

**REPUBLIC OF TAJIKISTAN**

**RESILAND CA+: TAJIKISTAN RESILIENT  
LANDSCAPE RESTORATION PROJECT**

# **LABOR MANAGEMENT PROCEDURES**



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## ABBREVIATIONS

CAMP4ASB	Climate Adaptation and Mitigation Program for Aral Sea Basin Project
CAREC	Central Asia Regional Environmental Centre
CCAPs	Catchment Community Action Plans
CEP	Committee for Environmental Protection
CIGs	Common Interest Groups
E&S	Environmental and Social
EHS	Environmental, Health and Safety (Guidelines)
ELMARL	Environmental Land Management and Rural Livelihoods Project
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environmental and social Management Framework
ESMP	Environmental and Social Management Plan
ESS	The World Bank's Environmental and Social Standards
FUGs	Forest User Groups
GFP	Grievance Focal Point
GoT	Government of the Republic of Tajikistan
GRM	Project specific Grievance Redress Mechanism
GRS	Grievance Redress Service of the World Bank
IAs	Implementing Agencies
ICSD	Interstate Commission on Sustainable Development
JFM	Joint Forest Management
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
MoA	Ministry of Agriculture of the Republic of Tajikistan
MoLEM	Ministry of Labor, Employment and Migration
NBS	Nature-Based Solutions
NFI	National Forest Inventory
NGO	Non-governmental organization
OHS	Occupational Health and Safety
PAs	Protected Areas
IG	Project Implementation Group under the CEP
PMPs	Pasture Management Plans
POM	Project Operational Manual
PRT	Pasture Reclamation Trust under the Ministry of Agriculture
PUUs	Paster User Unions
RBOs	Regional Basin Organizations
ROAM	Restoration Opportunities Assessment Methodology
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SFF	State Forest Fund
SLMTJ	Sustainable Land Management Tajikistan - online platform
WB	World Bank
WUAs	Water Users Associations

# 1. INTRODUCTION

## 1.1 Project Background

Tajikistan is a mountainous country, only 6% of the land is arable, and the rural population is dependent on agriculture. Land degradation poses constraints for rural development with 10% of the population living on degraded land while soil erosion affects 70 percent of arable land. Current irrigation and drainage practices amplify soil degradation and stagnating yields. In mountainous areas, steep slopes converted to cereal production contribute further to land degradation, which, in turn, affects forests and rainfed agriculture. Pasture stocks are also rapidly deteriorating and pasture degradation, due to overgrazing, remains a serious threat. Following the collapse of Soviet pasture management system, there has been a lack of funding for restoration and maintenance of pastures and related infrastructure.

The limited forest cover (about 3%) is diminishing rapidly due to overexploitation and uncontrolled grazing. For 70 percent of the population, fuelwood is the primary energy source due to an inconsistent energy supply. Additional constraints include open access to resources, inefficient heating and cooking devices, and lack of land tenure security, and forest ownership awareness. Land degradation is also a threat in protected areas. Currently, about 22% of Tajikistan is demarcated as protected areas and recreational zones, with limited use of natural resources or full prohibition across 2,500 hectares of land with valuable ecosystems.

Landscape quality and people's livelihoods are interlinked and attempts to improve one while ignoring the other do not produce optimum results. Landscape restoration increases productivity of the land base which results in higher income for farmers, enabling them to adopt more sustainable practices and further contributing to landscape health and vigor. Landscapes can be resilient through integrated and spatially focused approaches and improved rural livelihoods. Making landscapes resilient requires long-term commitment and sustained efforts from the government and other stakeholders. Hence, strengthening policy frameworks and institutional capacity are crucial for sustainable landscape restoration outcomes. Such positive outcomes are multiplied when a transboundary challenge is addressed regionally, through concerted efforts and maximization of resources. GoT's commitment to NDC, LDN, Bonn Challenge, ECCA30 and Astana Resolution provides strong basis for projects aiming at landscape restoration.

Although Tajikistan has made commitments to working across sectors in order to better manage landscapes, the country faces a number of challenges: i) weak institutional structures for developing integrated catchment and landscape management strategies; ii) limited technical capacity of public services to promote integrated landscape management and adaptation among communities; iii) a lack of coherent and relevant information and systems for integrated planning coupled with limited knowledge sharing within the country; iv) lack of investments to address degradation; v) limited knowledge among communities of improved landscape management practices; and vi) lack of incentives to adopt such practices. Furthermore, frequent re-organizations of government institutions contribute to a shifting landscape of actors and changing mandates. In response to the existing challenges, the GoT is launching the proposed Tajikistan Resilient Landscape Restoration Project.

The proposed Tajikistan Resilient Landscapes Restoration Project is a part of the Regional RESILAND CA+ Program, whose objective is to increase the resilience of regional landscapes in Central Asia, with particular focus on cross-border landscapes and collaborative efforts. The Project will apply landscape management approaches that seek to provide frameworks for allocating and managing land to achieve environmental, economic and social objectives in areas of multiple and often competing land uses. The project will build on lessons from ELMARL, CAMP4ASB and other Bank and donor-funded projects on forestry, pasture, agriculture, irrigation, disaster risk mitigation, and rural economy in the country.

The Project will be implemented over a five-year period by the Committee for Environmental protection under the Government of the Republic of Tajikistan (CEP) The project is expected to contribute to resilience through project interventions that focus on: building technical capacities of land users and extension support, supporting institutions and access to information, undertaking of resource and climate risk assessments before selecting investments, implementing a range of sustainable land management and climate adaptation investments that also sequester carbon. At the same time, the project will work across sectors, e.g., with the Forestry Agency, Ministry of Energy and Water Resources, Ministry of Agriculture, Ministry of Finance, as well as local administration and organizations (district, sub-district) to incorporate a landscape approach for investment planning.

The project recognizes the significance of and adopts the World Bank's Environmental and Social Standards (ESS), for identifying and assessing as well as managing the environmental and social (E&S) risks and impacts associated with this investment project. The reviews undertaken by the Bank has classified environmental and social risks as 'Substantial', making the overall risk rating Substantial. As a response, the Government of Tajikistan/ CEP, implementing agency, has developed several key instruments to address the same. One of them is the Labor Management Procedures (LMP).

## **1.2 About the Project**

*The Project Development Objective (PDO)* is to increase adoption of landscape restoration practices by rural communities and to pilot nature-based solutions in selected locations/provinces in Tajikistan and promote collaboration by Central Asia countries on transboundary landscape restoration. The term 'rural communities' refers to rural households and farms, family enterprises, farmer/community groups, and small rural entrepreneurs.

*Primary beneficiaries.* The project's primary beneficiaries are expected to be rural communities, private farmers and farmer groups, villages and village communities, including women and youth, and resource user groups (e.g., for pasture, forest) interested in adopting landscape restoration practices while improving their livelihoods and job opportunities. Under Components 1 and 2 government agencies are expected to benefit from technical support and capacity building for integrated landscape planning in ways that attempt to reconcile different land uses at national and regional scales. Government institutions will also benefit from financing for restoration activities in forest and protected areas.

*Geographic focus and selection criteria.* Project areas/districts are to be selected based on a combination of criteria: poverty incidence, potential for integrated landscape restoration (incorporating pasture, agriculture, water, forestry, biodiversity), regional and transboundary corridors, and complementarity with government and donor-funded initiatives. When overlaid on

the current arrangements of river basins, potential project sites fall in the following river basins: a) Zarafshon basin covering three districts – Ayni, Panjekent, and K. Mastchoh (in Sughd oblast, bordering Uzbekistan and the Kyrgyz Republic); b) greater Panj covering four districts – Vanj, Rushon, Shughnon, and Murghab (in Gorno Badakhshan Autonomous oblast, bordering the Kyrgyz Republic and Afghanistan); and c) Lower Kofarnihon covering three districts – Shahrituz, Nosir Khosrov, Qubodiyon (in Khatlon oblast, bordering Uzbekistan and Afghanistan).

## **Project Components**

The five-year project and its activities are grouped into the three inter-related components.

***Component 1. Strengthen Institutions and Policies, and Regional Collaboration.*** This component will finance consulting services, goods and equipment to support the strengthening of national institutional policies and legal frameworks, developing of knowledge and skills of government, communities and other stakeholders for landscape management, and improving the capacities of government partners to operate effectively. Under this component, financing will be provided for activities to support regional collaboration efforts in order to contribute to landscape restoration that benefits both Tajikistan and the wider Central Asia region with which the country shares and contributes critical resources and infrastructure.

### **Sub-component 1.1. Strengthen Institutions and Policies.**

***a) Strengthening policy, legal and implementation frameworks.*** The project will finance analysis, revisions and adoption of existing policy, legal and implementation frameworks for forests, pastures, and PAs to help align these with national and international obligations. The project will support CEP and partner agencies such as the Institute for Geodesy and Mapping (FAZO - part of SCLMG) in their continuing role of environmental monitoring and reporting on environmental status, including land degradation neutrality, sustainable development goals, etc. This will include a review of Tajikistan's stated LDN targets, which will be refined based on new information from inventories on the degradation status of the country, including submission of a revised communication document for government approval.

Landscape Restoration Strategy and Action Plan. The project will finance preparation of a national landscape restoration strategy and action plan. This activity will build on the results of the Restoration Opportunities Assessment Methodology (ROAM).<sup>1</sup> This strategy and action plan seeks to complement on-going river basin planning while still using the basin as an organizing principle and sub-basin as a unit for landscape planning and investments.

Protected Area Strategy and Action Plan. There is no overall national PA strategy and action plan to guide the development and management of the PA system. Similar in scope to the National Forest Strategy and Action Plan, the strategy will define the intentions, priorities and measures for the reform and key development of the country's PA system for the next 15-20 years.

***b) Institutional Capacity Building.*** The project will finance a range of important and necessary capacity building activities to improve and increase knowledge and skills of staff, as well as equip central and field units with essential equipment, materials, vehicles, and investment to improve working conditions. The project will support: i) on- the-job training of operational and technical staff on landscape restoration, and a range of related topics through short courses, workshops,

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<sup>1</sup> ROAM provides analytical outputs on (i) land degradation and deforestation geospatial/ biophysical aspects and; (ii) economic modeling within a framework that assess the social, political and institutional readiness to implement large-scale restoration.

seminars, etc., on a range of topics to build capacities to engage in landscape restoration; ii) post-graduate studies for qualifying students for study in the region, or elsewhere, in key topics, e.g., landscape management, forest conservation, pasture management; and iii) curricula development for universities in the country to improve formal training.

Rehabilitation and improvement of SFE offices, district-level Pasture Commissions and selected Special PA units. The project will finance the purchase and installation of office and field equipment, as well as vehicles to improve field operations of field and district units. For select offices, the project will finance the purchase of machinery such as tractors for field operations, as well the construction of living quarters for field staff. Initial estimates of requirements from the various government agencies have been prepared and will be elaborated during project preparation.

*c) Strengthening research and knowledge management.* The project will support a range of analytical and data generation activities to strengthen the country's research base and knowledge management for landscape management approaches. These activities include: i) research and analytical studies to be carried out in partnership with research and academic institutions on topics such as assessing drivers of land degradation, climate risk assessment, market development and access, PES feasibility assessment and piloting, ecological fiscal transfers; ii) knowledge management through support for platforms, such as Sustainable Land Management Tajikistan (SLMTJ), and dissemination focusing on exchange and learning and similar initiatives, and annual review meetings; and iii) study tours and exchanges within the country, with neighboring countries, and further afield to other countries, building on WBG's presence in the region and globally, as well as other projects and initiatives.

**Sub-component 1.2. Strengthen Regional Collaboration.** The objective of this sub-component is to promote collaboration among Central Asia countries on transboundary landscape restoration given the critical need to address new emerging threats at the regional level, such as the impacts of climate change. This sub-component will help, *inter alia*, to manage shared resources, exploit economies of scale related to regional tourism, and facilitate collective action to address these and other common goals. It will allow countries to come together to address challenges, find regional solutions for challenges faced by multiple countries, and thus promote global public goods.

This sub-component will contribute to Regional Platform for harmonization of policies and capacity building programs related to interventions that provide regional and global public goods. In addition, the sub-component will contribute to the management of a regional level M&E system for RESILAND CA+ to monitor, evaluate, and report on the Program's regional impact.

The Regional Environmental Centre for Central Asia (CAREC) will execute this sub-component under a contract with the GoT given its regional mandate and capacities. CAREC will work with the countries to mobilize political commitment and support for activities that provide regional public goods. It will do so by providing technical expertise, supporting analytical work, including feasibility studies, organizing training, dialogues and regional workshops, serving as a regional platform for sharing data and promoting common policy and practice, and harmonizing with national data platforms such as SLMTJ. CAREC will also be responsible for aggregating results from the RESILAND CA+ national operations against program targets.

**Component 2. Enhance Resilient Landscapes and Livelihoods.** Overall, this component will finance works, consulting services, non-consulting services, goods, and grants. Both government institutions and communities will implement a range of landscape restoration investments. To support the selection of investments, assistance will be provided for landscape restoration planning. All planning will encourage women's leadership, will follow citizen engagement mechanisms, and

will be based on good practice principles for a landscape approach when reconciling different and often competing land uses. Funds for the implementation of community-based activities will be provided through the CEP IG directly to community groups/organizations as defined in sub-grant agreements based on the approved proposals and the achievement of agreed milestones.

**Sub-component 2.1 Forest Restoration and Sustainable Forest Management.** The Forestry Agency will lead on the technical aspects of this subcomponent, while the financial and procurement management responsibilities will remain with CEP. This subcomponent includes the following key activities.

*National Forest Inventory.* The project will finance a national-level systematic National Forest Inventory (NFI) using a low sampling density. The NFI exercise will employ state of the art methodologies for conducting forest inventories, including geospatial and earth observation data. The NFI will establish key parameters such as the total areas of forest by forest type and ownership (as needed), total standing volumes by species and size class, regeneration, incidence of pests and disease, and the distribution of key indicator species for biodiversity conservation. Other relevant data will also be collected, e.g., evidence of illegal removals, erosion, forest fires, condition/species of pasture, etc., as required.

*Forest management plans.* The project will finance the preparation and implementation of up to 5 sustainable forest management plans for SFEs in the project sites. Preparation of the plans will build upon experience of earlier methods <sup>2</sup>. Stakeholder engagement is a critical component for development of these plans, providing a more bottom-up and participatory dimension. Based on these activities, 10-year plans will be elaborated, with measures and costs identified for sustainable forest management (including JFM plans) and corresponding maps developed. Development of plans at this scale for forestry will be coordinated with pasture management plans. Sustainable forest management plans will be operationalized through the SFEs' annual plans. *Implementation of sustainable forest management plans.* Once the plans have been prepared, SFEs will implement the plans. This will include carrying out silvicultural treatments such as assisted natural regeneration, grazing management, thinning, stand management, fire management, forest protection and so on. Fire management may be supported in Sharituz district, bordering Uzbekistan's Babatag Key Biodiversity Area (this can be coordinated and collaborated with Uzbekistan).

*Afforestation and fuelwood plantations.* State Forest Enterprises will carry out afforestation in approximately 4,120 ha (including 220 ha of fuelwood plantation) through JFM. JFM essentially involves leasing forest land to local people over the long term. The tenants rehabilitate and use their forest plots according to management plans, with SFEs advising on forest rehabilitation. Based on experience, SFEs will look to develop contracts primarily with Forest User Groups (FUGs) rather than individual households. FUGs will sign contracts for the land use rights with the SFEs for a period of at least 20 years. A suitably qualified organization will be contracted to mobilize participants and groups, develop plans and provide support to FUGs. There are several organizations in the country that have wide experience in facilitation of similar activities. Plans will be developed jointly by the SFEs with the FUGs for a consolidated area. Assessments and plans will be prepared of proposed locations, species to be planted, and risks and mitigation measures. will be established. Sub-grants will be provided to FUGs to carry out the afforestation works including for fuelwood plantations which will use fast-growing native species planted on both SFF and non-SFF lands, to supply growing demand of fuelwood,

*Assisted natural regeneration.* SFEs will further improve SFF land through assisted natural regeneration in 8,000 ha. SFEs will carry out activities which will include measures such as fencing to protect regenerating

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<sup>2</sup> Under the KfW supported project "Climate Adaptation through Sustainable Forestry in Important River Catchment Areas in Tajikistan" a methodology for the preparation of participatory forest management plans for SFEs has been developed. At present only Khovaling SFE, a project site for KfW has a such a plan.

areas, soil improvement and enrichment planting to increase the quality and number of trees and/or species diversity.

*Forest nurseries.* The project will support two types of forest nurseries – those operated by SFEs and smaller ones at the household level. The project will finance semi-modernization measures in eight 8 SFE-operated nurseries in the project areas. This approach is preferred to a smaller number of hub nurseries given the dispersed geographical coverage of the project, and more location specific ecological requirements of each SFE. Building on the experience of JFM in the country, the project will also promote the development of private backyard nurseries to bolster seedling supply for Joint Forest Management (JFM) and afforestation, and as an income generation activity for rural households. A start-up grant will support nursery establishment with the purchase of initial inputs, e.g., seeds, fencing, small equipment. Nursery operators will be connected through a specific seedlings supply contract to boost motivation and ensure specific tree species seedlings. SFEs will monitor household-based nurseries. About 50 nurseries are expected to be established in the project sites. *Reforestation through Joint Forest Management.* The Joint Forest Management (JFM) approach in Tajikistan focuses strongly on the participation of local communities in forest management. This participatory forest management approach enables the local population – either individuals or groups – to become involved in forest management and support the rehabilitation of degraded natural forests over the long term. Earlier JFM approaches in the country focused on contracts with individual households. However, based on experience, the project will look to develop contracts primarily with Forest User Groups (FUGs that are overseen by local mahalla committees). The size of FUGs will depend on the location and area suitable for JFM, but unlikely to exceed 25 households. FUGs will sign contracts for the land use rights with the SFEs for a period of 20 years, with the possibility of extension. This arrangement will seek to encourage the FUG members to sustainably manage and rehabilitate their forest plot of usually 1-2 hectares. It is anticipated between 100 to 150 FUGs will be supported across the project districts. In addition to the contract, management and annual plans will serve as tools for forest management planning and monitoring of activities and results. Plans will be developed jointly by the SFEs and the respective tenant for each individual plot, or with the FUG for a consolidated area. Typical tasks to be specified in the annual plan include measures to protect the plot from livestock overgrazing, planting of trees, harvesting and pruning. Furthermore, the annual plan specifies the harvest shares of the SFEs and the forest tenant according to a fair sharing principle defined in the contract. The management plan will be developed for a five-year period and will specify long-term goals, such as the installation of an irrigation channel or diversifying a forest plot.

**Sub-component 2.2 Integrated Pasture Management and Restoration.** The Pasture Reclamation Trust (PRT) of the Ministry of Agriculture will lead on technical aspects of this sub-component, which includes the following key activities.

(a) *Geobotanical surveys and pasture inventories.* SCLMG has responsibility for monitoring pasture areas under the authority of the PRT. The project will finance cadastral assessment of pasture resources and geobotanical surveys in the project districts, with data digitized for planning and monitoring purposes. Within this activity, the project will pilot the use of ‘smart inventories’ based on updated methods and statistical analysis. Staff at the SCLMG and PRT will conduct the assessments. Outputs will be used for the overall monitoring system for pasture in the country, and in the preparation of pasture management plans (PMPs) that are mandated by the Pasture Law.

(b) *Forage seed demonstration plots.* Establishment of seed demonstration plots for native forage species in two project locations, each covering 100ha. These plots will be under the management of the PRT, and serve to demonstrate the production of forage seeds, as well as to supply suitable seeds for forage production by PUUs and others.

(c) *Pasture/livestock Management Plans.* To help slowing land degradation processes, the project will support sustainable pasture/fodder-based livestock production systems in selected areas. The focus of support will be PUUs, whether these are to be created or existing unions are to be

strengthened. Where PUUs are to be created, these will be primarily at village and jamoat levels (and at district level, if needed, depending on resource use regimes). The PUUs will be responsible for implementing the plans and will operate at the scale (district, jamoat or village) considered appropriate for the resource use regime.

**Sub-component 2.3 Protected Area Management and Biodiversity Conservation.** This subcomponent will be technically led by the SENPA, as part of CEP, and includes the following key activities.

*(a) Priority PA Management Plans.* Management plans will be prepared or updated for selected protected areas. Potential PAs include Tajik National Park and Zorkul Special Reserve in GBAO, Yagnob National Park in Sughd and State Natural Reserve Tigrovaya Balka in Khatlon. Management plans are not in place for all PAs, and if they exist, they are outdated. These plans are critical investments for PAs to be managed effectively for the benefit of the country and region. Plans will comprise standard elements, management arrangements, conservation and restoration measures, protection and enforcement, monitoring, education and awareness, stakeholder engagement, ecotourism and recreation, prioritized actions, and associated costs. Planning activities will involve boundary mapping, spatial planning, economic and financial analysis, and stakeholder consultations.

*(b) Implementation of PA management plans.* Support for implementation would include activities such as establishment of monitoring systems and protocols including remote and field-based monitoring, e.g., camera, traps, drones, surveys, etc. Other PA management investments include tourism facilities, signage, protection infrastructure, and plans to restore/protect about 10,000 ha in and around PAs. Key activities the project will support include: a) boundary demarcation; b) installation of information panels in places frequently visited by local people and tourists; c) census of Marco Polo sheep, Ibex and Snow Leopard and analyses of their habitats; d) protect and enhance habitat of key species, e.g., Indian goose, Tibetan snowcock, argali, ibex, snow leopard, and Bukhara deer; e) promotion of ecotourism and related activities; and f) publishing booklets, maps with tourist destinations, natural, historical and cultural sites.

**Sub-component 2.4. Landscape Restoration and Livelihoods.** The project will provide sub-grants to farmers organized as CIGs to implement small-scale livelihood investments based on Village Development Plans. CEP IG will provide the technical lead for this sub-component and oversee the management of sub-grants to beneficiaries.

Climate-smart crop production practices and technologies. The project will support crop land-based livelihoods, through sub-grants for sub-projects identified and selection in the above plans to groups of farmers that form common interest groups (CIGs), o Both will be eligible for grants to address degradation issues such as on-farm salination, erosion, and low productivity in ways that can increase income for members and reduce degradation impacts and increase climate adaptation. The focus will be the adoption of practices such as: a) diversification of agricultural/horticultural crops; b) improved crop varieties and biotechnology that reduce emissions; c) adoption of water-efficient crops and varieties, and cultivation methods; d) erosion control measures such as increasing vegetative cover along the sides of linear infrastructure such as roads and planting of shelterbelts; e) harvesting and processing of different crops, including cooling, storage; f) reduced tillage intensity and cover crops, crop rotation, perennial cropping systems, cultivation of deep rooting species; g) higher inputs of organic matter to soil, processing and application of manure. Activities and CIGs would be prioritized and identified during a

participatory planning process and supported to prepare proposals. Project financed sub-grants to CIGs will not exceed US\$10,000 and will require a match of 5% if provided in cash, or 10% if provided in-kind as beneficiary contributions.

**Component 3. Project Management and Coordination.** This component will finance the operating costs of project management functions to be carried out by the Implementing Group within the Committee for Environmental Protection. Key functions include procurement, financial management, coordination, reporting, and monitoring and evaluation. The CEP IG will also be responsible for ensuring project compliance with environmental and social standards, attention to gender aspects, and citizen engagement for their respective components. The central CEP IG will be supported by project-financed province-level technical units with core staff in key areas such as pasture management, forestry and biodiversity conservation as needed.

Financing will be provided for fixed and or short-term specialists in procurement, financial management, monitoring and evaluation, and technical assistance in environmental management, social development and in other areas as per approved work and procurement plans. Financing will also be provided for targeted training and other activities in areas such as participatory planning, integrated land management, participatory resource management and other relevant areas to help build the capacity of existing CEP staff, especially those with project responsibilities. The project will support office furniture and equipment, incremental operating expenses (including travel), and partial operating costs for CEP district offices participating in the project.

### **1.3 Implementing Agency**

The project will be implemented by the Committee for Environmental Protection (CEP). The CEP's mandate is to coordinate policies and investments on sustainable natural resource management, climate change mitigation and adaptation, environmental monitoring and awareness. The IA will promote key aspects of landscape restoration efforts in the country and support a range of activities to address drivers of degradation and capitalize on opportunities to enhance sustainable land management. All components will be managed by the Project Implementing Group (IG) within the CEP. The CEP IG will also be responsible for ensuring project compliance with environmental and social standards, attention to gender aspects, and citizen engagement for their respective components. The central CEP IG will be supported by project-financed province-level technical units with core staff in key areas such as pasture management, forestry and biodiversity conservation as needed.

The IG will employ Social Development Specialist in Dushanbe who will have the necessary experience and knowledge on WB social risk management standards and social assessment frameworks to ensure project compliance to the new ESF. Since the CEP have limited experience and knowledge on addressing requirements related to new ESSs, the ESF capacity building activities will be included into the E&S Commitment Plan.

### **1.4 Environmental and Social Aspects**

This project addresses the environmental and social aspects through the World Bank's Environmental and Social Standards (ESS) approach/ framework. One of the Standards- ESS 2-

relates to Labor and Working Conditions and expects the Implementing Agency (IA) to develop labor management procedures (LMP). In compliance with ESS2, this LMP has been prepared to identify main labor requirements and risks associated with project implementation and help the IA to determine the resources necessary to address labor issues. The LMP is a living document, which is initiated early in project preparation, and is reviewed and updated throughout development and implementation of the project. Accordingly, this document details out the type of workers likely to be deployed by the project and the management thereof.

### **1.5 Scope and Structure of the LMP**

Scope of the LMP shall be as outlined in the World Bank's ESS 2. The engagement will be planned as an integral part of the project's environmental and social assessment and project design and implementation. This report has 10 chapters. Chapter 1 serves as Introduction. An overview of labor use in the project is presented in Chapter 2. Key potential labor risks are listed in Chapter 3. Legislative Framework governing labor employment in Tajikistan and a gap analysis with that of the World Bank's ESS 2 is discussed in Chapter 4. Implementation Arrangements, Age Requirements, Policies and Procedures and Timing of labor requirements follow in the subsequent chapters. Grievance Redressal Mechanism and Contractor Management are presented in the last two chapters 9 and 10 respectively.

## **2. OVERVIEW OF LABOR USE IN THE PROJECT**

### **2.1 Type of Workers**

ESS 2 categorizes the workers into direct workers, contracted workers, community workers and primary supply workers. The Project is expected to encompass the following categories of workers: direct workers, contracted workers, and community workers. Direct workers could be either government civil servants or those deployed as ‘technical consultants’ by the project. The former will be governed by a set of civil services code, the latter by mutually agreed contracts. Local community members will be engaged in community works under the project on a voluntary basis as a result of an individual or collective agreement, and third parties (contractors/subcontractors) may hire local community members in non-complex seasonal, large-scale work that must be performed within a short period of time according to agro-technical terms (e.g forest planting, planting, weeding, harvesting, etc.). Communities will have no role in procurement and management of any employment contracts; though, community members are expected to be employed as contractor’s labor, which will be governed by the Contractors Management Plans. About primary supply workers, project does not, on an ongoing basis, seek directly goods or materials essential for the core functions of the project. Contracted workers will be employed as deemed appropriate by contractors, sub-contractors, and other intermediaries, details of which will be known as and when activities' implementation begins.

*Direct workers.* The project will be implemented by the Implementation Group to be established under the CEP. Apart from the central unit, implementation will also be supported through project-financed field-based focal points located in selected project districts.

*Contracted Workers.* Two broad categories of contracted workers are expected. First is Consultant service providers who will provide implementation support services to the implementing agency. Second is the staff of civil works contractors to be subcontracted to arrange for civil works under the subprojects.

*Community workers.* Local community members will be engaged in community works under the project on a voluntary basis as a result of an individual or collective agreement, or third parties (contractors/subcontractors) may hire local community members in non-complex seasonal and large-scale works.

### **2.2 Number of Project Workers**

The exact number of project workers which will be engaged in relation to the Project is currently not known. However, some estimated numbers are provided below. These are based on the current workforce of the IA, present in Dushanbe and in the potential regions to be covered by the Project, as well as on prior projects of similar scale.

*Direct Workers.* Total number of the IG employees, dedicated to this project, is estimated to be approximately 20. At the central unit of the CEP IG staff will comprise: Project Director, IG Head, project field coordinator and component coordinators. The project will support procurement, financial management, monitoring and evaluation (M&E) specialists, technical specialists (e.g., forestry, pasture, PA management, water resources, agriculture), and environmental and social/gender specialists. Implementation will also be supported through project-financed field-

based focal points located in the project districts. These field-based personnel will provide critical liaison with CEP project field-based specialists, local government and beneficiaries. The appointed Project Director and the component coordinators will be civil servants who will be supported by local specialists. Additionally, there will be a limited number of project-supported field-based technical specialists.

**Contracted Workers.** The precise number of project contracted workers who will be employed are not known as of now. This will become known as and when implementation begins. Contracted workers will include:

- *Technical Assistance Consultants* will be recruited for research and capacity building tasks. Estimated number of consultants to be hired is about 50.
- *Civil Works Contractors and Workers.* Civil works are foreseen under Components 1 and 2 -of the Project. Components includes rehabilitation and improvement of state forestry enterprise offices, district-level Pasture Commissions and selected Special Protected Area units, pasture infrastructure rehabilitation and improving access to remote pastures, such as spot road improvements, stock watering points, shelters and stock-pens through Estimated number of workforces under three components is about 200.

### **2.3 Workforce Characteristics**

Given the nature of the project workforce (mostly unskilled and semiskilled construction labor) and characteristics of the labor force market in Tajikistan, it is likely that the workforce, especially the lower-skilled workers will be predominantly male. Female workers are expected to be employed by the IG and in more limited numbers, by Contractors. It is estimated that women would represent about 5-10 percent of the workforce, and those would likely be community liaison officers and/or staff working in the operation offices and camps (maids, cooks, cleaners etc.). The expectation is that the majority of labor will be locally hired with the exception of a few skilled workers. All the works will be contracted out. Contractors will be encouraged to train and hire as many workers as possible from local communities.

Based on the experience under previous projects implemented by CEP, all workers will be above 18 and will be on average 25-50 years old.

### **2.4 Timing of Labor Requirements**

The direct workers will be required full time and around the year for the project duration. Consultant Services workers will be required full time and on intermittent basis for the project duration. Civil works contracted workers will be required, as per the need. Construction season typically lasts from March to November but can vary depending on the weather conditions. It will be up to the contractors to mobilize labor force to coincide with the type of works and the season.

### 3. POTENTIAL LABOR RISKS

*Occupational Health and Safety (OHS) risks* are moderate and will depend on the type of subproject works to be implemented. It is assessed that key labor risks would be associated with occupational health and safety risks related to the rehabilitation of field offices and buildings such as exposure to physical, chemical and biological hazards during construction activities, use of heavy equipment, trip and fall hazards, exposure to noise and dust, falling objects, exposure to hazardous materials and exposure to electrical hazards from the use of tools and machinery. As the construction activities will involve hazardous work, persons under the age of 18 will not be employed in civil works. The risks are considered moderate because the local contract workers are likely to be unskilled. Many workers will be exposed to occupational health and safety hazards, including but not limited to:

- Electrical works
- Exposure to chemicals (as paints, solvents, lubricants, and fuels, pesticides, chemical fertilizers)
- Traffic accidents
- Excavations hazards
- Lifting of heavy structures
- Exposure to construction airborne agents (dust, silica and asbestos)
- Ergonomic hazards during construction
- Welding hazards (fumes, burns and radiation)
- Steel erection hazards and so on.

The IG will take steps to prevent accidents, injury, and disease arising from, associated with, or occurring in the course of work by minimizing, as far as reasonably practicable, the causes of hazards. In a manner consistent with good international industry practice, as reflected in various internationally recognized sources including the World Bank Group Environmental, Health and Safety Guidelines, the client will address areas that include the (i) identification of potential hazards to workers, particularly those that may be life-threatening; (ii) provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (iii) training of workers; (iv) documentation and reporting of occupational accidents, diseases, and incidents; and (v) emergency prevention, preparedness, and response arrangements. Requirements to follow good industry practice and EHS Guidelines will be included in bidding documents of all civil works contractors. All contractors will be required to follow these labor management procedures, provisions of which are stated in their contracts, including procedures to establish and maintain a safe working environment as per requirements of ESS2. All contractors will be required under the ESMP to ensure workers will use basic safety gears, receive basic safety training and other preventive actions as provided in the Project ESMF.

The project proposes rehabilitation of some small/ medium scale infrastructure of forest agency buildings, special protected areas, and improvement of access to remote pastures; therefore, the majority of contractors are expected to be from the local vicinity. The expectation is that the majority of labor will be locally hired with the exception of a few skilled workers. Therefore, *the labor influx risk* is considered low.

*The risk of child labor/forced labor* is rated Low, as based on the national legislation the contractors have to comply with the minimum age of employment and mutually agreed written contracts. However, according to the Tajik Labor Code, the persons between 14 and 16 years old

may also be employed with reduced working hours, for employment that is not considered heavy or hazardous, and with parental permission and outside the school hours. For civil works no child labor is allowed; for agricultural works farmers might engage their 14 above children at home plots outside the school hours, however the agricultural workers are not considered the project workers as per ESS2 definition. The IG will supervise the contracts and the Contractors will be required in the contract to commit against the use of child/ forced labor, and IG staff in charge of contractor supervision will monitor and report the absence of child/ forced labor.

*Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) risk* is rated moderate based on the SEA/SH Assessment completed during project preparation. The project will rely rather exclusively on local labor force for all the landscape and resource management activities. So, special attention will have to be paid to ensure that working atmosphere is community friendly and all labor management practices are in accordance with the provisions of ESS 2 – all workers will be hired fairly without discrimination and that no child/ forced labor risks arise, as well as safe and healthy conditions with special regard to COVID-19 situation. All these are ingrained into the project design and will be further elaborated during the implementation.

*Labor risks associated with contracted workers at subproject level.* Subprojects will be implemented by local contractors and most contracted workers will be hired locally with the exception of a few skilled workers. All contractors will be required to have a written contract with their workers materially consistent with objective of ESS2, in particular about child and forced labor.

*Employment Risks.* Workers will be hired by the IG, either directly as permanent staff or indirectly as part of contracts with firms, NGOs, or service providers. The experience with the WB-funded ELMAR Project shows that the civil works subcontractors do practice employment contracting and official payrolls to their workers, as they are obliged to follow all legal and regulatory labor and accounting procedures under the GoT executed Loans/Grants. There is a risk that the current practice of unaccounted working hours and lack of compensation for overtime will continue. According to the leadership, the IG rely on the donor-funded projects and has approved budgets per project and cannot exceed the budget ceilings. The IG will track the staff working hours by completing the timesheets and restricting overtimes.

## 4. BRIEF OVERVIEW OF LABOR LEGISLATION

### 4.1. National Legislation

*The Constitution of the Republic of Tajikistan (adopted on November 6, 1994) includes legal provisions on labor conditions and occupational safety. It provides everyone the right to:*

**Safe labor. The use of the labor of women and young people in hazardous and underground work as well as work in hazardous labor conditions is prohibited (Article 35);**

**The right to rest.** That right is ensured by fixing the working hours and providing annual leave, weekly days off and other conditions stipulated under laws (Article 37);

**Health Protection.** The state takes measures to improve the environment, promote mass sports, physical culture and tourism (Article 38); and

**Social security** in old age in the event of disease, disability, loss of breadwinner and in other cases stipulated under the law (Article 39).

*Labor Code of the Republic of Tajikistan (dated July 26, 2016) is the fundamental legislative act aimed at regulating all labor issues arising in the Republic of Tajikistan. This Code governs employment relationships and other relations, directly related, directed to protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms in the sphere of work. Article 7 of the Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, property, leading to a violation of equality of opportunities in the field of labor, are prohibited.*

#### 4.1.1 Relevant Labor Legal Provisions

*Forced labor and child labor.* Article 8 of the 2016 Labor Code prohibits forced labor. The Code also sets the minimum age at which a child can be employed as well as the conditions under which children can work (Articles 113, 67, and 174). The minimum employment age is 15, but in certain cases of vocational training, mild work may be allowed for 14-year-olds (Article 174). In addition, there are some restrictions on what type of work can be done by workers under the age of 18, and what hours of work are permissible. Examples of labor restrictions include that those between 14 and 15 cannot work more than 24 hours per week while those under 18 cannot work more than 35 hours per week; during the academic year, the maximum number of hours is half of this, 12 and 17.5 hours, respectively. Article 216 of the Law prohibited for use of women labor in heavy and hazardous works. There is a list of works prohibited for the use of women labor and the minimum norms of weight, manual lifting and delivery of which is allowed for women.

*Wages and deductions.* Contracts and collective agreements establish the form and amount of compensation for work performed. The Government establishes a minimum wage, which is called a “social norm” (Article 103), and this can be adjusted by an index based on discipline and possibly other factors. Work in desert, other arid (“anhydrous”) areas, and mountainous areas is subject to additional compensation.

Employers are obligated to pay workers at least once per month (Article 108). If payment is not paid as specified in the contract and this is the fault of the employer, the employer must then pay

“...additional cash according to the bank discount rate for each day of delay” (Article 108). Employers also must pay for work-related damage to health or property, and families are compensated in case of death. Deductions are allowed for specific reasons, but may not exceed 50 percent of the amount owed to the employee, and payment after deductions may not be less than the minimum rate determined by the government (Article 109).

*Women.* Article 162 prohibits overtime, weekend work, and business trips for women who are pregnant or who have children under three years of age. For women with children between three and 14 years of age, overtime and business trips are allowed, but only if the woman agrees. Other gender-specific provisions are described in relevant subsections.

*Working hours.* The standard work week is 40 hours, with less allowed for those under 18. The number of hours per day, and days per week, is established in the contract/agreement between the employer and employee. Employers must provide up to two hours of unpaid time off each workday for “rest and catering”, and also paid time off in case time is needed to cool off, to warm up, or to breastfeed children. Details of time off are established in contracts/agreements.

*Leave.* In addition to national holidays, employees have to receive at least 24 days of paid leave per year, with workers under 18 years of age receiving at least 30 days and disabled employees receiving 30 days. In addition, those who work in unhealthy and unfavorable working conditions receive an additional seven days and those who work in unfavorable climate conditions receive an additional eight days.

Leave without pay may also be taken by certain groups of people and may also be covered in contracts. At termination of employment, employees are paid for unused leave, or they may use the leave as their last days of employment.

Women are provided maternity leave for up to 70 calendar days, or 86 days in case of complicated labors, and then are provided 100 days leave after giving birth 100 days, with benefits paid from the state social insurance. Maternity leave is calculated in total and is paid in a lump sum, regardless of the actual number of days off before giving birth. After giving birth, a mother may take additional leave until the child is six months old, again paid by social insurance. She may take unpaid leave until the child is three years of age. Her position is guaranteed upon her return from all these types of leave. In addition, this “baby-minding” leave can be used by the father, grandparents, or other relatives/trustees if they are actually responsible for childcare.

*Overtime work.* Overtime can be required up to 12 hours per day and is paid with compensatory time or at a rate at least double the normal rate. Night work is paid at 1.5 times the normal rate. Conditions for overtime work are determined in the contract.

*Labor disputes.* Labor disputes are considered to be “unregulated discrepancies between the employer and employee on the issues of application of legislative and other normative actions on labor of the Republic of Tajikistan and working conditions provided by labor agreement (contract) and collective agreement and contracts” (Article 189). Disputes may be adjudicated by commissions that are created “on a par with employer and agencies representing the interests of employees, ...” (that is, with equal representation of employee/employees and employer), if such commissions are provided for in labor agreements/contracts (Article 191). Commissions must

consider issues within 10 days. If the employer, employee, or their representatives disagree with decisions by a commission, or if the commission does not consider applications within 10 days, any of the parties may appeal to the courts, but that must be within 10 days of the decision (or no-decision). In addition, the public prosecutor may appeal if the decision is contrary to law “or other normative actions” (Article 192).

Appeals to the commission or the court must be made within a limited period of time after the event that triggered the dispute: within three months for appeals to a commission and for varying periods for appeals to the court, depending on the nature of the dispute (unlimited for non-property rights and for indemnification for damages to life or health). Employees are exempted from having to pay court costs in such cases.

In comparison to individual disputes, collective disputes are “unregulated discrepancies between employers (employers’ unions) and collective of employees (employees’ representatives) on establishment and changing of working conditions in enterprises, signing and implementation of collective agreements and contracts, and also on issues of applying conditions of legislative and other normative and legal actions, collective agreements and contracts.” Mediators are selected by agreement of the parties (that is, the union and the employer’s representatives). If this does not result in agreement, a “labor arbitration” is created by the parties “with the collaboration of district’s or city’s government” (Article 209), with the parties selecting the members and chairperson of the arbitration. The arbitration has 10 days to make a decision. If agreement cannot be reached, it is referred to the labor collective or trade union, which can use all means of the law to resolve the issue, including strikes. If disputes concern the application of legislative “and other normative actions”, they may be referred to the court by one of the parties.

*Grievances.* Law on Appeals of Individuals and Legal Entities (from July 23, 2016) contains legal provisions on established information channels for citizens to file their complaints, requests and grievances. Article 14 of the Law sets the timeframes for handling grievances, which is 15 days from the date of receipt that do not require additional study and research, and 30 days for the appeals that need additional study.

#### **4.1.2 Occupational Health and Safety Legal Provisions**

Occupational health and safety are also governed by the Labor Code. Section 5 of the Law narrates the roles and responsibilities of employers and employees related to occupational health and labor safety. The law requires employers to:

- Be responsible for ensuring safe working conditions and safety of work at every workplace;
- Apply the means to protect workers individually and collectively (including protective clothing and equipment);
- Provide appropriate work and rest regimes;
- Training workers in their jobs and safe methods of work;
- Provide instructions on labor protection;
- Test and verify the knowledge of workers in working safely;
- Provide certifications of workplaces at least every five years;

- Investigate accidents;
- Provide sanitation and medical services;
- Provide access to premises by state officials; and
- Providing social insurance for accidents and diseases.

Employees, on the other hand, are required to pass initial and periodic tests medical examinations, pass training and periodic checks of their knowledge of their jobs and safety requirements, and to carry out medical and health measures that are prescribed by medical institution if paid by employer.

Not only state officials have the right to inspect premises to verify safety conditions. In addition, trade unions “and other representative bodies” also may “freely check” compliance with labor protection requirements and propose measures to eliminate violations, which must be considered by the Employer.

Employers with over 50 employees must establish a Labor Protective Service. This requirement is to be met by the CEP IG and will be one of the requirements for civil works contractors with over 50 workers.

The law gives workers the right to refuse to undertake work that violates labor protection requirements. In addition, workers engaged in hazardous working conditions are entitled to free medical and preventative care, additional paid leave and other benefits and compensation. In case of disability or death, employers must provide compensation in multiples of average annual earnings as well as other amounts required by law.

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

The World Bank’s stipulations related to labor are outlined in ESS2. This helps the Borrowers in promoting sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. Key objectives of the ESS 2 are to:

- Promote safety and health at work;
- Promote the fair treatment, nondiscrimination and equal opportunity of project workers;
- protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labor and child labor;
- Support the principles of freedom of association and collective bargaining of project workers;  
in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

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

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

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.

For more details on the WB Environmental and Social Standards, please follow the below links:  
In English:

[www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards](http://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards)

and in Russian

<http://projects-beta.vsemirnyjbank.org/ru/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards>.

### 4.3 Policy Gaps

#### Summary of World Bank Requirements and Key Gaps with Tajikistan Legal Requirements

ESS & Topic	Major WB requirements	Key requirements/gaps in Tajikistan legal framework	Principles to be followed by the Project
A. Working conditions and management of labor relations	<ul style="list-style-type: none"> <li>- Written labor management procedures</li> <li>- Terms and conditions of employment</li> <li>- Nondiscrimination and equal opportunity</li> <li>- Worker’s organizations</li> <li>- Elaborate Labor Management Plans including Contractor’s ESMP warranted</li> </ul>	<ul style="list-style-type: none"> <li>- Written employment contract required, including procedures and employment conditions</li> <li>- Specific nondiscrimination and equal opportunity requirements</li> <li>- No provision for Labor Management Plans.</li> </ul>	LMP developed for the project. Terms and conditions in the LMP are consistent with the national law.
B. Protecting the work force	<ul style="list-style-type: none"> <li>- Child labor prohibition</li> <li>- Forced labor prohibition</li> </ul>	<ul style="list-style-type: none"> <li>- No forced labor is allowed (requires free will)</li> <li>- Definition of child labor</li> </ul>	No children below the age of 18 will be engaged in civil works, green houses

		<ul style="list-style-type: none"> <li>- National State Program on Eradication of Worse Forms of Child Labor adopted</li> <li>- Promotes elimination of hazardous forms of child labor for children aged below 18</li> </ul>	construction and maintenance
C. Grievance mechanism	<ul style="list-style-type: none"> <li>- Project specific GRM should be in place for project affected parties</li> <li>- Sperate GRM should in place for direct and contracted workers</li> <li>- GRM should allow for filing anonymous complaints.</li> </ul>	<ul style="list-style-type: none"> <li>- No project specific GRM is warranted.</li> <li>- However, it is allowed to apply to: a) conciliation commission; b) Labor Inspection under the Ministry of Labor; and c) court.</li> <li>- Grievance registration and follow-up procedures are stated in the Law on Appeals of Individuals and Legal Entities. No anonymous grievances are accepted.</li> </ul>	PIUs will develop GRM for their workers (Direct workers) as per this LMP. Contractors will establish and maintain GRM for their employees. Anonymous grievances are accepted within project specific GRM.
D. Occupational Health and Safety	<ul style="list-style-type: none"> <li>- Detailed Procedure required for each and every project.</li> <li>- Requirements to protect workers, train workers, document incidents, emergency preparation, addressing issues; and</li> <li>- Monitor OHS performance</li> </ul>	There is no detailed procedure specific to each and every project.	ESMF will identify the framework approach. The site-specific ESMPs will include OHS measures and monitoring plans.
E. Category of workers	<ul style="list-style-type: none"> <li>- Specifies 4 categories of workers.</li> </ul>	No reference to Community and Primary Supply Workers	Community members are expected to be employed as contractor's labor. Some project works on afforestation might be involved community members on voluntary basis. Screening and monitoring measures will be introduced as per this LMP.
F. Minimum age of workers	<ul style="list-style-type: none"> <li>- Persons 14-18 are not allowed to be employed.</li> </ul>	<ul style="list-style-type: none"> <li>- Employment permissible for 15 plus age, but with guardian permission.</li> </ul>	All workers will be 18 years old or above for civil works.

## 5. RESPONSIBLE STAFF

The IG's Project Coordinator oversee and guide all the workers associated with the project. The IG Social Development Specialist (national level) will be responsible for the following:

- Implementing these labor management procedures;
- Ensuring that contractors who are constructing the civil works prepare labor management procedures that comply with this labor management procedure, and also prepare occupational health and safety plans before mobilizing to the field, and for approving the procedures and plans before issues notices to proceed with construction works;
- Monitoring to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers as required by Tajikistan law, the General Conditions of Contract, the Special Conditions of Contract, the World Bank Standard Bidding Documents;
- Monitoring contractors and subcontractors' implementation of labor management procedures;
- Monitoring compliance with occupational health and safety standards at all workplaces in line with Tajikistan occupational health and safety legislation and with approved Occupational Health and Safety Plans;
- Monitoring and implement training on LMP and OHS for project workers;
- Ensuring that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it;
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance; and
- Monitoring implementation of the Worker Code of Conduct.

The POM will include standard templates of contracts which include LMP provisions, sample Code of Conduct and OHS aspects, and the contractors (NGOs and Civil Works) commit to them. LMP and OHS responsibilities of the Contractors are the following:

- Follow the labor management procedures and occupational health and safety requirements stated in the contracts signed with PIUs. If the number of workers (direct +contracted) is above 50, then Contractors will develop their own LMPs and OHS plans. These procedures and plans will be submitted to the IG Director for review and approval before the contractors are allowed to mobilize to the field.
- Provide project workers with personal protective equipment and clothing;
- Supervise the subcontractors' implementation of labor management procedures and occupational health and safety requirements.
- Maintain records of recruitment and employment of contracted workers as provided in their contracts.
- Communicate clearly job descriptions and employment conditions to all workers.
- Make sure every project worker hired by contractor/subcontractor is aware of the IG dedicated phone numbers, email addresses, and web portal through which anyone can submit grievances.
- Provide induction (including social induction) and regular training to employees in labor protection requirements, including training on their rights under Tajikistan law, on the risks of their jobs, and on measures to reduce risks to acceptable levels

- In collaboration with the IG Social Development Specialist conduct training on labor management procedures and occupational safety to manage subcontractor performance.
- Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct prior to the commencement of works and supervise compliance with the Code.
- In light of the risks due to COVID-19, the Bank’s “ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects” will be applied.

## **6. POLICIES AND PROCEDURES**

As specified in the Labor Code, employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures, highlighted in the POM, will be followed by contractors and monitored by the IG M&E Specialist, to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender.
- Applications for employment will only be considered if submitted via the official application procedures established by the contractors.
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract, including a standard Code of Conduct that addresses measures to prevent Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH).
- Unskilled labor will be preferentially recruited from the affected communities, settlements and municipalities, with a goal of at least 50 percent.
- Employees will be informed at least two months before their expected release date of the coming termination.
- The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer (in this case, the “Employer” would be the contractor).
- Depending on the origin of the employer and 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.
- It is noted that language-related problems are not expected, but if they are, interpretation will be provided for workers as necessary.
- Foreign workers will require residence permits, which will allow them to work in Tajikistan.
- All workers will be 18 years old or above for civil works. This will be a requirement in IG contracts with civil works contractors. IG will ensure that no construction workers below 18 years old are employed and no women are engaged in hazardous and heavy works.

- Normal working time should not exceed 40 hours per week. With a five-day working week, the duration of daily work is determined by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration.

## **7. AGE OF EMPLOYMENT**

Tajikistan law prohibits anyone under 18 from performing “unhealthy or heavy” and there are special requirements for leave, work hours, and other conditions of employment. The CEP IG will ensure that no construction workers under 18 years are employed unless they are hired for office work. Based on the local legislation, workers between 15-18 years could be hired for office work with shortened working hours (during out of school time with guardian permission).

Contractors will be required to verify the identify and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of a child in a responsible manner, considering the best interest of a child.

## **8. TERMS AND CONDITIONS OF EMPLOYMENT**

The terms and conditions applying to the IG employees are set out in the “HR Regulations.” These internal labor rules and regulations will apply to all IG employees who are assigned to work on the project (direct workers). Terms and conditions of part-time direct workers are determined by their individual contracts.

The IG apply two types of employment contract: a one-year employment agreements and short-term service contracts. Majority of staff are permanent staff with one-year employment agreements with fixed monthly wage rates. All the recruiting procedures are documented and filed in the folders in accordance with the requirements of labor legislation of the Republic of Tajikistan. The IG staff contracts should be well documented. Monthly timesheets are to be filed and kept accurately. Forty hour per week employment should be practiced and recorded on paper.

The working hours for IG workers are 40 hours per week, eight hours per workday. It is noted the Labor Code provides for a work week of 40 hours but allows six-day weeks and this may be required for some project workers. All project workers will receive at least one rest day (24 hours) after six consecutive days of work.

The contractors’ labor management procedure will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will be in line, at a minimum, with this labor management procedure, the Tajikistan Labor Code and General Conditions of the World Bank Standard Procurement Documents.

## **9. GRIEVANCE MECHANISM**

There are two options for project stakeholders and citizens to submit complaints regarding the project activities, i.e., the project specific Grievance Redress Mechanism (GRM) and the World Bank Grievance Redress Service (GRS). The project specific GRM will be based on the Laws of the Republic of Tajikistan “On Appeals of Individuals and Legal Entities” and “On Civil Service” as well as the Instructions of the Government of the Republic of Tajikistan “On the Procedures of Records Management on the Appeals of Citizens” and the WB ESS 10.

The project will also establish a separate GRM for the project workers. Essentially, it will be at three levels – contractor level, local (IG focal points in the districts) and national (in Dushanbe at central IG office). The project specific GRM and GRM for workers also allow for **anonymous complaints** to be filed as per the WB ESSs. The GRM will have a special window or uptake channel at the CEP IG level to address SEA/SH complaints to ensure privacy and dignity of the project workers.

### 9.1 Worker GRM structure

The project specific GRM is structured at three levels, contractor, local and national/PIG levels.

**Contractor Level:** The contractors will establish and maintain GRM for the project workers as per this LMP. They will also assign the Grievance Focal Point (GFP) to file the grievances and appeals. If the issue cannot be resolved at the contractor level within 15 days, then it will be escalated to the local and/or national level to the CEP IG.

**Local Level:** The IG focal points at the district level will facilitate GRM for project workers at the local level. The grievances will be filed by respective IG focal points. If not resolved, the complaints will be escalated to the national level.

**National level:** Grievance Management Group (GMG) to be chaired by the IG Project Coordinator, comprising the IG E&S Specialist, representatives of CEP, Labor Inspection under the MoLEM, and relevant state agencies and enterprises. The IG Social Development Specialist will function as the Secretary of the group and serve as national Grievance Focal Point (GFP) to file the grievances and appeals received directly or escalated from the contractors. S/he will be responsible for summarizing the number and types of all the complaints and issues received from project workers from target regions.

The timeline for complaint resolution at the national level will be **15 days** upon receipt of the complaint that does not require additional study and research, and **30 days for the appeals** that need additional study. The complainant will be informed of the outcome immediately and at the latest within **5 days** of the decision.

*Appeal Mechanism.* If the complaint is still not resolved to the satisfaction of the complainant, then s/he can submit his/her complaint to the appropriate court of law.

### 9.2 Grievance Logs

The IG Social Development Specialist and GRM Focal Points will maintain worker local grievance logs to ensure that each complaint has an individual reference number and is appropriately tracked,

and recorded actions are completed. The project specific GRM allows for filing anonymous complaints. When receiving feedback, including grievances, the following is defined:

- Type of appeal;
- Category of appeal;
- People responsible for the study and execution of the appeal;
- Deadline of resolving the appeal; and
- Agreed action plan.

The IG Social Development Specialist and GRM Focal Points will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed. The project specific GRM allows for filing anonymous complaints. The log should contain the following information:

- Name of the person, his/her location and details of his / her complaint;
- Date of reporting by the complainant;
- Date when the Grievance Log was uploaded onto the project database;
- Details of corrective action proposed, name of the approval authority;
- Date when the proposed corrective action was sent to the complainant (if appropriate);
- Details of the Grievance Management Group meeting (if appropriate);
- Date when the complaint was closed out; and
- Date when the response was sent to the complainant.

### **9.3 Monitoring and Reporting on Grievances**

GRM Focal Points will be responsible for:

- Maintaining the grievance logs on the complaints received at the regional level;
- Monitoring outstanding issues and proposing measures to resolve them; and
- Submitting quarterly reports on GRM mechanisms to the IG Social Development Specialist.

The IG Social Development Specialist will be responsible for:

- Maintaining the grievance logs on the complaints received at the national level;
- Summarizing and analyzing the qualitative data received from the GRM Focal Points on the number, substance and status of complaints and uploading them into the single project database;
- Monitoring outstanding issues and proposing measures to resolve them; and
- Submitting quarterly reports on GRM mechanisms to the IG M&E Specialist.

The IG will submit consolidated quarterly reports to the WB, which shall include Section related to GRM which provides updated information on the following:

- Status of GRM implementation (procedures, training, public awareness campaigns, budgeting);
- Qualitative data on number of received grievances \ (applications, suggestions, complaints, requests, positive feedback), highlighting those grievances related to the WB ESS 2 and number of resolved grievances;

- Quantitative data on the type of grievances and responses, issues provided and grievances that remain unresolved;
- Level of satisfaction by the measures (response) taken; and
- Any correction measures taken.

The IG and their subcontractors will use the Bank's 2017 Standard Procurement Documents for solicitations and contracts, and these include ESF provisions on labor and occupational, health and safety requirements. As part of the process to select the contractors who will engage contracted workers, the IG may review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;
- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system and occupational health and safety system (e.g., HR manuals, safety program);
- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Records of labor-related litigation;
- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Identification of safety committee members and records of meetings; and
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2 or equivalent requirements.

#### **9.4 World Bank Grievance Redress System**

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org). A complaint may be submitted in English, Tajik or Russian, although additional processing time will be needed for complaints that are not in English. A complaint can be submitted to the Bank GRS through the following email: [grievances@worldbank.org](mailto:grievances@worldbank.org)

Communities and individuals who believe that they are adversely affected by a project supported by the World Bank may also complaints directly to the Bank through the Bank's Country Office through the following channels.

By phone: +992 48 701-5810

By mail: 48 Ayni Street, Business Center "Sozidanie", 3rd floor, Dushanbe, Tajikistan

By email: [tajikistan@worldbank.org](mailto:tajikistan@worldbank.org)

The complaint must clearly state the adverse impact(s) allegedly caused or likely to be caused by the Bank-supported project. This should be supported by available documentation and correspondence to the extent possible. The complainant may also indicate the desired outcome of the complaint. Finally, the complaint should identify the complainant(s) or assigned representative/s and provide contact details. Complaints submitted via the GRS are promptly reviewed to allow quick attention to project-related concerns.

## **10. CONTRACTOR MANAGEMENT**

Construction and other contracts will include provisions related to labor and occupational health and safety as provided in the World Bank Standard Procurement Documents and Tajikistan legislation.

The IG will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor management records and reports compiled by contractors. Contractors' labor management records and reports that may be reviewed would include: representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions, records relating to incidents of non-compliance with national law, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.