, directive number 42/2013
6. Occupational Health and Safety Directive 183/2013



## **Annex - Model Code of Conduct for registration partner, Managers and Workers**

This code of conduct (CoC) aims at setting out minimum acceptable conduct by workers engaged in the project. This CoC is part of the measures of the project to deal with environmental and social risks related to the project. It applies to all of the workers engaged in the project including the workers of the registration partner. This Code of Conduct identifies the behavior that is required from the workers. The project is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

The COC enables to build a system for labour risks prevention and mitigation including Sexual Exploitation Abuse/ Sexual Harassment risks. The project must:

1. Have all employees of registration partner (including agents) in the project area sign CoCs;
2. Have an effective SEA/SH Prevention and Response Action Plan so that workers understand behaviour expectations and policies, as well as an effective GM. This action Plan should include training and communication. It should also include plans to make the project-affected community aware of the CoC the project staff have just signed; an
3. As part of the SEA/SH Prevention and Response Action Plan, define accountability and response protocols, which set out the procedures followed for holding individuals accountable and penalizing staff that have violated SEA/SH policies.

### **Required Conduct**

Super-Agent's Personnel shall:

1. Carry out his/her duties competently and diligently;
2. Comply with this CoC and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other workers;
3. Maintain a safe working environment including; ensuring that workplaces are safe and without risk to health and by wearing required personal protective equipment.
4. Treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers, marginalized communities for children;
5. Refrain from engaging in any form of sexual harassment including unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature with any other third parties;
6. Refrain from engaging in sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. In Bank- financed projects/operations, sexual exploitation occurs when access to or benefit from Bank- financed Goods, Works, Consulting or Non-consulting services is used to extract sexual gain;
7. Refrain from any engaging in any form of rape, which means physically forced or otherwise coerced penetration—even if slight—of the vagina, anus or mouth with a penis or other body part. It also includes penetration of the vagina or anus with an object. Rape includes marital rape and anal rape/sodomy. The attempt to do so is known as attempted rape. Rape of a person by two or more perpetrators is known as gang rape;
8. Refrain from any engaging in any form of Sexual Assault, which means any form of non-consensual sexual contact that does not result in or include penetration. Examples include: attempted rape, as well as unwanted kissing, fondling, or touching of genitalia and buttocks;

9. Refrain from any engaging in any form of sexual activity with individuals under the age of 18;
10. Complete relevant training courses that will be provided related to the environmental and social aspects of the contract, including on health and safety matters, and Sexual Exploitation, and Sexual Abuse(SEA);
11. Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
12. Report violations of this Code of Conduct; and
13. Not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of the GRM.

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

1. Contact [enter name of the Super-agent’s Social Expert with relevant experience in handling gender- based violence, or if such person is not required under the contract, another individual designated by the super-agent to handle these matters] in writing at this address [ ] or by telephone at [ ] or in person at [ ]
2. Call [ ] to reach the super-agent’s hotline (if any) and leave a message.

The person’s identity will be kept confidential, unless reporting of all allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. All reports of possible misconduct are taken seriously and will be investigated, and appropriate actions will be taken. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate. There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this code of conduct.

**Consequences of Violating the Code of Conduct**

Any violation of this Code of Conduct by the super-agent’s workers may result in serious consequences, up to and including termination and possible referral to legal authorities.

FOR SUPER-AGENT’S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [enter name of registration partner contact person with relevant experience in handling gender-based violence] requesting an explanation.

Name of Super-Agent’s Personnel: [insert name] Signature:

Date: (day month year):

Counter signature of authorized representative of the super-agent:

Signature:

Date: (day month year):