



MINISTRY OF ENVIRONMENT



LABOUR MANAGEMENT PROCEDURES

ACCELERATING RENEWABLE ENERGY INTEGRATION AND SUSTAINABLE ENERGY
(ARISE) PROJECT (P172788)

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EXECUTIVE SUMMARY

The Labor Management Procedure (LMP) for the Accelerating Renewable Energy Integration and Sustainable Energy (ARISE) project has been developed to meet the requirements of Environment and Social Standard 2 (ESS2), Labor and Working Conditions, of the World Bank's Environment and Social Framework. The ARISE project is being financed by the World Bank and implemented by the Ministry of Environment on behalf of the Government of Maldives. The implementation partners for the project are Fenaka Corporation Limited and State Electric Company (STELCO). The project is comprised of four components namely, Solar PV risk mitigation, Battery Energy Storage System (BESS), Grid modernization for variable renewable energy integration and Technical support.

The LMP identifies the key risks for the project based on the context of the Maldives, including poor labor and working conditions, especially in relation to foreign workers; discrimination of foreign work-force; lack of documentation of immigrant workers; occupational health and safety risks; lack of preparedness for fire incidents and other emergencies, ineffective safety measures while traveling by sea; and sexual harassment in the workplace.

The LMP provides a description of the key national laws and regulations that are applicable to the project, and the relevant provisions under these regulations. These regulations include the Employment Act, Health and Safety Regulation for the Construction Industry, Prevention of Sexual Harassment Act, Gender Equality Act, Maldives Pension Act and Regulation on Employment of Expatriates in Maldives. In addition, the International Labor Organization (ILO) Conventions that Maldives have ratified are also included.

In Section 5, the LMP presents the policies and procedures that will be in place to ensure that the risks identified in this LMP are addressed during project implementation. Some key aspects identified include ensuring that: all foreign labor employed have valid work visas; required facilities in terms of accommodation, rest areas, etc. are available at labor camps; fire safety equipment is at hand, appropriate Personal Protective Equipment (PPEs) are provided to the labor force; the contract for the workers specifies provisions relating to working hours, breaks, and leave, as specified in the Employment Act; a mechanism to address workplace sexual harassment exists; and appropriate safety measures are available while traveling by sea. Further, the LMP also specifies that the workers employed for the purpose of the project will be above 18 years, maximum working hours will not exceed 48 hours a week, staff will be entitled to breaks from work of 30 (thirty) minutes after every 05 (five) hours during working hours, and non-discrimination provisions will be followed during the hiring, training, etc. of workers.

Section 6 of the LMP describes the grievance redress mechanism (GRM) to address employee complaints both from direct project workers and contracted workers. For the direct workers, the first tier of GRM is the Permanent Secretary of the Ministry followed by the Labor Relations Authority as a second tier and the judiciary as a third tier. For contracted workers, the assigned person to address the complaints is identified as tier 1, followed by the Labor Relations Authority and the Judiciary respectively.

The implementation responsibilities of the LMP are defined in Section 07 of the LMP. The Project Management Specialist, Environmental and Social Safeguards Specialist, Communications Specialist, Legal Specialist and the Procurement Specialist have the prime responsibilities from the project side.

1. INTRODUCTION AND PROJECT BACKGROUND

This Labour Management Procedure (LMP) is developed for Accelerating Renewable Energy Integration and Sustainable Energy (ARISE) Project funded by the World Bank and implemented by the Government of Maldives. On behalf of the government, the project is being implemented by Ministry of Environment. Implementation partners for the project are the Electricity Service Providers, which at the moment are Fenaka Corporation Limited and State Electric Company (STELCO). The project is comprised of the following key components:

Component 1: Solar PV risk mitigation (US\$24.8 million IDA Guarantee and US\$6.2 million IDA Grant) – This component will provide risk mitigation packages to private sector Independent Power Producers (IPPs) to cover off taker risks. This component is expected to cover 36 MW of solar installation through a number of phases through various geographic localities across Maldives. The indicative plan involves installation of 11 MW ground mounted Solar PV in Addu City, Fuvahmulah City, GDh. Thinadhoo, B. Eydhafushi, Lh. Hinnavaru and HDh. Kulhudhufushi and installation of 10 MW floating solar in Addu city, which are currently in the prequalification stage. Installation of 7 MW rooftop, ground mounted structures in Laamu is under development, and subsequent pipeline is under identification in various locations across Maldives.

Component 2: Battery Energy Storage System (BESS) (USD 25 million CTF Loan) – This component will support deployment of BESS system in some islands to enable high penetration of solar PV. This addresses challenges posed of rapidly integrating variable energy to existing grids. The Component targets to support about 50 MWh of BESS in the selected grid systems, subject to market price trends.

Component 3: Grid Modernization for VRE integration (US\$2 million CTF Loan and up to approx. US\$25 million from other IFI co-financing) - This component will support grid upgrades and reinforcement to accommodate an increasing volume of renewable energy and BESS, especially for longer duration, in selected grid systems. The main scope will include strengthening network capacity, deploying supervisory control and data acquisition (SCADA) systems and optimizing interactions among renewable energy generation, BESS and existing conventional power plants.

Component 4: Technical Support (USD 3 million of CTF Grant) – This component provides technical assistance on the following key areas:

1. Institutional Capacity Building (Utility, ME and other energy producers)
2. Pipeline Developments (Feasibility studies and other relevant studies)
3. Other Sustainable Energy Developments
4. Project management and implementation plan

This plan is developed to meet the requirement of Environmental Social Standard 2 (ESS2) Labour and Working Conditions of the World Bank's Environmental and Social Framework. The main objective of this ESS2 are as follows:

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

As per paragraph 09 of ESS2, borrowers are required to develop and implement Labour Management Procedures (LMP). The LMP identifies the labour requirements and risks associated with the project. It is expected that the LMP and the procurement documents will inform each other and key aspects of the LMP will be incorporated as contractual obligations of investors, contractors and subcontractors.

This document is organized into the following key areas: overview of labour use for the project, assessment of key labour risks, brief overview of labour legislation, responsible staff, policies and procedures, age of employment, terms of conditions, grievance mechanism and contract management.

2. OVERVIEW OF THE LABOUR USE OF THE PROJECT

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

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

For this project, direct workers and contracted workers are the most applicable, as at this stage significant community labour are not envisioned for the proposed project. In addition, primary supply workers are likely to be involved with BESS supplier which will involve supply and installation. As per paragraph 09 of ESS2, labour management procedures should be developed and implemented for direct workers and contracted workers of the project. Thus, the procedures identified in this LMP applies to direct workers and contracted workers.

2.1 PROJECT DIRECT WORKERS

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

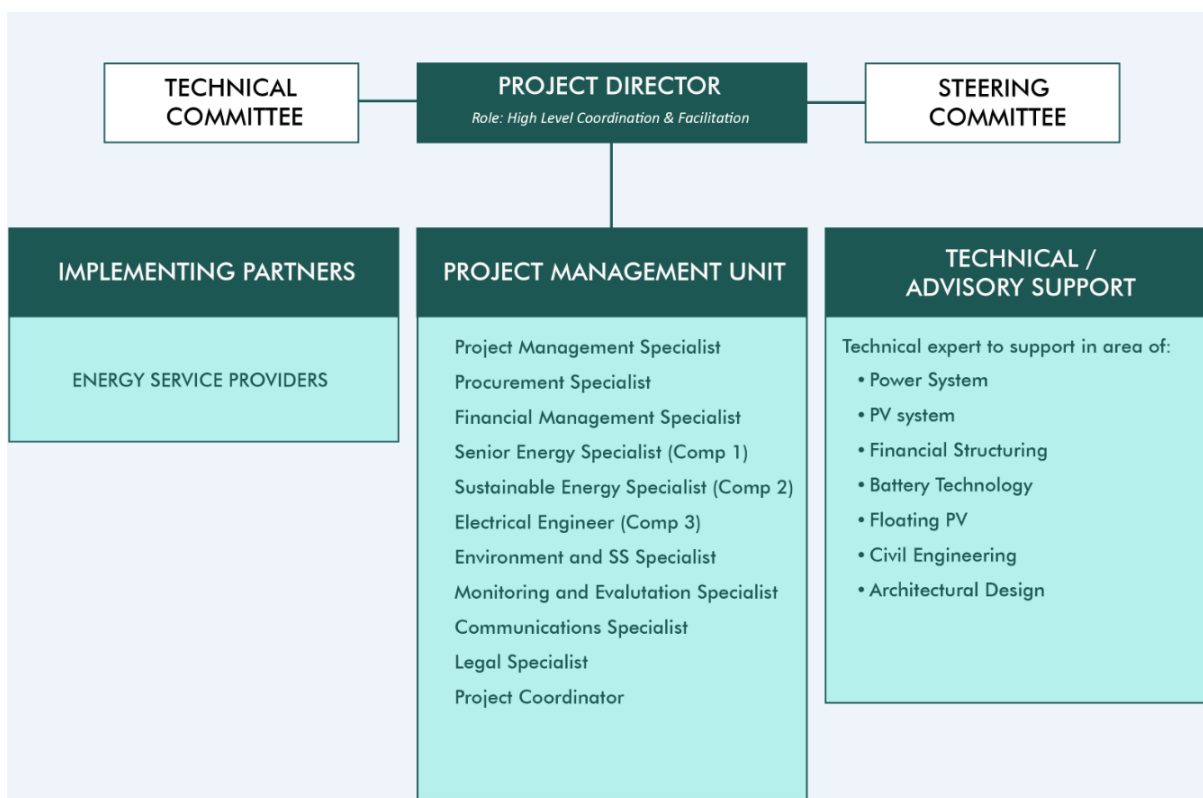


Figure 1 PMU proposed structure

Given below is a brief description of the roles and responsibilities of each of the identified member of the direct project staff identified in Figure-1. The project management specialist (project manager) will be senior most figure responsible for implementation of the project. Project Manager will report to the project director, the senior most civil servant in the energy sector assigned by the Ministry to oversee the project and to ensure that the project is implemented as per the government energy sector policies. As identified in paragraph 08 of ESS2, where government civil servants are engaged, they will be bound by their work contracts, thus, for the project director the provisions identified in this labor management procedure does not apply. Note that the list of project employees identified is a tentative list, the staff maybe hired based on the need and requirements and changes may occur during project formulation and implementation stage. Detailed description of the staff requirements and their roles and responsibilities are covered in the Operations Manual (OM) of the project.

Project Management Specialist: The Project Management Specialist (PMS) will be the person involved in day to day oversight and management of the project. The project manager will be responsible to deliver the project as per the project timelines and will be the first point of contact on all project related issues. Moreover, the project manager will be required to provide updates and coordinate with the steering committee, project director and the World Bank. In addition, the manager will be responsible for day to day management of the PMU, staff training and management of the staff.

Financial Management Specialist: To ensure that all financial and accounting aspects of the project are handled, a financial specialist is essential for the project. The specialist will be responsible to setup and maintain the financial management system of the project as per government policies and World Bank policies. The specialist will report to the project manager and will work under the guidance of project manager/project director.

Procurement Management Specialist: Overall objective of the assignment is to ensure that Project procurement complies with the World Bank guidelines on procurement of goods, works and selection of consultants. The specialist will report to the project manager and will work under the guidance of the Project Director / Project Manager in implementing all aspects of the project procurements managed by the PMU.

Environment and Social Safeguards Specialist: To ensure that the project is implemented as per the environmental and social safeguards policies of the government and the World Bank, the project will employ a safeguards specialist. The specialist will be responsible for implementation of project Environment and Social Commitment Plan, Stakeholder Engagement Plan, Labour Management Procedures, Environment and Social Management Framework. The specialist will report to the project manager and will work under the guidance of the project manager and the director.

Communications Specialist: To provide updates to the media, to increase visibility of the project, to increase the awareness of the public on renewable energy in general & project interventions specifically and to ensure that safeguards issues are adequately communicated to the public a communications specialist will be hired. The specialist will report to the project manager and will work under the guidance of the project manager and the director.

Legal Specialist: To provide legal support for the project, especially since the project involves many long-term contracts made with the IPPs, thus to manage these contracts and to provide legal feedback a legal specialist is required. The specialist will report to the project manager and will work under the guidance of the project manager and the director.

Senior Energy Specialist: The sustainable energy specialist will be overall responsible for implementation of component 1 of the project. The specialist will coordinate all activities related to this component and take the lead role dealing with IPPs, roof/space owners, implementation partners, and project advisors in relation to component 1. The specialist will also determine need for various technical assessments to implement this component and will report the requirements to the project manager. The specialist will provide assistance to

Sustainable Energy Specialist and Electrical Engineer in implementation of component 2 and 3. The specialist will report to the project manager and will work under the guidance of the project manager and the director.

Sustainable Energy Specialist: Sustainable energy specialist will be overall responsible for implementation of component 2 of the project. The specialist will coordinate all activities related to this component and take the lead role dealing with implementation partners, other stakeholders and project advisors in relation to component 2. The specialist will also determine need for various technical assessments to implement this component and will report the requirements to the project manager. The specialist will provide assistance to Senior Energy Specialist and Electrical Engineer for implementation of component 1 and component 3 of the project. The specialist will report to the project manager and will work under the guidance of the project manager and the director.

Electrical Engineer: Electrical Engineer will be overall responsible for implementation of component 3 of the project. The engineer will coordinate all activities related to this component and take the lead role dealing with implementation partners, other stakeholders and project advisors in relation to component 3. The engineer will also determine need for various technical assessments to implement this component and will report the requirements to the project manager. The specialist will provide assistance to Sustainable Energy Specialist and Senior Engineer for implementation of component 1 and 2 of the project. The engineer will report to the project manager and will work under the guidance of project manager and the director.

Monitoring and Evaluation Specialist: To monitor and evaluate project progress and to ensure that the project indicators are met the project will hire a monitoring and evaluation specialist. The specialist will send quarterly progress reports to World Bank and will advise the project manager on issues on project implementation. This specialist will be overall responsible for implementation of Gender Action Plan developed for the project as well. The specialist will report to the project manager and will work under the guidance of the project manager and the director.

Project Coordinator: A project coordinator will be hired to ensure day to day operations of the project are run smoothly. The coordinator will be responsible to liaise with all project stakeholders and implementation partners regarding various administrative aspects of the project including, travel and meetings. The coordinator will also look into attendance and other administrative aspects of the staff hired for the project and will provide updates to

project manager. The coordinator will report to the project manager and will work under the guidance of the project manager and the director.

In addition to these permanent staff required for the full duration of the project, based on needs basis the project may hire other technical staff for implementation for limited duration. For example, when civil works are undertaken a civil engineer will be required for monitoring the various sites. In addition, electrical engineers and other supervision staff maybe hired. All these staff when hired will be considered as project direct staff under ESS2. Moreover, the staff assigned by the implementation partners for the project will also be defined as project direct workers. However as per paragraph 8 of ESS2 they will be bound by their employment contracts and provisions under this LMP will not apply to such parties as well.

In addition, various specialist consultancies maybe hired (firms or otherwise) to support project implementation. The provisions given under this LMP will not strictly apply to such consultancies.

2.2 PROJECT CONTRACTED WORKERS

As per ESS2 project contracted workers are defined as those employed by third parties for support of implementation of the project. This includes primarily workers hired by IPPs both during construction and implementation under component 1 and workers hired by various Engineering, Procurement and Construction (EPC) contractors under component 1, 2 and 3 of the project. An estimated number of workers required for the project is summarized below.

Table 1 Estimated Number of Workers Required for the Project

| Worker Type | Skilled | Unskilled |
|--|----------------|------------------|
| Direct Workers | 11 | 0 |
| Contracted Workers (Total for 10 sites) | 150 | 100 |
| Primary Supply Workers (Total for 10 sites) | 50 | 0 |
| Total | 211 | 100 |

As can be seen in Table 1, the majority of the workforce that is required for the project are skilled labour, as working with grid, solar PV and battery systems involve mostly technical aspects. Unskilled labour will mostly be involved in building structures required for solar PV installation and in manual labour like digging that will be required for grid upgradation. The next section assesses the key labour risks of the project.

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The labour risks for the project can be defined based on the nature and location of the project. This section assesses labour risks firstly to direct project workers followed by those risks to contracted workers.

3.1 DIRECT PROJECT WORKERS

The risks related to direct project workers can be summarized as below:

3.1.1 GENERAL ASPECTS

- Discrimination based on gender, marital status, age, or any other physical or mental attribute.
- Sexual harassment. Many such cases have come to light in the Maldives and across the world recently.
- Physical and verbal harassment and workplace bullying.
- Discrimination in relation to opportunity/access for training and self-development.
- Discrimination on pay based on nationality, gender or any other aspect not related to experience or education. This has become particularly a major issue in some private sector industries and when hiring consultants in the Maldives. Often the local equivalent is paid much less than the foreign national.
- Employing underage staff to work in the project.
- Employing a staff without a valid work permit. This is particularly an issue in the construction industry not within the government.
- Overworking of employees can lead to exhaustion, loss of interest, depression and other serious health complications.
- Lack of availability of incentives available to staff at other organizations employed at similar capacity can lead to demotivation and ultimately poor staff retention.

3.1.2 AT THE PROJECT OFFICE

- Risk of fire at the workplace. This risk is quite high in a densely populated city like Male' with mixed industrial, residential and office spaces in close proximity. As evidenced by the disruptive fire that occurred on September 2019 that claimed 01 life and affected more than 300 people.
- Lack of proper sanitation facility in workplace and lack of availability of drinking water in workplace.
- Infestation of workplace with pests, like rats, mites etc. This is also very common in Maldives.
- Lack of availability of works station and software's required for functioning of project functions.

3.1.3 AT FIELD

- The direct work force of the project is expected to be involved in significant air and sea travel. There has been a trend of increased incidence of capsizing events happening especially with respect to small speedboats at the sea. For instance, in August 2019 one such incidence claimed 05 lives. Thus, there is a risk of accident, especially when travelling by sea.
- The sub-projects implemented through ARISE will involve the contractors and investors working at height, with regards to rooftops and other on the ground structures used for Solar PV installation. The project direct staff are expected to undertake routine inspections during construction phase and during operation phase. There is risk of falling, falling objects and other such risks when working at heights.
- When visiting power plants, solar PV installation sites, Grid upgradation work sites there is risk of being in direct and/or indirect contact with exposed energized conductors or circuit parts. This can lead to a range of dangerous health complications ranging from muscle spasm to death caused due to stopping of heart and/or breathing.
- Electricity arcs generated at project sites can lead to thermal burns which can lead to significant tissue damage.
- Dehydration while in field can lead to exhaustion, loss of consciousness and even death sometimes, if long hours are spent on field without access to water.
- Hearing impairment due to high noise, especially applicable to power houses and such locations.
- Visiting a location which has been declared unsafe, for example due to political unrest or for example due to an epidemic can pose risk to health and safety.
- Lack financial resources to meet the daily requirements in the field.

3.2 CONTRACTED WORKERS

The risks posed to contracted project workers can be summarized as below:

3.2.1 GENERAL ASPECTS

- Discrimination based on gender, marital status, age, or any other physical or mental attribute.
- Sexual harassment. Many such cases have come to light in the Maldives and across the world recently.
- Physical and verbal harassment and workplace bullying.
- Discrimination on pay based on nationality, gender or any other aspect not related to experience or education. This has become particularly a major issue in some private sector industries and when hiring consultants in the Maldives. Often the local equivalent is paid much less than the foreign national.
- Employing underage staff to work in the project.

- Employing a staff without a valid work permit. This is particularly an issue in the construction industry of Maldives.
- Overworking of employees can lead to exhaustion, loss of interest, depression and other serious health complications.

3.2.2 AT PROJECT WORK SITE

- Risk of falling and falling objects while working at heights. This involve physical construction work and also when undertaken maintenance and inspections.
- Risk of electrocution as a result of direct or indirect contact with exposed energy conductors or circuit parts. This can lead to a range of dangerous health complications ranging from muscle spasm to death caused due to stopping of heart and/or breathing.
- Electricity arcs generated at project sites can lead to thermal burns which can lead to significant tissue damage.
- Handling solar electric PV panels in the sun resulting in electric shock.
- Worn or frayed power cords and power lines (electric shock hazards), objects thrown from equipment such as saw blades (eye injury, laceration, puncture wound, and bleeding hazards), sharp tools (laceration, puncture wound, and bleeding hazards).
- Lifting hazard, if the correct equipment, number of persons and methodology are not used. Over a long term have risk of permanent damage to spine.
- Dehydration, potential of passing out, heat exhaustion, heatstroke, or death.
- In adequate safety signs leading to serious accidents at the project site. Especially if the signs are not in a language that the workers can understand.
- There is risk of accidents related to vehicles used in the project, if the vehicles are not road worthy, if the vehicles used are not handled by trained personal.
- Risk of poisoning as a result of chemicals used at the project site.
- Harmful chemicals entering the respiratory system while working in certain environments, for example asbestos or lead paints.
- Open pits can lead to mosquitoes breeding which can lead to outbreak of mosquito-borne diseases.
- Lack of clearly demarked designated areas for waste disposal can lead to unhygienic working environment which can lead to disease etc.

3.2.3 AT CONTRACTORS' OFFICES AND TEMPORARY ACCOMMODATION SITE(S)

- Lack of sanitation and clean drinking water at the project site.
- Over congestion of work force in a small space can lead to disease and other such outbreaks. Often foreign labour in Maldives are housed by contractors in unhygienic and inhumane conditions.
- Lack of access to shower facilities.

- Food being served in unhygienic conditions.
- Lack of availability of adequate meals.
- Lack of clearly demarked designated areas for waste disposal can lead to unhygienic living/working environment which can lead to disease etc.
- Areas in living and working quarters where water can collect can lead to mosquito breeding which in turn can lead to outbreak of mosquito borne diseases within the work force.
- Pest infestation in the work space and living quarters can lead to unhygienic working/living conditions and can lead to serious disease outbreaks.

4. BRIEF OVERVIEW OF LABOUR LEGISLATIONS

The Constitution (2008) guarantees every citizen the right to engage in any occupation or employment, prohibits forced labour, entitles everyone to fair wages, equal remunerations, safe conditions of work, and equal opportunity for promotions. In addition, it also guarantees everyone the right to form trade unions and participate in their activities, right to strike, to rest and leisure, including limits on hours of work and periodic holidays with pay, and a right to a pension as well.¹ These rights are ensured to everyone “without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island.”²

Maldives is party to all 08 of the fundamental conventions of the International Labour Organization (ILO), all ratified on 04th January 2013, and 02 of its technical conventions.³

4.1 EMPLOYMENT ACT 2008 [2/2008]

Employer/employee relationships are governed under the Employment Act (2/2008) and the subsequent amendments to it. An employer is defined in the Act as, “any person, company, government or association of persons providing employment pursuant to an employment agreement which includes the use of services of non-independent contractors, successors, assigns of such employers, and any person to whom the rights of such employers are transferred in accordance with the law”. An employee is any person seeking to work pursuant to an employment agreement. Maldives National Defense Force and Maldives Police Service are exempted from the Act. The Act prohibits forced employment, and discrimination in granting of employment, increase in remuneration, provision of training, determination of conditions and manner of employment, dismissal and resolution of other employment related issues; based on race, color, social standing, religion, political beliefs or affiliation with any political party, sex, marital status, family obligations, age or disability.

4.1.1 Minors

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

¹ Articles 25, 30, 31, 37 and 38 of the Constitution

² Article 17, Constitution

³ Seafarers Identity Documents Convention, and International Maritime Convention, ratified in January 2015 and June 2014 respectively

are protected from employment that would have a detrimental effect on their health, education, safety or conduct. These rights are further stipulated in the Rights of the Child Act [19/2019] under which the Labour Relations Authority (LRA), is mandated to enact necessary regulations and monitoring the implementation of the same, for the prevention of child labour.⁴

4.1.2 Employment Agreement

All employers are required to enter in to an employment agreement in writing, with their employees. The Act recognizes three types of employment agreements, which are, (a) fixed term contracts or agreements with a definite term, (b) agreements with an indefinite term or permanent employment agreements, and (c) agreements for a specific task or project.⁵ Direct workers or project staff in the PMU falls under this latter category. Such agreements are considered neither permanent nor fixed term contract. And they are considered terminated upon the completion of the specific task or project.

All agreements must at minimum have included in them the following details;

- i. The name of the employee, permanent address, current address, identity card number or passport number, date of birth, nationality, emergency contact person's name, address and phone number;
- ii. Whether employment is permanent or temporary;
- iii. Date of commencement of employment agreement;
- iv. Salary and other benefits;
- v. Method and guidelines for calculation of salary;
- vi. Pay day;
- vii. Days on which leave may be granted;
- viii. Principles pursuant to which disciplinary measures may be taken against the employee due to his conduct;
- ix. Staff appraisal; and
- x. Manner of dismissal from employment.

Employers are also obligated to provide employees with a job description.

4.1.3 Working Hours

⁴ Article 26, [19/2019]

⁵ Article 13, [2/2008]

Working hours of employees, under the Employment Act must not exceed 48 hours per week. This however does not cover overtime work.⁶ Employees may not work for more than six consecutive days without taking a day off. The employment agreement must stipulate how overtime work can be obtained from an employee. Employees working overtime are entitled to a pay of 1 ¼ times their hourly wage and if working on a public holiday, 1 ½ times their hourly wage.⁷

4.1.4 Dismissal

Employees have a right not to be dismissed unfairly, without cause. The Act provides a list of disciplinary measures that can be taken reasonably against an employee due to misconduct and which must ordinarily be exhausted before any dismissal. This includes, cautioning verbally, a written warning, 14-day suspension and demotion, in that order.

Employers must establish procedural fairness and substantive fairness before an employee is dismissed. Procedural fairness is ensuring that due process of the law is followed in any decision to dismiss an employee, including among other things, providing the employee with due notice or money in lieu of such notice and ensuring that the employee is given ample opportunity to defend themselves. Substantive fairness means the actual reason or the misconduct of the employee preceding such dismissal must be one that warrants dismissal. It must be reasonable and fair. The employers must take in to account the circumstances surrounding the case, the previous records of the employee, and actions taken for similar conduct in previous cases.⁸

4.1.5 Leaves

Entitled leaves for employees under the Act includes, 30 (thirty) days of paid annual leave, 30 (thirty) days of paid sick leave, 60 (sixty) days of paid maternity leave, upon expiry of which either parent may choose to take up to 01 (one) year of unpaid leave, 03 (three) days of paid paternity leave, 10 (ten) days of paid leave for family responsibility, and 05 (five) days of paid leave for a parent of a child undergoing circumcision.⁹

On March 2019, the government decided to grant all government employees with a paid maternity leave and paternity leave of 06 (six) months and 01 (one) month, respectively. This practice has since been taken up by state owned enterprises as well.

⁶ Article 32, [2/2008] as amended by Article 6 Second Amendment Act to the Employment Act [14/2008]

⁷ Article 38, Employment Act [2/2008]

⁸ High Court of Maldives case number: 209/HC/2010

⁹ Articles 39-49, [2/2008]

4.1.6 Training

Employees may be engaged with training, on the job or otherwise, subject to a separate agreement entered in to with the employer, for the purpose. The agreement must have in them at minimum, the details of the employer and the employee along with, details of the type of training, the period it would take to complete the training, costs incurred by the employee in relation to the training and the rights and obligations of each party if the training is not completed.¹⁰

4.1.7 Health and Safety

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

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

Employees are required to;

- maintain safe practices at work to avoid danger to the safety and wellbeing of the employee and co-workers, which may be caused by inattentiveness to safety and security measures;
- assist the employer and co-workers in maintenance of measures designed to ensure health and safety in the work place;
- use safety equipment and protective gear as instructed in accordance with the training and education provided for use of such equipment and gear;

¹⁰ Article 70, [2/2008]

- report to the employer any damage, loss of or destruction of protective gear or safety equipment;
- inform the employer or his designated supervisor immediately of the occurrence of any incident which the employee believes may cause danger and which the employee is unable to resolve;
- inform the employer or his designated supervisor of any accidents or damage sustained at work or related to work.

Employees have the right to abstain from work where there is serious threat to health or life.¹¹

4.1.8 Unionizing, collective bargaining and the right to strike

The Employment Act 2008 is notably silent on the right to strike or the right to form trade unions and is lacking any provisions on collective bargaining. While these are constitutional rights, and Maldives remain party to the ILO Convention on Right to Organize and Collective Bargaining (No. 98), there is a lack of a specific legislative framework ensuring the right to organize and collectively bargain. Employees can however create clubs and associations, which are governed under the Associations Act (1/2003). Such clubs and association are required under the law to be registered at the ministry with the relevant mandate.

The Regulation on Resolving Disputes between Employers and Employees (2011/R-12), issued by Labour Relations Authority outlines principles for employees to comply with in exercising the right to strike and abstain from work. To strike, under the Regulation is defined as, to abstain from work by peaceful exercise of the employees' freedom of assembly and speech. Under the Regulation, before any decision is taken to conduct a strike due to a dispute between the employers, the employees are to carry out discussions with their respective employers. The Regulation provides for a three-tier process to be followed in carrying out such discussions. First step involves informal discussion between the parties failing which formal discussions are to be held at a sectional or departmental level. Second tier involves lodging the grievances to a Grievance Committee made up of the head of the respective organization, heads of the relevant departments, and parties representing the aggrieved employee(s). If the Grievance Committee fails to resolve the dispute, the matter is to be forwarded to the Labour Relations Authority. If either party is dissatisfied with the decision of the Authority, the matter can be submitted to the Employment Tribunal for adjudication.

4.1.9 Redress, Labour Relation Authority and Employment Tribunal

Labour Relations Authority (LRA) formed under Article 77 of the Employment Act (2008) is mandated with implementing the necessary administrative measures to ensure compliance with the Act. The Authority also issues regulations governing employer/employee

¹¹ Articles 73-76, [2/2008]

relationships. As such employees can lodge complaints to LRA, regarding an employer's action which they deem is in contravention of the law, and request to enforce compliance.

LRA has the authority to enter in to and inspect work places and obtain documents through Employment Officials. Officials have the authority to order an employer to make changes, within a specified time, to the machinery or the manner in which an equipment is set up, to ensure health and safety of the employees as stipulated under law. An official can also order urgent steps to be taken in order to avert a danger where the risk of a danger to the employee's health and safety exists in the opinion of such official.

If an employer is unhappy with the decision or order of LRA, they can appeal to Employment Tribunal.

The Tribunal established under Article 85 of the Employment Act consists of 07 (seven) members appointed by the President. The members hold office for a tenure of 05 (five) years and should have the educational qualifications and experience to comprehend and resolve employment related issues.

The Tribunal reviews and deliberates at the first instance on matters of employment. Decisions of the Tribunal are appealed at the High Court.

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

The aim and objective of this regulation is to provide minimum standard for safety and security of the community and labour force¹². The regulation suggests that if the value of the project exceeds 1.5 million Maldivian Rufiyaa, health and safety aspects regarding the project needs to be defined and training given to the labour force¹³. It states that safety nets need to be installed and other precautionary measures taken such that the neighbouring households are not impacted as a result of the project². It also stipulates that Personal Protective Equipment (PPE) that is relevant to the work undertaken should be worn. In this regard, it states that safety helmets, safety shoes, safety goggles, welding mask and gloves need to be used where required. The same article stipulates that, it is the responsibility of the employer to provide PPE to the employee². It also stipulates that steps need to be undertaken during excavation to ensure damage to nearby properties are avoided. It also stipulates that appropriate safety signs need to be installed in construction site.

Furthermore, Emergency Response Plan (ERP) is required for projects that exceeds MVR 1.5 million¹⁴. The provision requires the emergency response plan to be visible and the drill for emergency response plan to be undertaken at least twice every year. Moreover, a complete

¹² Article 2, [2019/R-156]

¹³ Article 5, [2019/R-156]

¹⁴ Article 6, [2019/R-156]

first aid kit and a trained first aid person should always be available at the construction site for such projects³. The contractor is also required to assign a site safety supervisor¹⁵. Such a person should have a minimum five-year experience working as a site supervisor.

The regulation also stipulates that for projects above MVR 5 million third party insurance needs to be taken to cover for damages¹⁶. The regulation also have provisions that highlights that all open pits should be covered or demarcated with fence, to have pedestrian detour if work is undertaken next to a road, If work is undertaken in height safety warning signs or warning flags or lights need to be installed at the site and all idle equipment's need to be switched off¹⁷. The regulation also suggest that the construction boundary needs to be hoarded. As per the regulation, the minimum height of the hoarding should be 1800 millimeters¹⁸.

If working above 03 meters it is stated that a guardrail should be there to prevent falling from height¹⁹. Moreover, it is stated that safety harness and belt need to be used when working at such heights. The regulation also has special provisions when working on roofs²⁰. Use of static line and inertia reel when working on roofs and ensuring that they are installed appropriately. Preassembling the materials required as much as possible prior to lifting to the roof, to minimize work undertaken on the roof. Scaffolding should be installed by a person who has special training and experience for installing scaffolding⁹. The regulation also states that While installing safety net work should be undertaken using a mobile scaffolding or a tower scaffolding⁹. All scaffolding used on site needs to be tested at least once a week²¹.

Specific provisions are also there regarding electricity supply. In this regard one of the following conditions should be met²²:

1. All electric equipment should be connected to a supply that does not exceed 230 V.
2. To install an earth circuit monitor on the electricity supply line.
3. Use of equipment that have double insulation.
4. Utilize earth leakage circuit breaker.

¹⁵ Article 7, [2019/R-156]

¹⁶ Article 9, [2019/R-156]

¹⁷ Article 10, [2019/R-156]

¹⁸ Article 12, [2019/R-156]

¹⁹ Article 14, [2019/R-156]

²⁰ Article 16, [2019/R-156]

²¹ Article 18, [2019/R-156]

²² Article 20, [2019/R-156]

The switchboard installed to provide temporary power should be covered to prevent weather damage²³.

The regulation stipulates that all electrical equipment used on the site needs to be tested every 03 months to ensure functionality and safety²⁴. The regulation also highlights that where chemicals and hazardous materials are used each contractor needs to identify a plan to handle such material and the identified plan needs to be implemented in the work site²⁵. It is also suggested when handling hazardous materials, the workers need to be fully covered.

If any flammable materials are on site firefighting equipment should be available and fire protection clothing should be available on site²⁶. The regulation suggests that heavy machinery like cranes should not be used in any areas where public could access²⁷. Moreover, the same article states that cranes should operate 04 meters away from any overhead electric lines. Moreover, cranes should be inspected every 12 months and the records of the inspection should be kept available in the crane.

To keep log records of any accidents that occur in site and reporting any such incident to police is also specified in the regulation²⁸. The regulation also specified non-compliance penalties²⁹.

4.3 PREVENTION OF SEXUAL HARASSMENT ACT (16/2014)

Prevention of Sexual Harassment Act (16/2014) prohibits employers and employees from subjecting those who work under them or their co-workers to any extent any type of sexual harassment. Sexual Harassment is defined in the Act as, any sexual act committed against a person without their consent. A sexual act, for the purposes of the Act, is any action, whether physical, verbal or otherwise, which according to a reasonable person, suggests a sexual intent towards the victim. Any such act is to be proven on the balance of probability.³⁰ It is the duty of the employer to take reasonable steps to ensure that the work environment is an environment that is free from sexual harassment and one in which such acts does not negatively affect the work of employees.³¹ Employers are obliged to establish policies to prevent sexual harassment and have such policies published,³²

²³ Article 21, [2019/R-156]

²⁴ Article 22, [2019/R-156]

²⁵ Article 24, [2019/R-156]

²⁶ Article 29, [2019/R-156]

²⁷ Article 32, [2019/R-156]

²⁸ Article 39, [2019/R-156]

²⁹ Article 43 & 44, [2019/R-156]

³⁰ Articles 2, 3 [16/2014]

³¹ Article 7, [16/2014]

³² Article 13, [16/2014]

Every government office including the presidents' office, independent institutions, parliament, the courts and all work places with more than 30 employees must have, under the Act, a Sexual Harassment Prevention Committee, with the function, among other things, of hearing complaints, investigating potential acts of harassment and take proper action against perpetrators in accordance with the Employment Act.³³ The Committee consists of 03 members out of which one must be female. The Committee can, depending on the gravity of the action, take disciplinary actions ranging from cautioning, suspension, demotion and dismissal.³⁴ Decisions must be taken within 60 days of receiving a complaint. Decisions of the Committee can be appealed at Employment Tribunal.³⁵

4.4 GENDER EQUALITY ACT 2016 (18/2016)

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

- Abolish gender-based discrimination, including direct and indirect discrimination.
- Abolish all systemic discrimination caused through established systems with unequal practices.
- Promote equal opportunities for men and women.
- Promote notions and ideas of gender equality to eliminate undesired preconceptions against a certain gender.³⁶

Providing equal opportunity under the Act includes, (a) eliminating weaknesses or difficulties caused by inequality between men and women, (b) reducing the negative effects of inequality between men and women, (c) facilitating the special needs of a particular gender to achieve ease of attainment of services, and (d) evaluating the degree of participation of each gender in public life and public services and take appropriate steps to balance such participation.³⁷

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

- (a) Provide equal opportunity to men and women in the employment, training and advancement of position.
- (b) Provide equal wages to men and women who perform the same responsibilities at the same place of employment.

³³ Articles 17, 18, 19 [16/2014]

³⁴ Article 22, [16/2014]

³⁵ Article 26, [16/2014]

³⁶ Article 18, [18/2016]

³⁷ Article 19, [18/2016]

- (c) Men and women at the same place of employment with work adequately equal in value and weight shall be given equal wages, overtime compensation, benefits and allowances.
- (d) Employment opportunities shall not be offered or advertised to restrict a particular gender, except in circumstances the work is required to be undertaken by a particular gender.
- (e) Announcements and advertisements for work that is likely to attract more men than women must be designed to invite and not to exclude women.
- (f) Take all possible steps to eliminate obstructions to employment of women and to create conducive work environments for women.
- (g) Establish a complaints mechanism.³⁸

4.5 MALDIVES PENSION ACT (18/2016)

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

Each person who is considered a participant of the Retirement Pension Scheme of the Maldives, is required to pay a minimum of 7% of the employee's pensionable wage, and the employer must also pay a minimum of 7% of the pensionable wage to the scheme.³⁹

4.6 MIGRANT WORKERS

Foreigners are required to obtain an employment approval as per applicable law, and deposit a security with the relevant government agency. This deposit is to be used by the government for costs incurred to remedy an employers' default of their responsibilities under relevant Regulation on Employment of Expatriates in Maldives (2011/R-22), or as payment for any unpaid fees related to work permit or work visa, or for travel expenses of the worker, where government decides to deport such worker. Article 62 of the Employment Act gives the minister with the relevant government mandate to issue regulations related to the employment of foreigners.

Under the Regulation on Employment of Expatriates in Maldives (2011/R-22), government issues a specific number of "Quotas" for companies, upon request in order to employ expatriates. No foreigner is allowed to work in the Maldives without a valid work permit and a work visa. Employers are required to treat their foreign employees in accordance with the

³⁸ Article 20, [18/2016]

³⁹Article 14,[18/2016]

Employment Act and other applicable law. They are responsible for paying any fees related to the work permit or visa accordingly and of returning the worker to their home country once the work permit expires, or if for any reason the government decides that the worker should leave the country. Employers are also required to, upon the death of a worker, to return the body to their family in their home country.

4.7 INTERNATIONAL LABOUR ORGANIZATION CONVENTIONS

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

1. Forced Labour Convention, 1930 (No. 29): “This fundamental convention prohibits all forms of forced or compulsory labour [...] Exceptions are provided for work required by compulsory military service, normal civic obligations, as a consequence of a conviction in a court of law [...], in cases of emergency, and for minor communal services performed by the members of a community in the direct interest of the community. The convention also requires that the illegal extraction of forced or compulsory labour be punishable as a penal offence, and that ratifying states ensure that the relevant penalties imposed by law are adequate and strictly enforced.” (See Rules of the game: a brief introduction to international labour standards, p. 35)
2. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87): “This fundamental convention sets forth the right for workers and employers to establish and join organizations of their own choosing without previous authorization. Workers' and employers' organizations shall organize freely and not be liable to be dissolved or suspended by administrative authority, and they shall have the right to establish and join federations and confederations, which may in turn affiliate with international organizations of workers and employers.” (See Rules of the game: a brief introduction to international labour standards, p. 28).
3. Right to Organise and Collective Bargaining Convention, 1949 (No. 98): “This fundamental convention provides that workers shall enjoy adequate protection against acts of anti-union discrimination [...] Workers' and employers' organizations shall enjoy adequate protection against any acts of interference by each other [...] The convention also enshrines the right to collective bargaining” (See Rules of the game: a brief introduction to international labour standards, pp. 28-29).
4. Equal Remuneration Convention, 1951 (No. 100): “This fundamental convention requires ratifying countries to ensure the application of the principle of equal remuneration for men and women workers for work of equal value. The term ‘remuneration’ is broadly defined to include the ordinary, basic or minimum wage or salary and any additional emoluments payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker’s employment” (See Rules of the game: a brief introduction to international labour standards, p. 40).

5. Abolition of Forced Labour Convention, 1957 (No. 105): “This fundamental convention prohibits forced or compulsory labour as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilizing and using labour for purposes of economic development; as a means of labour discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination” (See Rules of the game: a brief introduction to international labour standards, p. 35).
6. Discrimination (Employment and Occupation) Convention, 1958 (No. 111): “This fundamental convention defines discrimination as any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. [...] It requires ratifying states to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in these fields. The Convention covers discrimination in relation to access to education and vocational training, access to employment and to particular occupations, as well as terms and conditions of employment.” (See Rules of the game: a brief introduction to international labour standards, p. 42).
7. Minimum Age Convention, 1973 (No. 138): “This fundamental Convention sets the general minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting the general minimum age at 14 (12 for light work) where the economy and educational facilities are insufficiently developed.” (See Rules of the game: a brief introduction to international labour standards, p. 37).
8. Worst Forms of Child Labour Convention, 1999 (No. 182): “This fundamental Convention defines as a “child” a person under 18 years of age. It requires ratifying states to eliminate the worst forms of child labour, including: all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; child prostitution and pornography; using children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children. The Convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for

children removed from the worst forms of child labour.” (See Rules of the game: a brief introduction to international labour standards, p. 37).

5. POLICIES AND PROCEDURES

This section identifies the key policies and procedures that will be in place to ensure that the risks identified in section 03 of this LMP is adequately addressed. In this regard this section will first look means of addressing identified risks associated with direct project workers followed by means of addressing such risks of contracted workers.

5.1 DIRECT PROJECT WORKERS

The following are the mitigation measures that will be implemented during project implementation to ensure that the risks to project direct workers identified in Section 03 of this LMP are addressed. The project manager and the director will have the overall responsibility to ensure the aspects highlighted are implemented. The safeguards officer will undertake periodic review quarterly to determine compliance and report to project manager, project director and the World Bank. To ensure compliance, the following clauses will be included in the employment contract, where relevant.

5.1.1 GENERAL PROVISIONS

- All project staff will be provided with an employment contract as per the requirements of Employment Act (2/2008).
- All direct project staff employed for the purpose of the project will be above 18 years. Even though the employment act provides provision to employ minors between 16 to 18 years of age, with the consent of the parents, it is not envisioned that a minor will be required to be employed as a direct project worker.
- Maximum working hours for staff will not exceed the maximum limit set in the Employment Act, i.e. 48 hours a week.
- Equal training opportunity will be available to all staff working in the project without discrimination, based on gender or otherwise, as specified in the Employment Act. It is responsibility of the Project Manager and the Project Director to ensure that such discrimination does not exist.
- All staff will be entitled to breaks from work of 30 (thirty) minutes after every 05 (five) hours during working hours as per the Employment Act. They will also be provided with the entitled leaves under the Employment Act, in addition to paid maternity and paternity leaves as per the social protection policy of the government. In this regard, 06 months maternity leave and 01-month paternity leave will be provided. This policy has been established and enforced in all government civil service offices and all government companies.
- All staff will be made aware of grievance redress mechanism available for the staff specified under this LMP.

- Provide health insurance packages to all project staff, equivalent to that given by other government companies and institutions working in similar capacities.
- Staff will be made aware of the avenues available at the Ministry for victims of sexual harassment. Staff will be able to lodge complaints to the Sexual Harassment Prevention Committee at the Ministry, established under Prevention of Sexual Harassment Act (16/2014).
- Staff will be provided a pension contribution and deductions will be made from their salaries for their contribution in accordance with the Pension Act 18/2016).
- Any foreign party employed by the project will have a valid work permit and a work visa while working in Maldives.

5.1.2 AT PROJECT OFFICES

- A work station with computer will be provided to all staff.
- Separate male and female toilet facilities will be provided at all project offices.
- Drinking water will be available at all project offices.
- All project offices will be free of pests. Where pests are detected pest control measures will be taken immediately.
- Fire detection and firefighting equipment will be available at all project offices.
- Emergency evacuation plan will be established for all project offices and staff will be made aware of the plan and periodic simulation exercises that needs to be implemented.
- All software's essential for functioning of the assigned tasks will be provided to all project staff.

5.1.3 AT THE FIELD

- When travelling procure sea-vessels that have lifejackets available.
- When procuring sea-vessels for travel in addition to cost, safety considerations will be made, and the size of the vessel will be adequate from a safety perspective.
- Lifejackets will be provided to all project staff when travelling by sea.
- Hard hats (through contractors, investors or project directly) will be provided to all project staff when visiting project construction sites.
- Enclosed shoes will be worn by all project staff when visiting project construction sites (safety shoes are preferable).
- Safety harness will be provided (through contractors, investors or project directly) to all project staff when climbing heights at project sites.
- Electrical Protective gloves (through contractors, investors, implementation partners or project directly) will be provided to all project staff inspecting power systems.
- Ear plugs will be provided to all project staff (through contractors, investors or project directly) when visiting high noise areas for example power houses.

- Arrangement will be made to ensure that water is available to all project staff at the field. Ideally a refillable water bottle would be provided to each project staff to be used during field visits.
- Some form of identification will be there identifying the staff belonging to project when attending meetings and sites.
- Where a state of emergency or an epidemic is declared, all travel to that place will cease with immediate effect.
- A daily subsistence allowance (DSA) will be provided to all project staff covering lodging, meals, gratuities and transport costs when travelling in field. The rate of DSA will be determined based on the rates at locations where project is implemented and will be revised based on changes to rates.

To ensure enforcement of these aspects highlighted in the LMP, these provisions will be included in the employment contracts of all direct workers.

5.2 CONTRACTED WORKERS

On behalf of PMU, the safeguards specialist will have the overall responsibility for the implementation of the policies and procedures identified here. Regular monitoring of on the ground conditions of the contracted staff will be undertaken through project assigned supervision party. At the time of writing, the plan is to utilize staff of utility based in the islands for this purpose. The safeguards specialist will provide the training to the assigned supervision staff. The safeguards specialist will review inputs from the supervision staff and communicate issues that require addressing to the contractors/investors. The safeguards specialist will undertake periodic review quarterly to determine compliance and report to project manager, the contractor/investor and the World Bank. To ensure compliance it is recommended to include relevant clauses in the works contracts and other legal agreements developed through the project. Moreover, for component one the IPPs will be required to submit Environment Management Systems of the company at the bidding stage and will be required to incorporate the conditions identified here into the system.

5.2.1 GENERAL PROVISIONS

- List of workers to be utilized in relation to the project, with proof of employment will be required to be submitted to PMU by all investors/contractors.
- Construction work can only commence once the following conditions are met:
 - ✓ Toolbox training completed by all staff employed by the contractor
 - ✓ All the required Personal Protective Equipment are acquired by the contractor for all workers
- Any newly employed party by the contractor will be required to complete the toolbox prior to commencing any physical work.

- As per the provisions of the employment, all parties employed by any contracted party will be above 16 years of age. For those between 16 to 18 years of age, consent of the parent will be required as per the employment act. In addition, all other provisions of the act highlighted previously regarding employment of a minor will apply. All contractors and investors will be required to provide document evidence (passport, identity card or birth certificate) confirming age of employees to PMU prior to involving them on activities of the project. In addition, for minors consent of the parent will be provided in writing together with evidence of legal guardianship.
- Maximum working hours for staff will not exceed the maximum limit set in the employment act, i.e. 48 hours a week. To confirm this, monthly attendance and duty sheets need to be submitted to PMU during the construction phase.
- An internal transparent and accountable system will be established within the company to tackle issues of sexual harassment, physical and psychological harassment and workplace bullying. Details of this system will be shared with PMU prior to signing any contracts or agreements.
- All contracted staff will be made aware of grievance redress mechanism available for the staff specified under this LMP.
- The leave policy of the company will be shared and confirmed that it is in line with national laws and regulations.
- All foreign parties employed by all contractors/investors will have valid work permit. The work permit details will be shared with PMU.
- All vehicles used by any contractor/investor for the purpose of the project will have valid registration, insurance and road worthiness.

5.2.2 PROJECT WORK SITE

- All provisions that are required under Health and Safety Regulation for Construction Industry (2019/R-156) will be strictly adhered to.
- All workers will be provided with Personal Protective Equipment (PPE) by the contractor/Investor. In this regard the following will be observed:
 - Hard hats should be used by all workers when undertaking construction and when undertaking inspections at height.
 - Enclosed safety shoes should be worn by all construction workers.
 - Safety harness should be used by all workers when climbing heights at project sites.
 - Electrical Protective gloves should be provided to workers when dealing with electrical components.
 - Chemical protective gloves should be provided to all workers when dealing with any chemicals.
 - Construction safety goggles should be worn by all construction workers.

- Ear plugs should be worn by all construction workers working in environments with high noise (working above 75 decibels).
- Masks should be worn when dealing with chemicals and when working in dusty environments.
- All chemicals will be stored on hard surfaces and should be covered.
- Portable drinking water will be made available at the construction site during construction phase.
- Adequate safety signs will be installed at the work site giving clear direction. These will be provided in addition to English in the language of the workforce.
- Construction work site will be demarcated & fenced, and warning signs will be displayed both in English and Dhivehi.
- When construction is undertaken, clearly demarcated bins for waste disposal will be placed and emptied daily.
- Open pits will not be left for water to accumulate for a long time.
- Any stockpiled sand will be covered to prevent sand particles from being airborne.
- All vehicles and equipment used for the project will be used by well trained personnel.
- Any scaffolding used will be to British Standard (BS1139).
- When working at night, adequate lighting will be provided.
- A designated toilet facility will be available within 10 minutes of the construction site.
- Breaks will be given to the workforce during mealtimes.
- The site will be cleaned daily following completion of days' work.

5.2.3 AT CONTRACTORS' OFFICES AND TEMPORARY ACCOMMODATION SITE(S)

- Constant and reliable electricity supply will be available at project office and accommodation site.
- Shower and toilet facilities will be available at temporary accommodation site.
- Toilet and drainage will be connected to local sewer system, where not available septic tanks will be used for treatment prior to disposal.
- A minimum ratio of 01 toilet/shower per 20 workers will be maintained. Separate facilities will be provided for men and women.
- Individual bedding will be provided to all workers.
- Storage space for individual belongings will be provided for all workers.
- Male and Female workforce will be housed separately.
- Designated locations for waste disposal with clearly marked bins will be established. Bins will be emptied daily.
- Sufficient lighting and cooling systems will be established.
- Portable drinking water will be provided.
- The site will be cleaned daily.

- Monthly inspections to determine pest infestation of the site will be undertaken.
- Meals to the site will be prepared from a Health Protection Agency (HPA) certified facility (whether food prepared on site or off site).

To ensure enforcement of the aspects highlighted for the contracted workers by the contractor, the conditions highlighted under this section will be included in the contracts signed with all contractors.

5.3 PRIMARY SUPPLY WORKERS

As the project involves procuring and installation of BESS system primary supply workers will be involved as part of the project. These workers will not be stationed in Maldives for long periods, they are likely to come install and leave the country within a short period of time. However, all provisions highlighted under 4.2.1 and 4.2.2 for contracted workers will apply to primary supply workers as well.

6. GRIEVANCE REDRESS MECHANISM

A grievance redress mechanism should exist both for primary workers and contracted workers. A three-tier system is defined below, firstly to direct project workers and followed by that for contracted workers.

6.1 DIRECT PROJECT WORKERS

Table 2 Grievance Redress Mechanism for direct project workers

| Tiers of Grievance Mechanism | Nodal Person for Contact | Contacts, Communication and Other Facilitation by Project | Timeframe to address grievance |
|---|--|---|--|
| First Tier: Ministry of Environment | Permanent Secretary | <p>Any project staff may raise submit in writing addressed to permanent secretary identifying the nature of the grievance.</p> <p>The permanent secretary should acknowledge the grievance and provide written confirmation of receipt of the grievance.</p> <p>For issues related to sexual harassment the Permanent Secretary should submit the complaint to sexual harassment committee.</p> <p>For all other grievances the Permanent Secretary may form a committee (comprised of individuals that are not involved in the project), to review the case.</p> <p>The Permanent Secretary may meet with the aggrieved party and other related project staff to collect additional information.</p> <p>The Permanent Secretary will take steps to ensure that aggrieved party is not discriminated due to the complaint.</p> <p>The Permanent Secretary will communicate the decision regarding the grievance in writing within 15 days of receiving the grievance.</p> | 15 working days |
| Second Tier: Labour Relations Authority | Designated Employment Officer for the case | <p>If the aggrieved party is not happy with the response from the Permanent Secretary, the party may upgrade the grievance to second tier (i.e. Labour Relations Authority).</p> <p>The aggrieved person may submit the complaint through: https://lra.gov.mv/submit-a-complaint-form/</p> | As per the established norms of the Authority |
| Third Tier: Judiciary | An individual has option of going to established judiciary system of the country | The legal system is accessible to all aggrieved persons. | As per established judicial procedures in Maldives |

6.2 CONTRACTED WORKERS

Table 3 Grievance Redress Mechanism for contracted workers

| Tiers of Grievance Mechanism | Nodal Person for Contact | Contacts, Communication and Other Facilitation by Project | Timeframe to address grievance |
|------------------------------|--------------------------|---|--------------------------------|
|------------------------------|--------------------------|---|--------------------------------|

| | | | |
|--|---|--|--|
| First Tier: Contractor/ Investor | Designated person by Contractor/ Investor to specifically look into complaints (if no such person exists within the company can go straight to tier 2) | As per the established system of the investor/contractor | As per established norms of the contractor/investor (not exceeding 30 days). |
| Second Tier: Labour Relations Authority | Designated Employment Officer for the case | If the aggrieved party is not happy with the response from the Contractor/Investor, the party may upgrade the grievance to second tier (i.e. Labour Relations Authority). The aggrieved person may submit the complaint through: https://lra.gov.mv/submit-a-complaint-form/ | As per the established norms of the Authority |
| Third Tier: Judiciary | An individual has the option of going to established judiciary system of the country | The legal system is accessible to all aggrieved persons. | As per established judicial procedures in Maldives |

6.3 WORLD BANKS GRIEVANCE REDRESS PROCEDURE

Parties who believe that they are adversely affected by a project supported by the World Bank may also complaints directly to the Bank through the Bank’s Grievance Redress Service (GRS) (<http://projects-beta.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>).

A complaint can be submitted to the Bank GRS through the following means:

- By email: grievances@worldbank.org
- By fax: +1.202.614.7313
- By mail: The World Bank, Grievance Redress Service, MSN MC10-1018, 1818 H Street Northwest, Washington, DC 20433, USA

- Through the World Bank Maldives Country Office: Hotel Jen 4th Floor, Ameer Ahmed Magu Male’, Maldives. Tel: +9603005289
email:infomaldives@worldbank.org

The complaint must clearly identify the adverse impact(s) caused by the project. This should be supported by available documentation and evidence. The complainant may also indicate the desired outcome of the complaint. Furthermore, the aggrieved party should identify a point contact for communications. Complaints submitted via the GRS are promptly reviewed to allow quick attention to project-related concerns.

7. IMPLEMENTATION OF LMP

The Project Management Unit is responsible to ensure that this LMP is implemented. The responsibility of each staff in relation to LMP are described below.

Table 4 Responsibilities of project staff in relation to LMP

| Staff | Responsible Activities |
|---|---|
| Project Management Specialist | <ul style="list-style-type: none"> • Ensure that all project activities are undertaken as per LMP |
| Environment and Social Safeguards Specialist | <ul style="list-style-type: none"> • Provide information on LMP and other safeguards instruments to contractors prior to commencement of work. • Undertake inspection of work sites to ensure compliance. • Communicate with contractors on issues that needs to be addressed. |
| Communications Specialist | <ul style="list-style-type: none"> • Design display boards to be placed on the sight. • Design awareness material to be place on sight. • Coordinate with labor management authority to provide awareness sessions to project staff. |
| Legal Specialist | <ul style="list-style-type: none"> • Provide information on the legal instruments available to address employee grievances to project staff and contracted staff. |
| Procurement Specialist | <ul style="list-style-type: none"> • Ensure that the provisions highlighted in this plan are included in all works contracts and direct worker contracts. |