



**THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR  
MINISTRY OF AGRICULTURE IRRIGATION NATURAL RESOURCE AND LIVESTOCK**

**LABOR MANAGEMENT PROCEDURE  
FOR THE TANZANIA FOOD SYSTEMS RESILIENCE PROGRAMME (TFSRP) - ZANZIBAR**

**FEBRUARY, 2024**

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**LIST OF ABBREVIATIONS**

CoC	Code of Conduct
C-OHSMP	Contractor Occupational Health and Safety Management Plan
EHSGs	Environmental Health and Safety Guidelines
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESS	Environmental and Social Standards
GBV	Gender Based Violence
LMP	Labour Management Procedures
MAINL	Ministry of Agriculture Irrigation Natural Resources and Livestock
OHS	Occupational Health and Safety
PMT	Project Management Team
SEA	Sexual Exploitation and Abuse
TFSRP	Tanzania Food Systems Resilience Program

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**EXECUTIVE SUMMARY**

The Ministry of Agriculture, Irrigation, Natural Resources and Livestock (MAINL) intend to implement the Tanzania Food System Resilience Program (TFSRP) which funded by the WB to support food systems resilience by strengthening agricultural service delivery, the adoption of climate resilient technologies and fiscal performance in the agricultural sector.

The Project is being prepared under the World Bank's new Environment and Social Framework (ESF), which came into effect on October 1, 2018, replacing the Bank's Environmental and Social Safeguard Policies. Under the ESF, all World Bank Borrowers have agreed to comply with ten Environmental and Social Standards (ESSs) applied to investment project lending financed by the Bank. The Project recognizes the significance of and adopts the ESSs to identify and manage the environmental and social risks and impacts of this investment project.

The Ministry of Agriculture, Irrigation, Natural Resources and Livestock (MAINL) has been prepared the Labor Management Procedure (LMP) for TFSRP to meet the objectives and requirements of ESS 2 and ESS 4 as well as the national Labor Law. This LMP assesses the potential risks and impacts of the assignment of labor for the implementation of the project components as well as to facilitate the planning and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues.

The TFSRP will operate for five years as from financial year 2023/24 to the 2027/2028 estimate to engage approximately One hundred eighty (twenty-five (25) skilled, thirty (30) semiskilled, and one hundred twenty-five (125) unskilled) to support project design and implementation. The LMP will enable different project-related parties such as staff of the project implementing unit, consultants and project workers, to have a clear understanding of what is required on a specific labour issue.

## 1. INTRODUCTION

Tanzania Food System Resilience Program will reinforce the country's ability to adapt and respond to the increasing challenges of climate change by increasing resilience into the Zanzibar food systems.

The project will rehabilitate seed farm infrastructure to increase efficiency in the production and multiplication of climate resilient seeds. The project will repair storehouses, and drying grounds in the field sites for seed production, multiplication, and distribution. The project will also rehabilitate four farmer's service centers; rehabilitate irrigation canals (26,845m); four diversion structure; drainage canals (5,000m); drilling four boreholes and rehabilitation of four boreholes; purchase of a complete set of pumps and pilot clean energy technologies (air and wind for pumping to cut electricity bills); rehabilitate farm roads (10km); and construction of stores, three drying areas in farmers' service centres.

These activities will be implemented under the three main components as follow: -

- I. **Improving service delivery in Research, Seed, and Extension:** Under this component, the TFSRP will support capacity building for research, seed production and access to agricultural extension.
- II. **Rehabilitation of Rural Infrastructure to enhance Climate Resilience:** This component will improve water availability for irrigation and water use efficiency.
- III. **Project Management and Coordination:** For effective and efficient implementation of the project activities, the TFSRP will facilitate and track all results by supporting operational costs, recurrent costs, project monitoring and evaluation, workshops & meetings, short-term and long-term training, E&S safeguards and procurement of goods.

The Labour Management Procedures (LMP) has been developed by the Ministry of Agriculture, Irrigation, Natural Resources and Livestock (MAINL) to manage risks and impacts that are likely to be associated with implementation of the Tanzania Food System Resilience Programme ("TFSRP" or "Project"). This LMP is designed to help in governing and regulating project labour related issues. It identifies the main labour requirements and risks associated with the project; and is designed to enable project-related parties, such as the Project Management Team (PMT), Contractors, Subcontractors, Suppliers, and Project workers to have a clear understanding on a specific labour issue.

LMP provide approaches that will help the TFSRP to comply with the national laws requirements related to labour as well as the World Bank's Environmental and Social Framework (ESF) regarding Labour and Working Conditions (ESS2); Community Health and Safety (ESS4), the World Bank EHS Guidelines and measures required to protect project's workers.

This LMP sets out terms and conditions of employment for recruiting workers on the project, specifies the requirements and standards to be met and policies and procedures to be followed, assesses risks, and proposes the implementation with compliance measures. The LMP is therefore developed to help avoid, mitigate, and manage labour related risks and impacts during execution of the TFSRP. It will also promote and advance equal opportunity, fair treatment, and safe and healthy working conditions of workers as well as protecting workers against any forms of discrimination during execution of TFSRP activities.

The LMP is a living document to facilitate project planning, preparation, and implementation. Thus, it will be updated from time to time to accommodate new challenges as project implementation unfold, additional information becomes available during project implementation. In preparing and updating the LMPs, the Borrower refers to the requirements of the national labour law and ESS2, as well as the World Bank Guidance Note to ESS2. For purposes of this LMP, the terms “national labour law” and “Zanzibar labour law” will be used interchangeably unless noted otherwise.

### **Aim and Objective**

The LMP aims to identifying main labor requirements and risks associated with it and helps the Borrower determine the resources necessary to address labor issues. The LMP initiated early in project preparation and is reviewed and updated throughout the development and implementation of the Project. Accordingly, this document details the type of workers likely to be deployed by the Project and the management thereof most of time LMP has the following objectives: -

- To provide project workers with accessible means to raise workplace concerns and to establish clear communication channels between management and employees to facilitate feedback, problem-solving, and information sharing.
- To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and contracted workers, community workers and primary supply workers, as appropriate
- To prioritize the safety and health of employees in the workplace, reducing the risk of accidents and injuries.
- To prevent the use of all forms of forced labor and child labor
- To promote the fair treatment, non-discrimination and equal opportunity of project workers
- To promote safety and health at work

### **Scope and Rationale of Labour Management Procedures (LMP)**

Scope of the LMP is outlined in the World Bank’s ESS2 promotes the implementation of a systematic approach to improving the management of risks and impacts related to labor and working conditions in projects. The environmental and social assessment identifies the ways in which national law and the requirements of ESS2 are applied to the project. The project will identify different types of workers that are likely to be involved in the project

activities and will include both skilled and unskilled labourers and full-time, part-time and or temporary workers.

The project labourers will be managed according to the requirements of Zanzibar Government Labour Laws including Zanzibar Employment Act No 11 of 2005 and the objectives of the World Bank Environmental and Social Standard 2: Labor and Working Conditions (ESS2) and ESS4 (Community Safety and Health. Consistent with ESS2 and ESS4,

The project will set out a methodical approach to deal with the labour-related issues, impacts and risks likely to occur from the implementation of this project. It should be noted that this LMP is a living document and will be updated as and when the scope of work for TFSRP - Zanzibar and its related labour requirements change.

### **Rationale for LMP**

Implementation of the TFSRP activities may pose potential labour challenges and risks, including occupational health and safety issues, gender-based violence, increased transmission of communicable diseases such as HIV/AIDS, and employer non-compliance with labour laws relating to terms and conditions of employment, (including wages, benefits, as well as employment discrimination based on gender). Since measures to mitigate these risks and challenges are necessary and required, the project is prepared LMP to help avoid, mitigate, and manage risks and impacts concerning project workers and set out ways in which project workers will be managed according to the requirements of Zanzibar labour laws and other national Laws and the World Bank ESS2 and ESS4. The LMP is applicable to all Project workers, such as: direct, contracted, sub-contracted, or primary supply, irrespective of their engagement- full-time and part-time.

## **2. OVERVIEW OF LABOR PROJECT AND LABOR REQUIREMENTS**

This LMP applies to all project workers including direct workers; contracted workers; community workers; and primary supply workers whether full-time, part-time, temporary, seasonal, skilled, or unskilled. The LMP is applicable, as per ESS2, to the project in the following manner:

- a) Direct workers - people employed or engaged directly by the Borrower (MAINL) including the project proponent and the project implementing agencies (PMT) to work specifically in relation to the project.
- b) Contracted workers - people employed or engaged by contractors or subcontractors to perform work related to core functions of the TFSRP, regardless of location,
- c) Primary supply workers - people employed or engaged by the project's primary suppliers.



## 2.1 The Number of Project Workers

The exact number of project workforce to be employed/engaged in relation to the project is not yet established at present and will be established during the project implementation phase. However, the MAINL have estimated that the project workforce will have approximately One hundred eighty (180) workers, including civil servants on secondment to the PMT, and other direct hires, as well as workers engaged through contractors and subcontractors, and workers engaged by primary suppliers. Noting that numbers will be confirmed during implementation, the expected workforce breakdown is approximately twenty-five (25) skilled, thirty (30) semiskilled, and one hundred twenty-five (125) unskilled workers to support project design and implementation.

The Project will be responsible for the recruitment of all workers they employ/engage directly in relation to the project. This includes all workers engaged in their respective PMT or which they employ/engage directly for other TFSRP project related activities.

On the other hand, the contractors will be responsible for recruitment of all workers they engage/employ for project work. The PMT will be responsible for ensuring that the recruitment and employment done by contractors complies with the Employment Act of Zanzibar, Act 11 of 2005, Section 10, subsection 1 and the provisions of ESS2 which including to protect project workers, vulnerable workers such as women, persons with disabilities, Children, migrants workers, contracted workers and primary supply workers as well as to prevent the use of all forms of forced labour and child labour. The contractors will be required to comply to other labour requirements including wages, hours of work, and other terms of employment, and occupational health and safety. However, this project will restrict the contractors to use forced and trafficked labour by providing the contract which explain direct about forced and trafficked labour restriction as well as in collaboration with Labour Commission for monitoring.

## 2.2 Characteristics of Project Workers

The main work force will be constituted by the following workers' categories.

**Skilled labour:** It is anticipated that the PMT, and project contractors/subcontractors will employ/engage skilled labour for the project. It is anticipated that most of these skilled labourers will be Tanzanian.

**Semi-skilled labour:** The PMT as well as contractors and subcontractors, will employ/engage semi-skilled workers to perform other tasks related to rehabilitation of irrigation infrastructure including masonry works, joineries, scaffolding works, plumbing and related ones. The PMT, and contractors/subcontractors will give priority to persons from local communities in Zanzibar in recruitment of semi-skilled workers. Where qualified semi-skilled workers are not available in Zanzibar, the project will recruit semi-skilled workers from mainland Tanzania.

Among semi-skilled workers, it is anticipated that the project will employ/engage private security personnel in relation to protection of work sites, storage sites, and worker camps. The project will not employ military or public police personnel to perform the specified security functions. It is not known at this time the exact number of security personnel to be engaged for the project, nor whether the contractors for the project will engage a firm or individual persons to provide these security services.

In the event that worker camps are established to accommodate project workers, the contractors/subcontractors will engage and be responsible for private security personnel in relation to management and safety of any such camps or similar worker accommodation. Depending on project circumstances during implementation, the PMT might need to develop a Labour Influx Management Plan and campsite plan will develop by contractor which will be in line with the provisions of this LMP, as well as ESS2, ESS4, and related provisions of the ESF and other World Bank standards.

The PMT is aware that: there will be a noticeable influx of persons from Mainland Tanzania and elsewhere seeking employment in relation to the project; but the project may not be able to recruit sufficient numbers of skilled and semi-skilled workers from the surrounding communities.

The PMT will: 1) make reasonable inquiries to verify that any persons engaged by contractors to provide security services for the project are not implicated in past human rights abuses; 2) ensure that all such persons providing security services for the project have received adequate training on the use of force and firearms and appropriate conduct toward workers and project affected communities; and 3) require that contractors ensure that such persons providing security comply with all requirements of Zanzibar Law, any requirements set out in the project Environmental and Social Commitment Plan (ESCP), and any applicable Codes of Conduct relating to the project; and that 4) have sign valid employment contracts and codes of conducts with contractors before their placement.

**Unskilled labour:** The project estimates that there will be approximately 125 unskilled workers (labours). While PMT might directly engage some unskilled workers for specific project tasks, contractors and subcontractors will engage the vast majority of the project's unskilled workforce. The types of work these unskilled workers will perform includes manual work including vegetation clearing, excavation, rehabilitation and construction activities related irrigation schemes, and other activities under the project. The duration of the employment/engagement of these unskilled workers with the project is not known at this time.

In the recruitment of unskilled labour, the PMT, and contractors/subcontractors will work together and give priority to national workers from local communities in Zanzibar and in particular, persons directly affected by the project who are members of vulnerable groups, including women, persons with disabilities, and persons with HIV/AIDs as emphasised during the stakeholder's workshops through community consultation held in Unguja and

Pemba on 23<sup>rd</sup> February and 16<sup>th</sup> February 2023 respectively. As well as through Institutional consultation conducted in Unguja and Pemba on 14<sup>th</sup> February 2023 and 17<sup>th</sup> February 2023 Pemba it is expected that the future workshops to discuss vulnerability issues in relation with recruitment will be conducted before rehabilitation works start in September 2024. The PMT, and project contractors and subcontractors will focus on inclusive and non-discriminatory recruitment and employment policies and procedures in relation to all project workers. The PMT will ensure that there will be no discrimination in recruitment or employment relating to project workers based on any personal characteristics unrelated to inherent work requirements. The PMT will ensure this requirement of non-discrimination in recruitment and terms of employment will also be applied and strictly adhered to by project contractors and subcontractors, as well as primary suppliers, wherever possible. The TFSRP estimates that at least 20% of project workers should be women.

The PMT has stated that contractors/subcontractors will be required to consult with Sheha and Irrigation Scheme Committee Leaders in the recruitment of candidates from the local communities for the project's unskilled labour force. In circumstances where Sheha or scheme committee leaders are involved in identifying such candidates, the PMT will be responsible for ensuring the contractors/subcontractors have measures in place (which the PMT will approve) to guide and coordinate recruitment with the Sheha and scheme leaders to ensure that the recruitment of candidates is clear, transparent, non-discriminatory and no nepotism.

To ensure the absence of child labour and considering the tedious nature of work required for a number of the project's activities, the project will not employ or engage in connection with the project any person under the age of 18 years as described in Employment Act of Zanzibar, Act 11 of 2005, Section 6 subsection (i-iv), which directly restricts child employment.

The PMT will closely monitor implementation of all ingredients of LMP including presence of unskilled labour and forced labour/trafficked labour. The PMT will work closely with Zanzibar Labour Commission to ensure that LMP requirements become part of agreements to be signed by contractors as well as to identify and speak with migrant's workers in particular to discuss the terms under which they were recruited.

### **2.3 Direct Project Workers**

Direct project workers will be eligible to work full-time during project implementation. These workers will be obtained from the following:

- Workers seconded from different Ministry departments and agencies.
- Workers hired by the project as consultants.
- Workers hired by contractors for specific sub project. The contractor workers are the workers who will work with contractor in all rehabilitation activities example drivers

and their helper hired to supply construction materials such sand, aggregate and cement.

#### **2.4 Community Workers**

The project will not employ or otherwise engage community workers as identified in ESS2 Section F.

#### **2.5 Contracted Workers**

The PMT will contract with a construction company to undertake the rehabilitation of the irrigation scheme's infrastructures and other facilities that will be identified during designing phase. The project estimates to have at least six Contractors. It is estimated to engage One hundred and fifty (150) local Contracted workers including Drivers, plumber, masonry workers, surveyors, engineers, and casual labours etc.

#### **2.6 Migrant Workers**

The project does not anticipate employing/engaging persons who have migrated from other countries for purposes of employment in Tanzania.

#### **2.7 Timing of Labour Requirements**

It is expected that the rehabilitation phase of the project will last approximately 36 - months and that there will be at least six main crews/firms/companies hired under the construction contracts responsible for the rehabilitation of irrigation scheme infrastructures construction. Each company will be made up of teams to complete specific tasks, such as surveying, mapping, and designing infrastructures to be rehabilitated, hydrological survey, borehole drilling, construction of facilities such as shelters, toilets, drying areas etc.

The timing for contracted workers will be engaged to one year and short-term period of not less than three months and contract will be renewed based on achievement and the labour requirement. Furthermore, the time will be indicated in their respective contract for this recruitment will be linked to the schedule for the digging of irrigation trenches of the irrigation schemes, site clearing of the land for rehabilitation works and levelling, and transportation of materials to the rehabilitation sites. However, the MAINL have estimated that the project workforce will have approximately One hundred eighty (180) workers, including civil servants on secondment to the PMT, and other direct hires, as well as workers engaged through contractors and subcontractors, and workers engaged by primary suppliers. Noting that numbers will be confirmed during implementation, the expected workforce breakdown is approximately twenty-five (25) skilled, thirty (30) semiskilled, and one hundred twenty-five (125) unskilled workers to support project design and implementation.

### **3. ASSESSMENT OF KEY POTENTIAL LABOUR RISKS**

This section illuminates some critical labour risks associated with the TFSRP activities including Occupational health and safety hazards such as accident from trucks during transportation of construction materials, risk of dust, construction hazards, water related hazards, accidents and injuries, HIV/AIDS, incidents of child labour, Forced/trafficked labour, Labour influx into local communities, Gender Based Violence (GBV)/Sexual Exploitation and Abuse (SEA/SH) and sexually transmitted diseases, including HIV/AIDS and discrimination against members of vulnerable groups, including women, persons with disabilities, and persons with serious illnesses, in work recruitment and employment. These potential risks will be assessed by undertaking site specific risk and hazard assessments as part of the Environmental and Social Impact Assessments. Mitigation measures for the identified risks will be prepared as per ESS2 and incorporated into the project's ESMP. Table 1 presents possible mitigation measures for the Project's potential risks.

#### **3.1 Workplace Accidents and Injuries**

Previous WB rehabilitation project experienced limited fatal accidents and injuries during the rehabilitation of irrigation infrastructures. However, given the nature of the rehabilitation and associated activities which is anticipated to have several contractors, subcontractors, and primary suppliers as well as a nearly 300-person workforce, there is a substantial risk of workplace accidents and injuries, including vehicle accident, falling, machinery accidents, broken bones, fire, flooding etc in particular trench excavation, and related civil works activities of the project.

Normally, rehabilitation works expose workers to an array of health risks ranging from physical injuries to respiratory tract diseases. Inadequate or inappropriate use of personal protective equipment (PPE) during the excavation of trenches or borehole drilling and related construction of scheme facilities may result in an increased risk of worker injuries or deaths. Workers may also be exposed to the possibility of traffic-related accidents, from residential and commercial vehicles while at work, and in instances where workers are transporting materials and wastes to and from the construction sites. Similarly, workers may also be exposed to potential construction site and material handling-related accidents, and workers may also be exposed to structural safety issues in event of structural failure of working machines such as borehole drilling machines or concrete mixer machines. To avoid the possibility of juvenile persons being involved with hazardous work in relation to the project, the project will not employ any persons under the age of 18 years.

#### **Mitigation measures will include the following:-**

The TFSRP will address workplace accident and injury risks by ensuring that each project worker is provided with appropriate training on GIIP on OHS as well as the WB EHS Guidelines and other needed Personal Protective Equipment (PPE), safety gears and

sanitary and waste disposal facilities at each activity site, regular training on national law requirements and best practices for occupational health and safety and the proper use of project PPE. The PMT will ensure that all direct hires for the project wear the required PPE appropriate for their project work duties.

The PMT will ensure that all project workers comply with all requirements of applicable occupational health and safety legislation of Zanzibar and with the World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety. It will maintain all records for activities related to project safety and health for inspection by PMT, or the World Bank.

The TFSRP program has therefore prepared an Environmental Management Framework (ESMF) that will guide the assessment of risks and preparation of Environmental Social Management Plans (ESMPs) for the sub-projects. These ESMPs will form part of bidding documents for contractors and will therefore guide the preparation of Site-Specific Environmental Health and Safety Management plans which will detail how these risks will be managed for each of the sub-projects and each worksite for review and clearance by the implementing agencies. (PMT) and submitted to the WB for intensive review for quality control and acceptable standard. The link of OHSM guideline is shown to the annex 2

**In addition, the PMT will be required to:**

- (a) The PMT will approve the contractor's OHSMP and ensure effective supervision
- (b) select legitimate and reliable contractors through screening OHS records;
- (c) address adequately OHS risks with non-compliance remedies in procurement documents.
- (d) require the contractor to engage qualified ESHS staffing.
- (e) enhance workplace OHS awareness and training; and
- (f) conduct routine monitoring and reporting.

The PMT will also ensure that each of the contractors and subcontractors whom they have engaged respectively for the project:

- (a) Provide each project's worker under the contractor's supervision with appropriate and other needed Personal Protective Equipment (PPE) safety gear at all times.
- (b) Provide training, and written confirmation documenting persons trained and the type of training, to each project worker under their control, on National Law requirements and best practices on occupational health and safety and the proper use of PPE. The training will be organized in a manner to minimize the exposure of trainers and trainees to the transmission of communicable diseases including COVID-19, in line with the country, World Bank, and World Health Organization parameters/guidance.
- (c) Provide written confirmation to the PMT that each project's worker under the contractor's/subcontractor's control complies with national occupational health

and safety laws and uses all required PPE appropriate for the worker's project work duties.

- (d) Provide written confirmation of the contractor's/subcontractors' compliance with all requirements of applicable occupational health and safety legislation of Zanzibar and with the World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety.
- (e) Maintain all records for activities related to project safety and health for inspection by the PMT, or the World Bank.

Together with the provision of appropriate PPE and respective training for all project workers, the PMT will also take the following specific additional measures to mitigate occupational health and safety risks in relation to project workers:

- (a) Ensure that at all times there is at least one licensed and trained first aid practitioner with a fully equipped first aid kit at each project worksite and a standby car equipped to operate as an ambulance for each contractor to refer workers needing further assistance to the health centre/ hospital.
- (b) Establish an emergency response system at all project worksites to communicate the occurrence of any workplace accident or injury to the TFSRP project coordinator and the local Government Labour Ministry Office.
- (c) Use the following response communication procedure whenever an incident/injury occurs:
  - Team supervisor will report to the site engineer,
  - Site engineer will report to the consultant,
  - Consultant will report to PMT,
  - PMT will report to MAINL.
  - MAINL will report to WB, no later than 48 hours after taking knowledge about accidents or incidents.

For major incidents/accidents, the supervisor, in consultation with the site engineer, will temporarily suspend the work until the situation is addressed in accordance with applicable Zanzibar occupational health and safety laws, the World Bank General Environmental Health and Safety Guidelines (EHSGS), Section 2 "Occupational Health and Safety," and the applicable provisions of ESS2. Establish an emergency plan/procedure in case of emergencies such as fires, explosions, and flooding. MAINL will report to the World Bank within 48 hours on any fatal accident and a detailed report which incorporates the root cause analysis and the corrective action will follow within 7 days.

### **3.2 Gender-Based Violence (GBV)/Sexual Exploitation and Abuse (SEA/SH) and the possibility of transmission of HIV/AIDS and other sexually transmitted diseases.**

There is a substantial risk that workers involved in construction, land clearance and other project activities might engage in transactional sex and/or sexual exploitation of members

of affected communities in project worksite locations. The problem of GBV/sexual exploitation and abuse can facilitate the transmission of Sexually Transmitted Diseases (STDs) including HIV/AIDS and foment domestic conflicts within households of project-affected communities. Women in all project employment categories including PMT staff may also face sexual harassment, including demands for sexual favours as a condition of employment. When employed, women may encounter continuous and/or unwanted demands for sexual favours under threat of dismissal or exclusion of overtime or other work benefits or opportunities. In addition, female workers may counteract with verbal harassment of a sexual nature and sexual assault by male colleagues.

As necessary measures to address GBV and SEA related risks and impacts PMT including contractors and sub-contractors will do the following:

- (a) Implement a Code of Conduct (CoC) for all project workers, that will include provisions related to GBV/SEA/SH, and which all contractors and subcontractors and primary suppliers will agree to abide by as a condition of the contract (Note: The CoC/ Worker Code of Conduct is Annex 1 to this LMP), and implement a GBV Action Plan to be established in accordance with the project Environmental and Social Framework (ESMF).
- (b) Raise awareness regarding GBV/SEA/SH and train all project workers and residents of local communities affected by the project, on GBV/SEA/SH, responsibilities related to adherence to the CoC, and consequences for noncompliance, prior to commencement of any project-related work activities.
- (c) Ensure that all project workers, both direct hires and those hired through contractors/ subcontractors, have access to the grievance mechanism established specifically for the project workforce or the grievance redress mechanism established generally for the project, to address concerns relating to GBV/SEA/SH.

### **3.3 Child Labour**

Section 98 (1), (2), and (3) of the Zanzibar Children's Act of 2011 establishes the minimum age for employment or engagement in work at 15 years and a minimum age of 18 years for hazardous work. Tanzania has ratified ILO Convention 138 on minimum age and Convention 182 on worst forms of child labour.

In Zanzibar, as elsewhere in Tanzania, child labour, including practices identified as the worst forms of child labour under Tanzanian law, such as gravel making and quarrying, is prevalent due to poverty. While the Project accord to the established minimum age of 18 years for employment, for all project workers, there is a risk that persons employed or engaged by primary suppliers for the project, including those involved in producing and providing gravel and other materials, might engage persons under 18 years to perform worst forms of child labour.



The PMT will ensure that all persons directly hired or employed by contractors, subcontractors, and primary suppliers for the project are at least 18 years old. It will maintain records verifying the age of employment for all direct project workers and ensure that all contractors, subcontractors, and primary suppliers maintain such documentation for their workers engaged in relation to the project. The PMT and contractors, subcontractors and primary suppliers will maintain all such records confirming the age of employment of project workers for inspection by the PMT or the World Bank.

The PMT will also require all contractors, subcontractors, and primary suppliers to identify the risk of child labour in their workforce relating to the project and supply chains and to take appropriate steps to remedy the situation or to terminate the contract with the contractor or primary supplier.

### **3.4 Forced and Trafficked Labour**

Tanzania has ratified ILO Convention 29 on Forced Labour, and ILO Convention 105 on the Elimination of Forced Labour. Additionally, the Employment Act No. 11, Part II prohibits forced labour and provides penalties, including fines and imprisonment, for violations. The Employment Act, however, excludes the prohibition on forced labour work exacted by prisoners as a consequence of a court conviction, and it is a practice in Tanzania for prisoners to provide non-paid and non-voluntary labour on road repair and other public construction projects. Also, there are risks of persons being trafficked to work for contractors, subcontractors, or primary suppliers for work activities related to the project. Other examples of forced labour that could occur in relation to construction and infrastructure activities include the imposition of recruitment or employment fees payable by the worker at the commencement of employment, and loss or delay of wages that impede a worker's right to end employment within their legal rights, or other project restrictions that compel a project worker to work on a non-voluntary basis.

The PMT will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labour, prison labour, or the result of labour trafficking. To this end, the PMT will maintain records of the recruitment circumstances as well as the written employment contracts of all project workers, including direct hires, as well as persons engaged through contractors, subcontractors, and primary suppliers. The PMT will also conduct periodic inspections, at least once every six months, of contractor, subcontractor, and primary supplier employment records to verify consistency and compliance with the law in relation to the recruitment of workers and provision to all workers of a written signed employment contract in English or Kiswahili, depending on the worker's preference.

If forced labour or persons who are engaged in the project as a result of trafficking is identified, the PMT will act promptly to address the issue, including referring the matter without delay to the relevant Zanzibar government authorities, as well as relevant government or NGO trafficking victims'/forced labour victims' support services, as

appropriate, to be addressed in accordance with Zanzibar law. Also, to address the risk of forced labour or persons trafficked to work for primary suppliers, the PMT will undertake due diligence to identify possible suppliers and the extent to which these risks might be present in their activities for the project.

Where forced labour or labour resulting from trafficking in persons is identified, the PMT will require the primary supplier to report the situation to the police and other relevant government authorities. Depending on the circumstances, the PMT will discontinue the use of that primary supplier and instead use primary suppliers that can demonstrate they are meeting the relevant requirements of Zanzibar law relating to forced labour and the trafficking of persons, and the applicable provisions of ESS2.

### **3.5 Labour Influx and Worker Accommodation**

It is expected that the project will attract a labour influx of job seekers and persons seeking to provide them with ancillary services. This situation can create considerable social and economic problems for affected communities near project work sites and work camps, which the TFSRP project anticipates establishing for unskilled and other workers coming from throughout Zanzibar and mainland Tanzania to work on the project. The negative social and economic risks to local communities resulting from this labour influx could include increased rates of crime and social conflict, increases in traffic accidents and related violence, increased pressure on accommodations and rents, increased transmission of HIV/ STDs, as well as an increase in gender-based violence, in particular, sexual exploitation, including trafficking in persons for sex work, and sexual harassment (GBV/SEA/SH). In light of the labour-related circumstances of this project, there is the possibility of transmission of communicable diseases, including COVID-19, among project workers and between project workers and affected local communities.

The PMT anticipates that the labour influx will necessitate the establishment of one or more work camps to accommodate project workers coming from other parts of Zanzibar and mainland Tanzania. Therefore, project contractors and subcontractors will be responsible for establishing and maintaining the safety, hygiene, health, accommodation, access to food, and supervision of these work camps and/ or other accommodations. The contractors and subcontractors responsible for these work camps and/ or other accommodations will ensure quality accommodation; protect and promote the health, safety and well-being of project workers; and provide access to or provision of services at these work camps/ or other accommodations that respond to the physical and cultural needs of project workers.

Each contractor/subcontractor will ensure that the accommodation is appropriate for its location, is clean, safe and at a minimum meets the basic needs of workers, taking local cultural factors into consideration. In particular, the provision of accommodation shall meet Zanzibar legislative and other legal requirements and international good practices regarding, but not restricted to; the charging for accommodation, the provision of

minimum amounts of space for each worker, provision of sanitary, cooking facilities and potable water; the location of accommodation in relation to the workplace; the provision of first aid and medical facilities and fire safety equipment and personnel; and heating and ventilation.

The PMT, with the support of the owner's engineer (supervision consultant), will be responsible for ensuring that the contractors and subcontractors manage these work camps and/or other accommodations in compliance with all relevant Zanzibar laws and the requirements of ESS2. If necessary, the relevant World Bank guidance in relation to COVID-19 will apply to the management of any work camps/worker accommodation.

The PMT will be responsible for ensuring that the contractors and subcontractors manage these work camps in compliance with all relevant Zanzibar laws and ESS2 and ESS4 of the World Bank ESF, and the contractual conditions between the contractors/subcontractors and the PMT. Depending on project circumstances during implementation, the PMT might need to develop a Labour Influx Management Plan, which will be in line with the provisions of this LMP, as well as ESS2, ESS4 and related provisions of the ESF and other World Bank standards. The PMT shall refer to, and ensure that the contractors and subcontractors refer to the World Bank Safeguard Policies and Country Services "Managing The Risks of Adverse Impacts on Communities from Temporary Project Induced Labour Influx" for further guidance on understanding the circumstances for developing and implementing a labour Influx Management Plan II.

To address the negative risks and impacts associated with labour influx, the PMT, contractors, subcontractors, and project workers will need to maintain productive relations with local communities, including through a Code of Conduct (CoC). The CoC will commit all persons engaged in the project, including contractors, subcontractors, primary suppliers (where possible), and their workers to acceptable standards of behaviour. The CoC will include sanctions, including termination of contract or of engagement/employment in relation to the project, for non-compliance with specific policies related to GBV/SEA/SH and related matters. The CoC will be written in plain language, understandable to contractors, subcontractors, primary suppliers, and project workers in English and Kiswahili, and signed by each worker to affirm that they have:

- (a) Received a copy of the CoC as part of their contract/employment/engagement in relation to the project.
- (b) Received an explanation of the contents, including sanctions for noncompliance, of the CoC, as part of the engagement/employment induction process for the project.
- (c) Acknowledged in writing that adherence to the CoC is a mandatory condition of employment.
- (d) Affirmed in writing their understanding that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

Copies of the CoC shall be displayed, in English and Kiswahili, at all project work sites and in other locations easily accessible to the local community and other project-affected persons.

It is expected that the labour influx will also include persons opportunistically coming to the location looking for work in relation to the project. As a means for managing the expectations of a potential influx of large numbers of persons coming to Zanzibar seeking the project's limited number of unskilled and semi-skilled positions, the PMT will post on regular basis announcements in newspapers, radio, the internet, and other local media:

- (a) about the number and type of positions available,
- (b) when vacancies are filled,
- (c) that residents of Zanzibar will be given preferential treatment above persons from elsewhere in hiring for project positions for unskilled labour; and
- (d) that the recruitment procedure involves coordination between contractors/subcontractors and the respective local Sheha.

The PMT will ensure that contractors and subcontractors also convey this information to potential candidates for skilled and unskilled positions for the project. Additionally, the project will require contractors to hire workers for the duration of the implementation of the project and not on short-term contracts to mitigate the risk of transmission of communicable diseases, including COVID-19, among project workers and between project workers and affected local communities. The PMT will undertake in relation to its direct workforce and will require all contractors/subcontractors to undertake the following in relation to workers and project:

- (a) conduct pre-employment health checks,
- (b) control entry and exit from site/workplace.
- (c) review accommodation arrangements, to see if they are adequate and designed to reduce contact with the local community.
- (d) review contract durations, to reduce the frequency of workers entering/exiting the site.
- (e) rearrange work tasks or reduce numbers on the worksite to allow social/physical distancing,
- (f) provide appropriate forms of personal protective equipment (PPE), such as face shields., to mitigate the transmission of communicable diseases.
- (g) put in place alternatives to direct contacts, such as telemedicine appointments.

### **3.6 Exploitation of Unskilled and Semiskilled Labour**

Workers in Zanzibar and elsewhere in Tanzania, especially unskilled and semi-skilled labourers, engaged in construction-related work, face risks of exploitation, abuse, discrimination, and other forms of unfair and illegal treatment by employers. These risks include being forced to work overtime with no additional compensation or in excess of legally mandated maximum hours per week, insufficient rest periods in violation of the law, wages that do not conform to minimum legal requirements, failure of the employer to pay

legally required health or social security benefits for workers, failure of employers to pay workers their salary on time and in the full amount required by the laws, and failure of employers to provide workers with a written and signed legally enforceable contract in a language the worker understands. Another related abuse includes employers keeping copies of the work contract that differ from the version given to the worker. An additional risk is the practice of employers using short-term contracts of six months or less to avoid hiring organized workers with labour protections.

Unskilled workers may be illiterate or, even if literate, have inadequate knowledge of employment and labour laws and policies. In light of high competition for limited job opportunities, such workers might be willing to waive their legal rights to minimum wage, health and social security benefits, or overtime in order to secure a job from unscrupulous employers. Similar risks exist for workers in supply chains that provide materials, such as gravel and other products, and services to primary suppliers.

To address the risks of employer non-compliance with national labour laws, the PMT and the MAINL will ensure that all workers the project engages directly and will also ensure that all contractors, subcontractors, and primary suppliers abide by the following provisions for all workers they have engaged:

Provide all project workers with **Valid Employment Contracts** such contracts should provide them with information and documentation that is clear and understandable, to the worker regarding their terms and conditions of employment. This information and documentation will set out the worker's rights under national labour and employment law, including:

- (a) Rights related to hours of work, wages, overtime, compensation, and benefits, as well as any related provisions required under ESS2.
- (b) Pay project workers on a regular basis as required under national law.
- (c) Ensure that deductions from the payment of wages are made only as allowed by national law.
- (d) Provide workers with adequate periods of rest per week, annual holidays and sick, maternity and family leave, as required by national law in part VII (Employment Standards and Rights) of the Employment Act. No. 11 of 2005.
- (e) Provide project workers with written notice of termination of employment and details of severance payments in a timely manner.
- (f) Ensure full implementation of the Employment Act No. 11 in relation to the recruitment and employment of all project workers.

The PMT will be responsible for ensuring that contractors, subcontractors, and primary suppliers comply with all the above requirements. The PMT and the MAINL will maintain, and will ensure that contractors, subcontractors, and primary suppliers maintain records of all worker contracts and related documentation, and confirmation that the above provisions are being adhered to.

### **3.7 Discrimination against Women, LGBTI, persons with serious illness and Persons with Disabilities During Employment**

The Employment Act of Zanzibar, Act 11 of 2005, Section 10, subsection 1 prohibits workplace discrimination, directly or indirectly, against a worker based on disability, HIV/AIDs status, gender, pregnancy, marital status or family responsibility, colour, nationality, tribe, or place of origin, race, national extraction, social origin, political opinion, or religion. However, due to deeply rooted patriarchal systems, women in Zanzibar and elsewhere in Tanzania continue to face gender-based employment discrimination, including in relation to recruitment, wages and other benefits, promotions, and other terms of employment. There is also substantial work-related discrimination against persons with disabilities, in particular regarding persons with albinism and persons based on actual or perceived HIV/AIDs status.

The person with disabilities will be involved for the activities that are within their ability and their nature since the Zanzibar legal framework allows the inclusion of people with disabilities in employment as described in Zanzibar Act of the person with disabilities (Right and privileges) Act No 9 of 2006. This legal framework is direct prohibiting the employer to discriminate direct or indirect against any person with disabilities in any employment policy or practices on ground of disabilities. As well hiring people with disabilities can contribute to overall diversity, creativity and workplace morale and enhance project image among its staff and community, the example of people with disabilities are deaf and dumb, people with albinism can be used as labours.

The PMT and MAINL, and project contractors and subcontractors will focus on inclusive and non-discriminatory recruitment and employment policies and procedures in relation to all project workers. They will ensure that there will be no discrimination in recruitment or employment relating to project workers based on any personal characteristics unrelated to inherent work requirements. Such personal characteristics include but not limited to LGBTI, persons with serious illnesses, gender, age, race, colour, and disability, including albinism, marital status, pregnancy or maternity status, social origin, gender orientation, religion, real or perceived HIV/AIDs status, and ethnic origin.

The PMT and MAINL will ensure that this requirement of non-discrimination in recruitment and terms of employment will also be applied and strictly adhered to by project contractors and subcontractors, as well as primary suppliers, wherever possible.

The PMT and MAINL will require that each project contractor/subcontractor shall not make decisions relating to the employment or treatment of project workers engaged by the contractor/ subcontractor on the basis of personal characteristics unrelated to inherent job requirements. The contractor/subcontractor shall base the employment of persons it engages for the project on the principle of equal opportunity and fair treatment and shall not discriminate with respect to any aspect of the employment relationship, including

recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, and disciplinary practices.

**Table 1: Potential Labor Risks and Mitigation Measures**

<b>Potential Risk as identified in ESS2</b>	<b>Type of Worker Likely to be affected</b>	<b>Magnitude of the Potential Risk</b>	<b>Mitigation measures</b>
Workplace injuries and accidents from tools, machinery and equipments (Spade, concrete mixer, trucks, picks) and related occupational health and safety hazards (chemical, physical, Biological)	Masonry workers Machine operators Transporters of construction material	Low to moderate with possibility of long-term effect	<ul style="list-style-type: none"> <li>• Provide protective gears to workers.</li> <li>• Provide regular, ongoing occupational safety and health education/training to project workers.</li> <li>• Install signposts and road signs</li> </ul>
Gender Based Violence (GBV)/Sexual Exploitation and Abuse (SEA/SH)	Women petty traders around project areas Children, youth and girls around project areas Divorced and single mothers around project areas. Project workers from the PMT	Low to moderate with possibility of long-term effect	<ul style="list-style-type: none"> <li>• Provide regular, ongoing GBV and SEA/SH education to project workers and community around project areas allow to report if sexual harassment incidences happen</li> <li>• To involve local leaders on recruitment (advertisement on labour recruitment</li> <li>• Ensure effective Work place intervention on GBV (SEA/SH)</li> <li>• Effective Operationalisation of the project GRM both at the PMT level and scheme level</li> </ul>
Sexual Transmitted Disease (HIV/AIDS)	Women petty traders	Low to	<ul style="list-style-type: none"> <li>• Provide regular, ongoing HIV/AIDS education to project workers and community around</li> </ul>



Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
	<p>around project areas</p> <p>Children, youth and girls around project areas</p> <p>Divorced and single mothers around project areas.</p>	moderate	<p>project areas</p> <ul style="list-style-type: none"> <li>• Pre and Post Counselling on HIV/AIDS</li> <li>• Sensitization on voluntary testing</li> <li>• Ensure effective Workplace intervention on HIV/AIDS and other occupational diseases</li> </ul>
Child labour,	Children from poor households around project areas	Low and temporary	<ul style="list-style-type: none"> <li>• Provide regular, ongoing sensitisation trainings on impact of child labours to project workers and community members</li> <li>• Restrict under-age employment as mentioned in Zanzibar Employment Act No 11 of 2005</li> </ul>
Forced/trafficked labour,	<p>Children from poor households around project areas and Unskilled labour</p> <p>Other community members from poor households</p>	Low and temporary	<ul style="list-style-type: none"> <li>• Face to face discussion with workers in particular to discuss the terms under which they were recruited after prove the PMT will directly suspend child and forced/trafficked from work</li> <li>• PMT in collaboration with labour Commission will restrict child and forced/trafficked from work according to Employment Act No 11 of 2005</li> </ul>

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
			<ul style="list-style-type: none"> <li>• Provide regular sensitisation and trainings on forced/ trafficked labour, to project workers and community members.</li> <li>• Ensure effective system of recruitment in project at scheme level through involvement of Shehia leader</li> </ul>
Labour influx into local communities, including the transmission of communicable diseases, such as HIV/AIDS	Children and other community members	Low to moderate but temporary	<ul style="list-style-type: none"> <li>• To sensitise community at the scheme level to apply for project employment opportunities.</li> <li>• The contractor should prioritize on local member to avoid labour influx.</li> <li>• To provide training and awareness on how to prevent HIV/AIDs and other Sexual Transmitted Diseases to the workers and community around the project area</li> <li>• The contractor will ensure that the services providers are engaged to sensitise and train communities</li> </ul>
Lack of employer compliance with National labour Laws, including in relation to hours, rest periods, provision of Personal Protective	Construction workers	Low to moderate	<ul style="list-style-type: none"> <li>• Implement GRM designed for the project.</li> <li>• Provide labour education to construction workers.</li> <li>• Regular monitoring site meeting (Weekly and</li> </ul>

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
Equipment, and minimum wage,			Monthly) <ul style="list-style-type: none"> <li>• To ensure there is an effective code of conduct.</li> <li>• To provide orientation to the workers about National Labour Laws</li> </ul>
Discrimination against women, persons with disabilities, members of the LGBTI community and persons with serious illnesses, in work recruitment and employment		Low	<ul style="list-style-type: none"> <li>• Ensure equal access to all, empower women in the workplace, prioritize the most marginalised and strengthen legal protections.</li> <li>• Provide labour education to construction workers on the code of conduct.</li> <li>• Regular monitoring site meeting (Weekly and Monthly)</li> <li>• To provide orientation to the workers about National Labour Laws</li> </ul>

#### **4. OVERVIEW OF LABOR LEGISLATION RELATING TO TERMS AND CONDITIONS OF EMPLOYMENT**

The Employment Act No. 11 of 2005 (Employment Act) sets out fundamental labour rights and employment standards relating to employment in the private sector and generally also in the public sector. It contains prohibitions on forced labour, worst forms of child labour, and employment discrimination, and establishes conditions of employment for special categories of workers, including protections for pregnant and nursing employees, night work and other work situations for female employees, and equal employment rights for persons with disabilities. It also covers procedures for the employment of foreign workers, including work permits. The Employment Act also sets out provisions on its administration and jurisdiction, including through the establishment and operation of labour officers and inspectors, the labour advisory board, the labour commissioner, and its power to institute criminal proceedings for labour law violations. It does not draw distinctions between workers hired directly and those engaged/employed through contractors.

The Zanzibar Public Service Act, No. 2 (2011) and the Public Service Regulation of 2014 provide detailed information on employment standards and labour relations for public and private sector workers. The work-related matters governed by the Act and its Regulation include: length of working day and week, special Friday break, manner of undertaking and compensation for overtime work, regulation of working time and overtime rate, restrictions on number of work days, extra pay for night work, annual leave for public holidays, temporary and emergency leave, compassionate leave, sick leave, maternity leave, leave without pay and action to be taken by employers when leave without pay expires, provision of transport and accommodation in deserving circumstances; identification of public service occupation eligible for meal allowance and other special allowances; provision for the manner in which medical care and treatment shall be provided to public service employees; obligation to provide safety and protective gear to employees in deserving occupations; allowances for travelling on duty; obligation of public service institutions upon death of employee; certificate of service upon eligible termination or retirement; repatriation of employees to place of first appointment; sanction for breach of employment standards; protection of pregnant and nursing employees; engagement of female employees at night; exception of female employees from certain categories of night work; additional conditions for female employees; equal rights of employment for persons with disabilities

Provisions of Zanzibar labour laws' that are directly related to the project include, but are not limited to the following:

- a) Section 62(1) of the Employment Act No. 11 of 2005 requires that working hours should not exceed 8hrs per day or 42 hours per week.

- b) Section 62 (6) of the Employment Act No. 11 of 2005 requires that an employer provide a one-hour break per day to employees.
- c) Section 97 (1) of the Employment Act No. 11 of 2005 provides that wages shall be paid at the end of each month and not less than the minimum amount as set by the government. The Minister may, after the proclamation of the minimum wage by the President, by order publish in the Gazette, and provide for the payment of minimum wages or the rates of minimum wages by employers in relation to the public or private sector, as the case may be, provided, that an employer is not prohibited from paying his or her employees' wages above the minimum wage or rates of minimum wages.
- d) Section 63 (1) of the Employment Act No. 11 of 2005 provides that overtime and night work should be the payment for overtime and the working time for overtime should not exceed 3 hours per day, and for night work the employer should set a night allowance at the mutual agreement between the parties. Subject to the provisions of the Act, an employer may not require or permit any employee to work overtime.
- e) The Workers Compensation (Amendment) Act, 2005 provides worker compensation and benefits (social security, pension, and any other entitlements for workers) – all employees where their contract for service starting from 6 months and above should be registered to the Zanzibar Social Security Fund (ZSSF) and the contribution will be 7% from the employers for each month.
- f) The Zanzibar Social Security Fund Act No 2 of 1998, with (Amendment) of 2016 contains provisions relating to deductions from payment of wages in additional to Zanzibar Social Security Fund contributions.
- g) Section 67 of the Employment Act, no 5 of 2011 provides that the legal period of rest is 2 days (i.e. Saturday and Sunday) per week and all public holidays as declared by the government.
- h) Section 69 of Employment Act, 5 of 2011 provides that sick leave and medical assistance for the employee is granted after the employer confirms the sickness/need for medical assistance of his/her employee; this also includes all employees who are under probation period.
- i) Section 67 of the Employment Act, No 5 of 2011 provides for each worker to have 28 working days of annual holiday/vacation leave.
- j) Section 70 of the Employment Act, No 5 of 2011 provides for maternity and family leave, including 90 calendar days for maternity leave, and three days of family leave in relation to the death of a family member, such as spouse or child.

- k) Sections 52 and 54 of the Employment Act, No 5 of 2011 provide for termination of employment and details of severance payments as prescribed in Section 68(i) a – d of the Zanzibar Public Service Act. No 2 of 2011.

## **5. BRIEF OVERVIEW OF LABOR LEGISLATION ON OCCUPATIONAL HEALTH AND SAFETY**

The Occupational Health Safety and Health Act, of 2005 applies generally to workplaces. It governs the duties, rights and responsibilities of employers and employees in relation to occupational health and safety. Relevant provisions of this act relating to the activities of the project include: Section 36 requires that employers provide and maintain protective equipment for workers in any workplace where there are any processes involving exposure to any injurious or offensive substance or environment. Section 68(2) states that it is the employer's responsibility to ensure that: a) all workers exposed to hazards, are instructed on such hazards prevailing in the workplace, (b) safety measures are taken to avoid injury, and (c) training is provided at least once in every two years. Section 68(1) provides that no person shall be employed at machines or any process being a machine or process liable to cause bodily injury or injury to health unless he or she has been fully instructed as to the danger likely to arise in connection to the process or machine and (a) has received sufficient training in the operation of the machine or in the process; and (b) is under adequate supervision by a person who has thorough knowledge and experience of the machine or process.

Section 118(1) (c) provides that there shall keep available for inspection in every workplace, in the prescribed form, a register, called General Register and there shall be entered in or attached to that register the prescribed particulars as to every accident and case of occupational disease(s) occurring in the workplace of which notice is required to be sent under the provision of this Act. Section 53 states that it is the worker's duty to report immediately to the supervisor any situation which the worker has reasonable grounds to believe presents an imminent or serious danger to his/ her life or health or that of others in the same premises, and until the employer has taken remedial action if necessary the employer shall not require workers to return to a work situation where there is a continuing imminent or serious danger to life or health.

Section 54 provides that any worker who has removed himself or herself from a work situation in which he or she has reasonable justification to believe the present and imminent and danger to his or her life or health shall not be punished or subjected to undue consequence provided the danger is confirmed by the Director.

### **5.1 Responsible Staff**

The following functions are generally responsible for labour and working conditions for the Project. The specific responsibilities for each function, however, will be detailed in the Project Operational Manual (POM):

- Engagement and Management of Project Workers: TFSRP PMT and Contractors/Subcontractors Supervising/consulting firm.
- Engagement and Management of Project Contractors/Subcontractors PMT
- Occupational Health and Safety (OHS):
  - Project Management Team TFSRP
  - Contractors and Subcontractors
- Training of Workers:
  - Project Management Team for the TFSRP
  - Contractors and Subcontractors
- Addressing Worker Grievances:
  - TFSRP – Social and Environmental safeguards specialists

Table 2 shows Responsible Staff/Institutions and their Roles for the Project. This Table provides an overview of key project staff and their project-related responsibilities.

**Table 2: Responsible Staff/ Institutions and their Roles**

Institution /Staff	Roles
PMT	<ul style="list-style-type: none"> <li>• engagement and management of project workers</li> <li>• engagement and management of contractors/subcontractors</li> </ul>
Supervision Engineer/Consultant	<ul style="list-style-type: none"> <li>• supervise project implementation.</li> <li>• advise and recommend any change in project implementation.</li> <li>• guide the implementation of the training plan.</li> <li>• monitor the contractor/subcontractor compliance OHS issues</li> </ul>
Social and Environmental safeguards specialists	<ul style="list-style-type: none"> <li>• compliance with relevant environmental and social legislative, occupational health and safety and labour requirements (project-specific, district- and national level), including allocating adequate budget for implementation of these requirements.</li> <li>• work within the scope of contractual requirements and other tender conditions.</li> <li>• train workers about EHS (including relevant WBG EHS Guidelines) and the site-specific environmental and social measures including mitigating SEA/H be followed;</li> <li>• in case of non-compliance carry out an investigation and submit proposals on mitigation measures, and implement remedial measures to reduce environmental impact;</li> <li>• in case of occurrence of incidents of SEA/H ensure the survivor can access safe and confidential services according to their needs and the WB is notified within 48 hours and detailed report will produced within 7 days which comprise with root cause analysis and safeguards corrective measures/actions</li> <li>• propose and carry out corrective actions in order to minimize the environmental impacts.</li> <li>• send weekly reports of non-compliance to the Supervision Engineer/Consultant</li> </ul>
Occupational Safety and Health (OSHA)	<ul style="list-style-type: none"> <li>• She/he will be responsible for supervising occupational health and safety at workplaces in collaboration with the Commission of Labour</li> </ul>



## 5.2 Policies and Procedures

This section outlines the main policies and procedures to be tracked during project implementation in relation to occupational health and safety, forced labour and related labour issues. It will be updated in light of new information during project implementation. While most of this information is also included elsewhere in the LMP, it is presented here in a consolidated manner to assist the PMT, MAINL and other users of the LMP:

### 5.2.1 Occupational Health and Safety

The PMT will address project occupational health and safety risks by ensuring that each project worker is provided with appropriate and other needed Personal Protective Equipment (PPE) safety gear and sanitary and waste disposal facilities at each activity site, regular monthly training on national law requirements and best practices for occupational health and safety and the proper use of project PPE. The TFSRP PMT will ensure that all its direct hires for the project comply with national occupational health and safety laws, GIIP and the WB EHS Guidelines and wear all required PPE appropriate for their project work duties.

The PMT will ensure that project workers comply with all requirements of applicable occupational health and safety legislation of Zanzibar and with the World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety. The PMT will maintain all records for activities related to project safety and health for inspection by Project, or the World Bank.

The PMT will also ensure that each of the contractors and subcontractors whom they have engaged respectively for the project:

- (a) provide each project's worker under the contractor's supervision with appropriate and other needed Personal Protective Equipment (PPE) safety gear at all times,
- (b) provide monthly training, and written confirmation documenting persons trained and the type of training, to each project worker under their control, on national law requirements and best practices on occupational health and safety and the proper use of PPE.
- (c) provide written confirmation to the TFSRP's PMT that each project's worker under the contractor's/subcontractor's control complies with national occupational health and safety laws and uses all required PPE appropriate for the worker's project work duties.
- (d) provide written confirmation of their compliance with all requirements of applicable occupational health and safety legislation of Zanzibar and with the World Bank Group General Environmental Health and Safety guidelines (EHSGs) on Occupational Health and Safety.

- (e) maintain all records for activities related to project safety and health for inspection by the TFSRP's PMT, or the World Bank.

### 5.2.2 Age of Employment

Section 98 (1), (2), and (3) of the Zanzibar Children's Act of 2011 establishes the minimum age for employment or engagement in work at 15 years and a minimum age of 18 years for hazardous work. Tanzania has ratified ILO Convention 138 on minimum age and Convention 182 on worst forms of child labour. Due to the hazardous nature of project activities, including installation, rehabilitation of irrigation infrastructures and land/vegetation clearing, the project has established a minimum age of 18 years for employment for all project workers. There is the risk, however, that persons employed or engaged as unskilled workers or other worker categories either directly hired by the PMT through contractors or subcontractors, or by primary suppliers, including those involved in producing and providing gravel and other materials, might be persons under 18 years of age undertaking activities constituting worst forms of child labour.

The PMT will undertake monitoring, at a minimum every six months, of all project workers, to ensure that all contractors, subcontractors, and primary suppliers engaged in relation to the project are not employing/engaging anyone under 18 years of age for work in relation to the project.

The project will use the following process, prior to the employment or engagement of an applicant for work on the project, to verify the person's age. The TFSRP's PMT will ensure that each contractor, subcontractor, and primary supplier also uses this process and provides TFSRP's PMT with written confirmation that each worker they employ or engage in relation to the project is at least the minimum age of 18 years. The following information will be kept on file in the PMT responsible for administrative offices:

- written confirmation from the applicant of their age; and
- where there is reasonable doubt as to the age of the applicant, requesting and reviewing available documents to verify age (such as a birth certificate, national identification card, medical or school record, or other document or community verification demonstrating age)

If a person under the minimum age of 18 years is discovered working in relation to the project, TFSRP- PMT will take measures to terminate the employment or engagement of that person in a responsible manner, considering the best interest of that person.

To ensure that the best interests of the child under 18 years are considered, PMT will undertake, and ensure that all contractors, subcontractors, and primary suppliers also undertake, re-mediation within a reasonable time period agreeable to the World Bank. The re-mediation activities could include, among other options:

- (a) enrolling the child in a vocational training/apprenticeship program, but which does not interfere with the child's completion of compulsory school attendance under national law.
- (b) employment of a member of the child's family, who is at least 18 years of age, by the primary supplier, contractor, or subcontractor for project-related or other work.

### **5.2.3 Terms and Conditions**

(This section sets out specific terms and conditions related to labour and working conditions for the project, and which will be included in contractor bidding documents)

- (a) The maximum number of hours per week that a worker can undertake work on the project is 42 hours per week, and if a worker's duties require him to exceed these maximum hours, he/she shall be paid overtime as per sections (63), (64) and (66) of the Employment Act, 11 of 2005.
- (b) The MAINL, as the project implementing agencies, will ensure respect for any collective bargaining agreements related to project workers, whether direct hires or workers hired through contractors or subcontractors. Collective bargaining agreements specific to the project are not known at this time, but should they exist in relation to any contracted or direct hire workers, such agreements will be respected.
- (c) The minimum net salary for all project workers, which is the legal minimum wage in Zanzibar, will be 300,000 Tzs per month, excluding social security and other payments/benefits; the amount of 300,000 Tzs per month will increase if the government increases the minimum wage.
- (d) All government civil servants working in connection with the project, whether full-time or part-time, will remain subject to the terms and conditions of their existing public sector employment agreements/arrangements.
- (e) All project workers will be given a legally enforceable written employment contract, signed by the employer and the worker, in either English or Kiswahili, depending on the worker's preference, and in a level of language that is understandable to the worker.
- (f) All project workers will sign a Code of Conduct related to GBV and other issues.
- (g) All contractors, subcontractors, and primary suppliers will ensure that they have qualified staff who are fluent in either English or Kiswahili at all times in relation to project activities and in all communications with the project workforce.
- (h) The project will ensure compliance with the Zanzibar legal requirements and World Bank guidelines concerning the management of the workforce in the context of COVID-19.
- (i) The TFSRP's PMT, and all contractors, subcontractors, and primary suppliers shall ensure that wages to project workers are paid not less than twice per month, paid in legal tender, and paid directly to the individual worker. Payment

shall not be made in the form of promissory notes, vouchers, or coupons. Workers shall be free to dispose of their earnings as they choose.

- (j) The TFSRP-PMT, and contractors, subcontractors, and primary suppliers shall ensure that payments to project workers are made in a transparent manner, clearly showing the gross wages, any deductions are taken and for what purpose, and net wages due. Deductions shall be made only if prescribed by national laws or regulations or fixed by collective agreement or arbitration award.
- (k) The project will not engage/employ prison labour for any purpose in relation to the project, including any work involving direct hires, workers engaged through contractors/subcontractors, and workers engaged through primary suppliers.
- (l) To ensure the absence of child labour and considering the hazardous nature of work required for a number of the project's activities, the project will not employ or engage in connection with the project any person under the age of 18 years. The PMT will ensure that this requirement is strictly applied to all workers they hire directly in relation to the project and regarding all workers engaged by contractors/subcontractors and primary suppliers for the project.

## **6. PROJECT WORKER GRIEVANCE MECHANISM**

The civil servants engaged by PMT have access to a grievance procedure provided under the Public Service Act No 2, 2011. Therefore, the procedures currently in place to handle grievances related to civil servants will remain for Project staff. Contractors engaged in the TFSRP Program will be required to present a workers' grievance redress mechanism which responds to the minimum requirements in this LMP. The PMT will coordinate to establish a single worker grievance mechanism (WGM) for all project workers (except government civil servants on secondment to the project) including workers engaged through contractors/subcontractors to raise workplace concerns in an accessible manner. The WGM will be based on the following principles:

- a) The process will be transparent and allow workers to express their concerns and file grievances and receive timely feedback in a manner that they understand in English or Kiswahili, where appropriate.
- b) There will be no discrimination against those who express grievances, and all grievances will be treated confidentially.
- c) Anonymous grievances will also be accepted and treated equally as other grievances whose origins are known.
- d) Management will treat grievances seriously and take timely and appropriate action in response.

The PMT shall inform every project worker employed/engaged directly and shall ensure that the contractors/subcontractors inform every project worker employed/engaged by

the contractor/subcontractor, of the terms of the WGM at the time of the worker's recruitment. The PMT and each contractor/subcontractor will also inform their respective project workers verbally and in writing at the time of recruitment, that no reprisals shall be taken against any project worker for using the WGM. Under the WGM, project workers will be able to raise all workplace-related concerns, including unfair treatment, problems with payment of wages or benefits, as well as unsafe or unhealthy work situations, including workplace sexual harassment. The WGM, however, does not replace or override the requirement that the PMT provides for workplace processes for project workers to report work situations that they believe are not safe or healthy, such as reporting requirements regarding workplace injuries and accidents.

The PMT will develop and implement this WGM for all persons directly employed/engaged by the project to raise workplace concerns.

The PMT will require all project contractors to develop and implement a WGM for their workforces, including subcontractors, prior to the implementation of project activities. Project construction contractors will prepare their labour management procedures, which will also include a detailed description of the WGM, before the beginning of project implementation. The WGMs will be proportionate to the nature and scale of the potential risks and impacts of the project.

The WGMs to be used by PMT and the project contractors and subcontractors will include:

- (a) A procedure to receive, record, refer, resolve, and track grievances.
- (b) Multiple uptake channels such as comment/complaint forms, suggestion boxes, email, and a telephone hotline; a confidential procedure for workers to submit anonymous grievances in writing or otherwise.
- (c) Stipulated timeframes to respond to grievances.
- (d) A register in an excel spreadsheet or similar format to record and track the timely resolution of grievances. Grievances reported by the contractors/subcontractors will also be reported and recorded in this master project worker grievance register.
- (e) A responsible person/department to receive, record and track resolution of grievances. In the case of the project WGM for direct hires working for the TFSRP's PMT, the TFSRP social safeguard specialists will be responsible for receiving, recording, and tracking resolution of such grievances.

The PMT and each contractor/subcontractor will provide information with both orally and in writing to project workers in Kiswahili about the purpose of and means to access the WGM, through regular worker training, worker handbooks, on notice boards and other communications media, throughout the duration of the design and implementation of the project. The TFSRP project coordinator will monitor the contractors' recording and resolution of grievances, and report these to the PMT in monthly project progress reports.

The PMT in collaboration with contractors or subcontractors will identify at each scheme a Worker Grievance Mechanism Focal Point (WGMFP) that will file all grievance issues from workers and submit to the scheme grievance redress committee for resolution. The Worker Grievance Mechanism Focal Points will be informed and provided with directives in understanding, filling, and reporting workers' grievance matters.

In case of project workers who are engaged/employed through contractors/subcontractors, where a worker is not satisfied with the employer's resolution of his/her grievance, the worker shall have the right to forward his/her complaint directly to the respective TFSRP social safeguard specialists who will be also a project grievance manager or to the scheme grievance redress committee where his/her matter could be discussed and resolved. The Worker Grievance Mechanism Focal Point at each working site (scheme) will be a member of the scheme grievance redress committee.

The Scheme Grievance Redress Committee at each irrigation scheme will have the following members:

- (a) Worker Grievance Mechanism Focal Point
- (b) Farmer representatives (one men and one female)
- (c) Sheha of the surrounding Shehia
- (d) One Chairman of either water, environment or social welfare committee from the respective Shehia
- (e) Representative from District Commissioner's Office
- (f) Project safeguard officers

The scheme grievance committee will not preclude any project worker's ability to access any other judicial or administrative remedies that might be available under national law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements. The Project worker shall also be able to access the World Bank's Grievance Redress Service and/or the Inspection Panel.

6.1 Contractor Management For contract bidding and contracts for the Project, PMT and MAINL Procurement Management Unit (PMU) will use the World Bank's 2017 standard procurement documents, which include labour, and occupational health and safety requirements.

The contractor will develop C-OHS MP as instructed under the standard procurement document.

PMT and MAINL PMU will incorporate standard language, based on project requirements drawn from ESS2, ESS4 and other sections of the World Bank Environmental and Social Framework and supporting documentation, in the tender and contract documents to ensure potential bidders are aware of the environmental and social requirements to be met under the project.

Tender documentation should note that the contractor/subcontractor shall actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as providing information and training on occupational safety and health, and provision of personal protective equipment without expense to project workers. Project workers who remove themselves from dangerous work situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or for removing themselves from such dangerous situations.

PMT and MAINL procurement unit will also state in the tender documentation that adherence to national legislation regarding labour and employment relations and occupational health and safety is a prerequisite for participation in the project.

PMT and MAINL procurement unit will also include in the tender documents provisions that forced labour, child labour, discrimination in hiring and employment based on gender, disability, ethnicity or other personal characteristics unrelated to work requirements, sexual harassment in the workplace, and sexual exploitation and abuse are prohibited and may be grounds for removal of the contractor from the Project.

PMT and MAINL procurement unit will require bidders for contracts for the Project to agree to and implement a workplace Code of Conduct that includes provisions prohibiting any form of sexual exploitation, assault or harassment of project workers, as well as sexual exploitation or sexual assault of persons in local communities affected by the project, and any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage. The CoC will apply to all persons employed or engaged, including persons employed or engaged through contractors and subcontractors, in relation to the project.

PMT and MAINL procurement unit will require bidders for contracts for the project to submit a statement confirming their firm compliance with national labour and employment and occupational health and safety laws, and labour management procedures in accordance with Environmental and Social Standard 2 “Labour and Working Conditions” (ESS2) and the LMP for the project.

PMT and MAINL procurement unit will make reasonable efforts to ensure that parties awarded contracts for the project are reliable law-abiding entities that do not have a history of problems relating to disrespect for national labour law, unresolved labour disputes, or frequent work-related accidents.

As part of the selection process for contractors, PMT and MAINL PMU will request and review from prospective contractors the following information:

- (a) Information in public records, for example, corporate registers and public documents relating to violations of applicable labour law, including reports from labour inspectorates and other enforcement bodies.
- (b) Business licenses, registrations, permits, and approvals.
- (c) Documents relating to a labour management system, including OHS issues, for example, labour management procedures.
- (d) Identification of labour management, safety, and health personnel, their qualifications, and certifications.
- (e) Workers' certifications/permits/training to perform required work.
- (f) Records of safety and health violations, and responses.
- (g) Accident and fatality records and notifications to authorities.
- (h) Records of legally required worker benefits and proof of workers' enrolment in the related programs.
- (i) Worker payroll records, including hours worked and pay received; and
- (j) Identification of safety committee members and records of meetings

During implementation of the contract, PMT and MAINL will require that contractors submit quarterly reports on compliance with the LMP. The report should include the number and status of project workers, the number of hired and terminated employees in the given period, the number of hours worked, overtime, regularity of payment, OHS issues (injuries and fatalities, if any), safety measures, grievances raised and resolved, training provided/attended, incidents of non-compliance with national law or the LMP.

## **6.2 Community Workers**

As noted elsewhere in this LMP, the project will not use community workers (as that term is specifically defined in ESS2, Section B)

## **6.3 Primary Supply Workers**

It is expected that the project will engage primary suppliers to provide raw materials (sand, aggregate, cement, wire mesh) and other goods and services. It is anticipated that there will be some risks of serious worker safety issues, including accidents, fatalities, and lack of adequate occupational health and safety equipment, in project supply chains related to construction and transportation of material to the sites.

The PMT and MAINL will ensure that all purchase orders and contracts with primary suppliers contain specific provisions prohibiting child labour and forced labour, and mandating compliance with all national law worker health and safety standards.

The PMT and MAINL will make reasonable efforts to ensure that parties engaged as primary suppliers for the project are reliable law-abiding entities that do not have a history of problems relating to disrespect for national labour law, unresolved labour disputes, or frequent work-related accidents.



The PMT and MAINL will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labour or the result of labour trafficking. To this end, the PMT and MAINL will maintain records of the recruitment circumstances as well as the written employment contracts of all project workers, including persons engaged through contractors, subcontractors, and primary suppliers. The PMT and MAINL will also conduct periodic inspections, at least once every six months, of primary supplier employment records to verify consistency and compliance with the law in relation to the recruitment of workers and provision to all workers of a written signed employment contract in English or Kiswahili, depending on the worker's preference.

To address the risk of forced labour, victims of labour trafficking, and child labour among primary suppliers, the PMT and MAINL will undertake due diligence to identify primary suppliers and the extent to which these risks might be present in their activities for the project. If forced labour, victims of trafficking, or child labour is discovered in a primary supplier's workforce, the PMT and MAINL will act promptly to address the issue, including referring the matter without delay to the relevant Zanzibar government authorities, as well as relevant government or NGO trafficking victims'/forced labour victims' support services, as appropriate, to be addressed in accordance with Zanzibar law.

Where there is a significant risk of serious safety issues related to a primary supplier, the PMT and MAINL will require the relevant primary supplier to introduce procedures and mitigation measures to address such safety issues, which the PMT and MAINL will review every four months to ascertain their effectiveness.

Where forced labour, trafficking, or child labour is identified, the PMT and MAINL will require the primary supplier to report the situation to the police and other relevant government authorities. Depending on the circumstances, the PMT and MAINL will discontinue the use of that primary supplier and instead use primary suppliers that can demonstrate they are meeting the relevant requirements of Zanzibar law relating to forced labour, child labour, trafficking in persons, and occupational health and safety.

## **ANNEX 1 CODE OF CONDUCT FOR PROJECT WORKER**

Implementing Environmental, Social Health and Safety (ESHS) and Occupational Health and Safety (OHS) Standards, Preventing Gender Based Violence (GBV) and Respecting Wildlife and Other Natural Resources.

I, [INSERT NAME OF PROJECT WORKER]\_\_\_\_\_, acknowledge that my adherence to national environmental, social, health and safety (ESHS) laws, compliance with the project's occupational health and safety (OHS) requirements including in relation to COVID-19, and preventing gender-based violence (GBV), and respect for wildlife and other natural resources is a requirement of my job duties. I am aware that all forms of GBV, such as sexual exploitation and assault and sexual harassment, are unacceptable, whether at the project worksites, at worker camps where project workers are accommodated, or in the local communities around project worksites and worker camps.

The [GIVE NAME OF CONTRACTOR COMPANY/EMPLOYER/TFSRP PROJECT] considers that failure to comply with ESHS and OHS laws or to engage in GBV activities, constitute acts of gross misconduct and are grounds for sanctions, penalties or termination of employment. I am aware that the [GIVE NAME AGAIN OF CONTRACTOR COMPANY/EMPLOYER/TFSRP PROJECT] will cooperate with the government authorities in prosecuting anyone involved in committing acts of GBV.

I agree that while I am working for the project, I will:

- Attend and actively participate in training courses related to ESHS, OHS, HIV/AIDS, and GBV, as requested by my employer.
- Shall wear my personal protective equipment (PPE), in the correct prescribed manner, at all times when at the work site or engaged in project-related activities.
- Take all practical steps to implement the [CONTRACTOR COMPANY/ TFSRP PROJECT] 's environmental and social management plan.
- Implement the occupational health and safety management plan(s) established by the [CONTRACTOR COMPANY/TFSRP PROJECT] Management Plan.
- Adhere to a zero-alcohol policy during work activities, and refrain from the use of illegal substances at all times.
- Consent to a police background check
- Will ensure full respect for all wildlife within and around the project site as well as any wildlife encountered in relation to project work sites and project work camps. To demonstrate my full respect and compliance with this requirement, I will not hunt, gather, fish, collect, harvest, or disturb any: 1) wild birds or their eggs or nests; 2) mammals, including, but not limited to, the Red Colobus and other monkeys, duikers and other antelopes; 3) freshwater or marine fish or other aquatic creatures; 4) reptiles, including marine and land turtles/tortoises; 5) or amphibians, in the project site, its environs or any area related to the project worksites, or project work camps. I also will not engage in any cutting or harvesting of trees or

other vegetation anywhere on Unguja/Pemba Island, unless specifically authorized to do so by my employer. I also agree to inform my employer immediately if I become aware that any other project worker is engaging in harvesting or disturbing wildlife in relation to scheme boundaries or in areas related to project worksites or project work camps.

- Will agree to undertake all health screening and other measures required by national law and the requirements of the contractors and TFSRP project in relation to COVID-19.
- Treat women, children (persons under the age of 18), and men with respect regardless of gender, race, colour, language, religion, political or other opinion, gender identity, national, ethnic or social origin, property, disability, birth, or other status.
- Not use language or behaviour towards women, children or men that are inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual contact or activity with any person under 18 years of age—including grooming or contact through digital media. A mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.
- Not engage in sexual harassment, such as unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, including subtle acts of such behaviour. [examples include looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody's sex life; etc.]
- Not engage in sexual favours—for instance, making promises or favourable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behaviour.
- Unless there is full consent by all parties involved, I shall not have sexual interactions with any member of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex.
- Consider reporting through the GRM (Grievance Redress Mechanism) or to my manager any suspected or actual GBV by a fellow worker, whether employed by my employer or not, or any breaches of this Code of Conduct.

Sanctions for Non-Compliance with this Code of Conduct:

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

- Informal (verbal) warning.
- Formal (written) warning in accordance with Regulation of the Employment Act No. 5 of 2011.

- Additional Training to address the problem relating to the worker’s conduct, such as training on gender-based violence/sexual harassment.
- Loss of up to 50 per cent of one week’s salary in accordance with the Employment Act No. 5 of 2011.
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- Termination of my employment per written notice in accordance with the Employment Act No. 5 of 2011; or
- Report the incident/conduct to the police.

Special Provision Relating to Respect for Wildlife: I understand that any act constituting hunting, collecting, or otherwise harvesting or disturbing the wildlife of Zanzibar Island will result in my immediate termination of employment from the project and that my employer and the TFSRP Project will report the incident to the police and Zanzibar wildlife authorities.

I understand that:

- (1) it is my responsibility to ensure that I comply with all projects environmental, social, health and safety standards, including in relation to COVID-19.
- (2) That I shall adhere to the project occupational health and safety management plan.
- (3) That I shall avoid actions or behaviours that could be construed as GBV, including sexual harassment.
- (4) That I shall avoid any actions involving harvesting, collecting, hunting, fishing, or disturbing the wildlife of any project worksites or work camps.

Any such actions relating to “1)–4)” above shall be a breach of this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV issues, and violations of full respect for wildlife. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action against me and possible termination of my employment.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ANNEX 2 OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT GUIDELINES

<https://www.ifc.org/content/dam/ifc/doc/2000/2007-general-ehs-guidelines-en.pdf>