



**THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR**

**MINISTRY OF WATER, ENERGY AND MINERALS &  
ZANZIBAR ELECTRICITY CORPORATION**

**LABOR MANAGEMENT PROCEDURES**

**ZANZIBAR ENERGY SECTOR TRANSFORMATION AND ACCESS PROJECT (ZESTA)  
(P169561)**

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## Table of Contents

INTRODUCTION.....	1
OVERVIEW OF THE ZANZIBAR ENERGY SECTOR TRANSFORMATION PROJEC.....	1
Project Development Objective:.....	1
The Project has the following three components:.....	2
OVERVIEW OF LABOR USE ON THE PROJECT.....	3
Number of Project Workers:.....	3
Characteristics of Project Workers:.....	4
Direct Project Workers:.....	6
Community Workers:.....	6
Contracted Workers:.....	6
Migrant Workers:.....	7
Timing of Labor Requirements:.....	7
ASSESSMENT OF KEY POTENTIAL LABOR RISKS.....	7
Key Potential :Labor Risks Associated with the Project Include.....	9
BRIEF OVERVIEW OF LABOR LEGISLATION RELATING TO TERMS AND CONDITIONS OF EMPLOYMENT.....	16
BRIEF OVERVIEW OF LABOR LEGISLATION ON OCCUPATIONAL HEALTH AND SAFETY.....	17
RESPONSIBLE STAFF.....	18
POLICIES AND PROCEDURES.....	20
AGE OF EMPLOYMENT.....	20
TERMS AND CONDITIONS.....	21
PROJECT WORKER GRIEVANCE MECHANISM.....	23
CONTRACTOR MANAGEMENT.....	23
COMMUNITY WORKERS.....	25
PRIMARY SUPPLY WORKERS.....	27
ANNEX I.....	27
	29



# **LABOR MANAGEMENT PROCEDURES FOR THE ZANZIBAR ENERGY SECTOR TRANSFORMATION AND ACCESS PROJECT (ZESTA)**

## **INTRODUCTION**

These Labor Management Procedures (LMP) were developed by the Ministry of Water, Energy and Minerals (MoWEM) and Zanzibar Electricity Corporation (ZECO) to manage risks and impacts under the Zanzibar Energy Sector Transformation and Access Project (“ZESTA” or “project”), for which the World Bank is providing financial assistance. The purpose of this LMP is to facilitate planning and implementation of the project. The LMP identifies the main labor requirements and risks associated with the project, and is designed to enable project-related parties, such as the staff of the project Implementation Units (PIU), contractors, subcontractors, primary suppliers, and project workers to have a clear understanding of what is required on a specific labor issue. The project will ensure compliance with national law requirements as well as World Bank guidelines regarding the COVID-19 situation, in particular “ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects”, April 7, 2020.

The LMP lays out the project’s approach to meeting national requirements, as well as the objectives of the World Bank’s Environmental and Social Framework (ESF), specifically “Environmental and Social Standard 2: “Labor and Working Conditions (ESS2)” and Environmental and Social Standard 4: “Community Health and Safety (ESS4).” This LMP sets out the terms and conditions of employment for employing or otherwise engaging workers on the project, specifies the requirements and standards to be met and policies and procedures to be followed, assesses risks, and proposes implementation of compliance measures. The LMP is developed to help avoid, mitigate, and manage risks and impacts in relation to project workers and ensure non-discrimination, equal opportunity, protection, fair treatment, and safe and healthy working conditions. The LMP is a living document to facilitate project planning, preparation, and implementation. It is anticipated that the LMP will be updated as additional information becomes available during project implementation, including in relation to workforce numbers and requirements, timing of project activities, and associated due diligence and social risk management.

For purposes of this LMP, the terms “national labor law” and “Zanzibar labor law” will be used interchangeably unless noted otherwise.

## **OVERVIEW OF THE ZANZIBAR ENERGY SECTOR TRANSFORMATION AND ACCESS PROJECT**

This project is the first time that the World Bank has engaged in Zanzibar’s energy sector. The project will support the transformation of the Zanzibar energy sector by enabling the first private sector financed grid-scale renewable energy power plant, thereby accelerating efforts toward universal electricity access in Zanzibar. The project will also facilitate the transition of ZECO from a distribution utility to one managing a complex system with an integrated variable renewable energy and Battery Energy Storage System (BESS), and a grid-wide Supervisory Control and Data Acquisition (SCADA) system. The project’s design builds on foundations laid by other development partners and closely aligns with ongoing support and initiatives in the energy sector and related sectors.

### **Project Development Objective:**

The project development objective is to expand access to efficient and reliable electricity services and Publicly Financed scale sector participation in the Zanzibar electricity sector. The project will address the key priorities for Zanzibar's power sector. These include: (i) the impending capacity constraint on the power imported from mainland Tanzania, by supporting hard and soft infrastructure investments aimed at enabling Public renewable energy (RE) investment including the BESS; (ii) the poor supply quality and reliability of the existing electricity network and low electricity access rate, through investments in transmission/distribution network strengthening and extension; and (iii) sector capacity challenges, by providing technical assistance and capacity building support to strengthen sector governance and operational effectiveness.

The Project has the following three components:

Component 1: Renewable Energy and Storage Infrastructure. This component will finance a solar park with a 10-15MW solar PV plant and a stand-alone Battery Energy Storage System (BESS). The solar PV plant will pilot utility-scale renewable energy development in Zanzibar, and the BESS will support the grid by providing supply needed to meet the evening peak and integrate VRE onto the island grid. In addition, this component will also support the technical design and supervision consultancy for the Solar PV and BESS. The consultancy will undertake feasibility studies, associated E&S studies, develop procurement documents, and supervise the construction.

**Component 2: Grid Modernization and Access Scale-up.** This component will finance the following major activities:

- a) *132kV backbone transmission infrastructure.* This will support construction of the 132kV north-south transmission line and associated substations at Makunduchi, Welezo, and Matemwe. The detailed design of the 132kV backbone transmission infrastructure is carried out by a ZECO-hired consultant.
- b) *Distribution network strengthening and access scale-up.* This includes: (i) refurbishment and reconfiguration of the existing 33/11kV infrastructure; (ii) modernization/replacement of 11kV network equipment around Stone Town; and (iii) grid extension & intensification and associated last-mile household connections across Zanzibar. This component will also support grid equipment installations for performance improvement and loss reduction.
- c) *Supervisory Control and Data Acquisition (SCADA):* Support for design and installation of a SCADA system for ZECO to improve efficiency in grid operations.
- d) *Support for resettlement and compensation payments:* compensation payments to project affected persons (PAPs).

**COMPONENT 3: Sector Institutional Strengthening and Project Implementation Support.** This component will support the strengthening of sector institutions to improve planning frameworks and operational efficiency in the supply of electricity services in Zanzibar, including the implementation of the renewable energy generation program. The component will finance technical assistance to ZECO, MoWEM, and ZURA, including relevant technical skills strengthening. This component will also support energy efficiency development and gender mainstreaming in the Zanzibar energy sector.

### **Institutional Arrangement**

ZECO and MoWEM, as the implementing agencies, will each establish a Project Implementation

Unit (PIU), which will be put in place prior to project effectiveness. The PIUs will be responsible for project coordination, supervision (technical and environmental and social standards), procurement, financial management, and progress reporting. Each PIU will be staffed by individuals with the necessary skills to carry out the above functions. PIU staff will be made up of government civil servants on secondment from their home agencies and who will remain subject to the terms and conditions of their existing public sector agreements/arrangements, and consultants as needed.

ZECO will implement Component 1, Component 2, and sub-component 3.1, while the MoWEM will implement sub-component 3.2, 3.3 and 3.4 (capacity building, EE, and gender). Each implementing agency will have a project implementation unit (PIU), that will be headed by a project manager. The Overall Project Coordinator (OPC) will be responsible for the monitoring and coordination of both PIUs. MoWEM will be supported by a procurement specialist, a project accountant, an environmental and social (E&S) specialist, and a monitoring and evaluation (M&E) specialist. ZECO's PIU will be supported by the Social Specialist together with two staff from the Public Relations Unit: the Communication Officer (CO) and Communication and Customer Care Manager (CCCM). The CO and CCCM will provide half of their time (50% of their time) to support to ZESTA and work under the direction of the Social Specialist. The environmental and OHS staff in the ZECO-PIU and the Social Specialist from MoWEM will also participate. The PIU staff will be a combination of assigned staff and consultants hired under the project.

Since this is the first World Bank project being undertaken ZECO and other sector agencies, substantial capacity building will be built into project design and implementation. The PIUs of ZECO and MoWEM will undertake, where appropriate, necessary mitigation of any assessed gaps in implementation capacity as a part of project support, through a combination of training, capacity building, and hiring of embedded project staff/consultants. Given the strategic importance of the project investments, the POFP and the MoWEM have established a Project Steering Committee, chaired by the Permanent Secretary of Finance and with membership of key government sector stakeholders, including the Department of Energy of the MoWEM. The commissioners and directors of the POFP, the MoWEM, and other ministries have formed a Project Technical Committee, chaired by the Director of Energy and Minerals at the MoWEM, to monitor and provide guidance on technical matters related to the project.

## **OVERVIEW OF LABOR USE ON THE PROJECT**

This LMP applies to all project workers whether full-time, part-time, temporary, seasonal, skilled or unskilled, or migrant. The LMP is applicable, as per ESS2, to the project in the following manner: <sup>2</sup>

1. Persons employed or engaged directly by the ZECO PIU/ MoWEM PIU to work specifically in relation to the project;
2. Persons employed or engaged by contractors or subcontractors to perform work related to core functions of the project, regardless of location;
3. Persons employed or engaged by the project's primary suppliers.

Number of Project Workers:

The exact numbers of project workers to be employed/engaged in relation to the project is unknown at present and will be ascertained during the implementation phase. However, ZECO and MoWEM have

<sup>1</sup>The terms "ZECO PIU and MoWEM PIU" and "ZECO/MoWEM PIU" will be used interchangeably throughout this LMP when referring to both PIUs, unless otherwise noted.

<sup>2</sup>The project will not engage community labor as identified under ESS2 Section F.

estimated that the project workforce will have approximately 286 workers, including civil servants on secondment to the PIUs, 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 187 skilled, 29 semi-skilled, and 70 unskilled workers to support project design and implementation.

The ZECO PIU and MoWEM PIU will be responsible for recruitment of all workers they employ/engage directly in relation to the project. This includes all workers engaged in their respective PIUs or which they employ/engage directly for other project activities.

The contractors will be responsible for recruitment of all workers they engage/employ for project work. The ZECO PIU will be responsible for ensuring that the recruitment and employment by contractors of all workers in connection with Subcomponent 1.1 (the BESS), Component 2, and Subcomponent 3.1 of the project complies with national labor law and the provisions of ESS2, in particular in relation to non-discrimination, child and forced labor, wages, hours of work, and occupational health and safety.

The MoWEM PIU will be responsible for ensuring that the recruitment and employment by contractors of all workers in connection with Subcomponents 3.2 and 3.3 of the project complies with national labor law and the provisions of ESS2, in particular in relation to non-discrimination, child and forced labor, wages, hours of work, and occupational health and safety.

The ZECO PIU will also engage:

- an international contracting firm to install pre-assembled battery storage modules and electrical components for the Battery Energy Storage System (BESS) (Subcomponent 1.1)
- an international construction firm for a 132 kV north-south transmission infrastructure (Subcomponent 2.1)
- a local construction firm for the refurbishment/modernization of the 11kV equipment/plant around Stone Town (Subcomponent 2.2)
- a local construction firm for the reconfiguration of the 33/11kV substations on the 33kV north/south feeders from the existing 132/33kV Mtoni substation (Project Sub-component 2.2)
- an international contracting firm to install the SCADA/EMS (Energy Management System) network management system (Subcomponent 2.3).

### **Characteristics of Project Workers:**

The ZECO PIU, MoWEM PIU and contractors/subcontractors will give priority in recruitment to Tanzanian nationals over foreign nationals. The project will employ international workers on a contract basis and only where required project skills are not available among Tanzanian nationals.

- **Skilled labor:** It is anticipated that the ZECO PIU, MoWEM PIU, and project contractors/subcontractors will employ/engage skilled labor for the project. ZECO and MoWEM anticipate that most of these skilled laborers will be Tanzanian nationals but are aware that some might be

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<sup>3</sup>All government civil servants, including ZECO and MoFP staff members as well as staff members of other Zanzibar/Tanzanian government agencies, including the Stone Town Conservation Development Authority, seconded to work on the project, will remain subject to the terms and conditions of their existing public sector employment agreements/arrangements, as understood under ESS2, Scope of Application, paragraph 8.

<sup>4</sup> See ESS2, footnote 5 of paragraph 2 (c). Primary suppliers “are those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project.”

foreign nationals.

- **Semi-skilled labor:** The ZECO PIU and MoWEM PIU, as well as contractors and subcontractors, will employ/engage semi-skilled workers as drivers and to perform other tasks requiring vocational training. The semi-skilled workers will be involved with work concerning the BESS (Component 1.1), 132kV backbone transmission line, 11kV distribution refurbishment works around Stone Town (Component 2); and the reconfiguration of the 33kV network within existing substations (Component 2).

The ZECO PIU, MoWEM PIU, 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 for any of these security functions. It is not expected that the ZECO PIU or MoWEM PIU will directly employ/engage security personnel for the project. It is not known at this time the 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. It is anticipated that contractors/subcontractors will employ/engage security personnel specifically in relation to the construction/installation (including materials storage) activities of Subcomponent 1.1 and Component 2. 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/safety of any such camps or similar worker accommodation. Depending on project circumstances during implementation, the ZECO PIU might need to develop a Labor 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. These circumstances would include, but are not limited to, that as a result of stakeholder consultations with local communities, sheha representatives, project contractors, and subcontractors, the ZECO PIU and MoWEM PIU become aware that: project-related position openings are fostering a noticeable influx of persons from mainland Tanzania and elsewhere seeking employment in relation to the project; and/or that the project is not able to recruit sufficient numbers of skilled and semi-skilled workers from among the residents of project affected local communities or other communities on Zanzibar.

The ZECO PIU/ MoWEM PIU 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.

- **Unskilled labor:** The project estimates that there will be approximately 70 unskilled workers. While ZECO and MoWEM 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, and related work for installation of the BESS (Subcomponent 1.1.), rehabilitation and construction activities related to the 33kV line and other cable lines, substations and other infrastructure, and other activities under project

Subcomponents 2.1, 2.2, and 2.3. The unskilled workers will not be involved with work in relation to Component 3. The duration of the employment/engagement of these unskilled workers with the project is not known at this time.

It is anticipated that the unskilled workers will be drawn primarily from local communities in Zanzibar. The contractors/subcontractors might also recruit some of the unskilled labor from mainland Tanzania. In the recruitment of unskilled labor, the ZECO PIU, MoWEM PIU, and contractors/subcontractors will 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, and persons with disabilities, as identified in the Resettlement Plan Framework (RPF) <sup>5</sup>.

The ZECO PIU, MoWEM PIU, 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 ZECO PIU and MoWEM PIU 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 ZECO PIU and MoWEM PIU 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. ZECO estimates that 30% of project workers will be women.

ZECO has stated that contractors/subcontractors will be required to consult with shehas (ward leaders) in the recruitment of candidates from the local communities for the project's unskilled labor force. In circumstances where shehas or other local leaders are involved in identifying such candidates, the ZECO PIU/ MoWEM PIU will be responsible for ensuring that the contractors/subcontractors have measures in place (which the ZECO PIU and MoWEM PIU will approve) to guide and coordinate recruitment with the shehas to ensure that the recruitment of candidates is clear, transparent, and non-discriminatory.

To ensure absence of child labor 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 ZECO PIU and MoWEM PIU will ensure that this requirement is strictly applied to all workers which they hire directly in relation to the project and regarding all workers engaged by contractors/subcontractors and primary suppliers for the project.

**Direct Project Workers:**

Direct project workers will be eligible to work full-time for the duration of project implementation.

**Community Workers:**

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

**Contracted Workers:**

ZECO will contract with a construction firm to undertake the modernization/replacement of the 11kV

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<sup>5</sup>The RFP identifies individuals or groups from project affected local communities as "vulnerable" to include the following: "those individuals or groups who, by virtue of, for example, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantage, or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits."

network equipment plant around Stone Town as part of Subcomponent 2.2. This activity in relation to the 11kV network under Subcomponent 2 will begin after both approval of the project by the World Bank and approval by the Stone Town Conservation and Development Authority (STDIA), in consultation with UNESCO. ZECO will also recruit a construction firm to undertake the north-south transmission infrastructure for the 132kV line as part of Subcomponent 2.1.

### **Migrant Workers:**

The project does not anticipate employing/engaging persons who have migrated from other countries for purposes of employment in Tanzania. However, ZECO and MoWEM anticipate that contractors and subcontractors as well as consultants hired for project work might include foreign nationals among their workers.

### **Timing of Labor Requirements:**

It is expected that the construction phase of the project will last approximately 48 months and that there will be at least two main crews of workers hired under the construction contracts responsible for construction and installation of transmission lines/cables. Each crew will be made up of teams to complete specific jobs, such as land/vegetation clearing, foundation and cable line excavation and installation, substation rehabilitation, reconstruction and assembly, as well as land restoration.

The contractors and subcontractors will be responsible for contracting/employing unskilled workers as casual laborers for incidental manual work. The timing for this recruitment will be linked with the schedule for the construction of the transmission lines and substations, specifically the clearing of the land for construction. It is estimated that the following Component 2 activities: 1) construction of the 132kV backbone transmission line of approximately 100 kms; 2) construction of new substations at Matemwe, Makunduchi, and Welezo; and 3) refurbishment/modernization/replacement of old equipment for the 33kV and 11 kV (around Stone Town) networks, will begin within approximately 12 months of project appraisal by the World Bank.

## **ASSESSMENT OF KEY POTENTIAL LABOR RISKS**

(This section illuminates some critical labor risks relevant to the project)

### **Key Potential :Labor Risks Associated with the Project Include:**

- 1) Workplace injuries, accidents, and related occupational health and safety hazards
- 2) Gender Based Violence (GBV)/Sexual Exploitation and Abuse (SEA/SH) and sexually transmitted disease, including HIV/AIDS.
- 3) Child labor
- 4) Forced labor
- 5) Labor influx into local communities, including transmission of communicable diseases
- 6) Lack of employer compliance with national labor laws, including in relation to hours, rest periods, provision of PPE, and minimum wage
- 7) Discrimination against women and persons with disabilities in work recruitment and employment

#### 1) Workplace Accidents and Injuries

ZECO has noted that during the past five years, there have been 25 cases of minor injuries, and four major incidents, none fatal, of workers falling from heights or being injured, during work activities

for ZECO. Given the hazardous nature of a number of project work activities and that it is anticipated there will be several contractors, subcontractors, and primary suppliers as well as a nearly 300 person workforce, there is a substantial risk of workplace accidents and injuries, in particular regarding vegetation/land clearing and excavation, installation, and related civil works activities of the project. Construction and installation 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 installation of transmission line cables and related construction and other infrastructure work may result in an increased risk of worker injuries or deaths.

The project will involve working at heights or in confined spaces, the use of heavy machinery, and the use of hazardous materials in the rehabilitation of transformer substations, clearing vegetation and land, excavation of earth and installation of underground cables, among other activities. Health and safety risks related to the construction and installation activities of power cables and transmission lines, include exposure to physical hazards from use of heavy equipment, tripping and falling from high places, exposure to noise and dust, vibrations, falling objects, exposure to hazardous materials and exposure to electro-magnetic charges and other electrical hazards, including the use of tools and heavy machinery, as well as eye, skin and respiratory damage if optical fiber cables are used workers may be exposed to occupational risks specific to optical fiber cables such as permanent eye damage due to exposure to laser light during cable connection and inspection activities, likely exposure of workers to microscopic glass fiber shards/glasses that can penetrate human skin, eye and can be inhaled.

Workers may also be exposed to the possibility of traffic-related accidents, from residential and commercial vehicles travelling on roads along which workers are installing cables; and in instances where workers are transporting materials and wastes to and from the construction sites. 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 for towers/poles .

To avoid the possibility of underage persons being involved with hazardous work in relation to the project, the project will not employ any persons under the age of 18 years.

The ZECO PIU will address workplace accident and injury 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 trainings on national law requirements and best practices for occupational health and safety and the proper use of project PPE. The ZECO PIU will ensure that all direct hires for the project wear required PPE appropriate for their project work duties.

The ZECO and MoWEM PIUs 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. The ZECO PIU and MoWEM PIU will maintain all records for activities related to project safety and health for inspection by ZECO, the Pofp, or the World Bank. The ZECO PIU and MoWEM PIU should also:

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<sup>6</sup> Section 2 of the General Environmental Health and Safety Guidelines (EHSGs) on Occupational Health and Safety at <http://www.ifc.org/ehsguidelines>.

- Develop and implement an approved Contractor OHS Management Plan.
- Select legitimate and reliable contractor through screening OHS records.
- Address adequately OHS risks with non-compliance remedies in procurement documents.
- Require the contractor to engage qualified ESHS staffing
- Enhance workplace OHS awareness and training.
- Conduct routine monitoring and reporting

The ZECO PIU and MoWEM PIU will also ensure that each of the contractors and subcontractors which they have engaged respectively for the project:

- 1) provide each project worker under the contractor's supervision with appropriate and other needed Personal Protective Equipment (PPE) safety gear at all times.
- 2) provide monthly training, and written confirmation documenting persons trained and 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 exposure of trainers and trainees to transmission of communicable diseases including COVID-19, in line with country , World Bank, and World Health Organization parameters/guidance.
- 3) provide written confirmation to the ZECO PIU and MoWEM PIU that each project 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.
- 4) 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.
- 5) maintain all records for activities related to project safety and health for inspection by the ZECO PIU, the MoWEM PIU, or the World Bank.

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

- 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 center/hospital.
- Establish a 24-hour emergency response system at all project worksites to communicate the occurrence of any workplace accident or injury to the ZECO project manager and the local government Labor Ministry office.
- Use the following response communication procedure whenever an incident/injury occurs:
  - Team supervisor will report to site engineer
  - Site engineer will report to consultant
  - Consultant will report to ZECO PIU
  - ZECO PIU will report to overall project coordinator
  - Overall project coordinator will report to MoWEM

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<sup>7</sup>Section 2 of the General Environmental Health and Safety Guidelines (EHSGs) on Occupational Health and Safety at <http://www.ifc.org/ehsguidelines>.

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 (EHS GS), 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.

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

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 may also face sexual harassment, including demands for sexual favors as a condition of employment. When employed, women may face continuous and/or unwanted demands for sexual favors under threat of dismissal or exclusion of overtime or other work benefits or opportunities. In addition, female workers may face verbal harassment of a sexual nature and sexual assault by male colleagues.

Measures ZECO PIU/ MoWEM PIU will implement, including through project contractors and sub-contractors, to mitigate the risk of GBV/SEA/SH include the following:

- 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 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).
- 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 consequence for noncompliance, prior to commencement of any project-related work activities.
- 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) Child Labor

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 labor.

In Zanzibar, as in elsewhere in Tanzania, child labor, including practices identified as worst forms of child labor under Tanzanian law, such as gravel making and quarrying, is prevalent due to poverty. While the Project has established a minimum age of 18 years for employment, for all project workers,

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<sup>8</sup>Section 2 of the General Environmental Health and Safety Guidelines (EHS GS) on Occupational Health and Safety at <http://www.ifc.org/ehsguidelines>

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 labor. Use of child labor is anticipated to be a risk in relation to use of unskilled workers from local communities hired for project vegetation/land clearing and other activities.

Given that the project has established a minimum age of 18 years for employment for all project workers, the ZECO/ MoWEM PIUs will ensure that all persons directly hired or employed/engaged by contractors, subcontractors, and primary suppliers for the project are at least 18 years old. The ZECO/ MoWEM PIUs 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 ZECO/ MoWEM PIUs and contractors, subcontractors and primary suppliers will maintain all such records confirming age of employment of project workers for inspection by the ZECO, MoWEM or the World Bank.

The ZECO/ MoWEM PIUs will also require all contractors, subcontractors, and primary suppliers to identify the risk of child labor 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.

#### 4) Forced Labor

Tanzania has ratified ILO Convention 29 on Forced Labor, and ILO Convention 105 on Elimination of Forced Labor. Additionally, the Employment Act No. 11, Part II prohibits forced labor and provide penalties, including fines and imprisonment, for violations. The Employment Act, however, excludes from the prohibition on forced labor work exacted by prisoners as a consequence of a court conviction, and it is a practice in Tanzania for prisoners to provide nonpaid and nonvoluntary labor 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 labor that could occur in relation to construction and infrastructure activities include imposition of recruitment or employment fees payable by the worker at the commencement of employment, and loss or delay of wages that impede a workers' 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 ZECO PIU/ MoWEM PIU will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labor, prison labor, or the result of labor trafficking. To this end, the ZECO PIU/ MoWEM PIU 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 ZECO PIU/ MoWEM PIU 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 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 labor or persons who are engaged in the project as a result of trafficking are identified, the ZECO PIU/ MoWEM PIU 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 labor victims' support services, as appropriate, to be addressed in

accordance with Zanzibar law. Also, to address the risk of forced labor or persons trafficked to work for primary suppliers, the ZECO PIU/ MoWEM PIU 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 labor or labor resulting from trafficking in persons is identified, the ZECO PIU/ MoWEM PIU will require the primary supplier to report the situation to the police and other relevant government authorities. Depending on the circumstances, the ZECO PIU/ MoWEM PIU will discontinue 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 labor and the trafficking of persons, and the applicable provisions of ESS2.

#### 5) Labor Influx and Worker Accommodation

It is expected that the project will attract a labor 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 ZECO 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 labor 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 labor-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 ZECO PIU anticipates that the labor influx will necessitate the establishment of one or more workcamps to accommodate project workers coming from other parts of Zanzibar and mainland Tanzania. Project contractors and subcontractors will be responsible for establishing and maintaining the safety, hygiene, health, accommodation, access to food, and supervision of these workcamps and/or other accommodations. The contractors and subcontractors responsible for these workcamps and/or other accommodation 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 workcamps/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, and 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 practice regarding, but not restricted to: the charging for accommodation, the provision of minimum amounts of space for each worker, provision of sanitary, laundry and 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 ZECO PIU, with the support of the owner's engineer (supervision consultant), will be responsible for ensuring that the contractors and subcontractors manage these workcamps and/or other accommodation 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 workcamps/worker accommodation.

The ZECO PIU will be responsible for ensuring that the contractors and subcontractors manage these workcamps 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 ZECO PIU. Depending on project circumstances during implementation, the ZECO PIU might need to develop a Labor 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 ZECO PIU and MoWEM PIU shall refer to, and ensure that the contractors and subcontractors refer to the World Bank Operations Policy and Country Services “Managing The Risks of Adverse Impacts on Communities from Temporary Project Induced Labor Influx” for further guidance on understanding the circumstances for developing and implementing a Labor Influx Management Plan<sup>11</sup>.

To address the negative risks and impacts associated with labor influx, the PIUs, 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 by the project, including contractors, subcontractors, and primary suppliers (where possible), and their workers to acceptable standards of behavior. 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:

- received a copy of the CoC as part of their contract/employment/engagement in relation to the project.
- received an explanation of the contents, including sanctions for noncompliance, of the CoC, as part of engagement/employment induction process for the project.
- acknowledged in writing that adherence to the CoC is a mandatory condition of employment.
- 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 location easily accessible to the local community and other project affected persons.

It is expected that the labor 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 ZECO PIU will post on a regular basis announcements in newspapers, radio, the internet, and other local media:

- about the number and type of positions available;
- when vacancies are filled;
- that residents of Zanzibar will be given preferential treatment above persons from elsewhere in hiring for project positions for unskilled labor; and
- that the recruitment procedure involves coordination between contractors/subcontractors and the respective local shehas.

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<sup>9</sup>See Workers’ Accommodation: processes and standards.” A guidance note by IFC and EBRD, August 2009

<sup>10</sup> See “ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects,” April 7, 2020

The ZECO PIU will ensure that contractors and subcontractors also convey this information to potential candidates for skilled and unskilled positions for the project. Additionally, the ZECO PIU/MoWEM PIU 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 ZECO PIU/MoWEM PIU will undertake in relation to its direct workforce and will require that all contractors/subcontractors undertake the following in relation to all workers they engaged in relation to the project, the following:

- conduct pre-employment health checks
- control entry and exit from site/workplace
- review accommodation arrangements, to see if they are adequate and designed to reduce contact with the local community
- review contract durations, to reduce the frequency of workers entering/exiting the site
- rearrange work tasks or reducing numbers on the worksite to allow social/physical distancing, or rotating workers through a 24-hour schedule
- provide appropriate forms of personal protective equipment (PPE), such as face shields., to mitigate transmission of communicable diseases
- put in place alternatives to direct contact, such as tele-medicine appointments and live stream of instructions.

#### 6) Lack of Employer Compliance with National Labor Laws

Workers in Zanzibar and elsewhere in Tanzania, especially unskilled and semi-skilled laborers, 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 law, 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 labor protections.

Unskilled workers may be illiterate or, even if literate, have an inadequate knowledge of employment and labor 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 labor laws, the ZECO PIU and the MoWEM PIU will ensure the following for all workers that the ZECO PIU and MoWEM PIU engage directly for the project and will also ensure that all contractors, subcontractors, and primary suppliers abide by the following provisions for all workers they have engaged in relation to the project:

- Provide all project workers 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 labor and employment law, including:

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

The ZECO/ MoWEM PIUs will be responsible for ensuring that contractors, subcontractors and primary suppliers comply with all the above requirements. The ZECO PIU and MoWEM PIU 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.

#### 7) Discrimination against Women and Persons with Disabilities in Recruitment and 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, color, 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. This discrimination includes bullying and sexual harassment, at times involving demands for sexual favors in return for job placement or advancement. 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. ZECO estimates that 30% of project workers will be women.

The ZECO PIU/ MoWEM PIU, 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 ZECO PIU and MoWEM PIU 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 are not limited to, gender, age, race, color, disability, including albinism, marital status, pregnancy or maternity status, social origin, gender orientation, religion, real or perceived HIV/AIDS status, and ethnic origin.

The ZECO PIU and MoWEM PIU 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 ZECO PIU/ MoWEM PIU 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.

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

The Employment Act No. 11 of 2005 (Employment Act) sets out fundamental labor rights and employment standards relating to employment in the private sector and generally also in the public sector. It contains prohibitions on forced labor, worst forms of child labor, 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 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 labor officers and inspectors, the labor advisory board, the labor commissioner and its power to institute criminal proceedings for labor 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 labor 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 labor law that are directly related to the project include, but are not limited to, the following:

- 1) **Section 62(1) of the Employment Act No. 11 of 2005** requires that working hours should be not exceed 8hrs per day or 42 hrs per week
- 2) **Section 62 (6) of the Employment Act No. 11 of 2005** requires that an employer provide a one hour break per day to employees.
- 3) **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

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<sup>11</sup> The Act excludes from coverage members of the armed forces, police and security, employees covered under legislation relating to merchant shipping, members of the Special Department and other categories of public employees exempted by the Minister of Labor. None of these exclusions apply to the ZESTA project.

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.

- 4) 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 over time should not exceed 3 hrs 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.
- 5) 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 month and above should be registered to the Zanzibar Social Security Fund (ZSSF) and the contribution will be 7% from the employers for each month.
- 6) 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.
- 7) 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.
- 8) 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.
- 9) Section 67 of the Employment Act, No 5 of 2011 provides for each worker to have 28 working days of annual holiday/vacation leave.
- 10) 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 family leave in relation to the death of a family member, such as spouse or child.
- 11) 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.

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

The Occupational Health Safety and Health Act, 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 measure 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

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<sup>12</sup> This Act applies to all workplaces except those workplaces specifically exempted by the Minister of Labor in consultation with the Labor Advisory Board. No exemptions in relation to this Act apply to the ZESTA project or ZECO.

or process liable to cause body 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 are shall kept available for inspection in every workplace, in the prescribed form, a register, called the 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 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 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 which he or she has reasonable justification to believe present and imminent and serious 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.

### **RESPONSIBLE STAFF**

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

- Engagement and Management of Project Workers:  
ZECO Project Implementing Unit and the MoWEM Project Implementation Unit  
Contractors/Subcontractors  
Supervising/consulting firm
- Engagement and Management of ZESTA Project Contractors/Subcontractors  
Project Implementing Unit for ZECO
- Occupational Health and Safety (OHS):
- Project Implementing Unit for ZECO
- Contractors and Subcontractors
- Training of Workers:
- Project Implementing Unit for ZECO
- Contractors and Subcontractors
- Addressing Worker Grievances:
- ZECO/PIT Public Relation Unit

Table 1 Responsible Staff/ Institutions and their Roles for the Project. This Table provides an overview of key project staff and their project-related responsibilities:

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<sup>13</sup> Under the Act, Part I, Section 3, the Director is the Chief Inspector of workplaces

SN	Institution /Staff	Roles
	PIU	<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>6) To supervise project implementation</li> <li>7) To advice and recommend any change of project implementation</li> <li>8) To guide the implementation of training plan</li> </ul>
		9) To monitor the contractor/subcontractor compliance OHS issues
		<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 on mitigating SEA/H be followed;</li> <li>• In case of non-compliances carry out 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 the required time.</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)	Will be responsible for supervising the occupational health and safety at workplaces in collaboration with ZECO

## **POLICIES AND PROCEDURES**

This section outlines main policies and procedures to be followed during project implementation in relation to occupational health and safety, forced labor and related labor 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 ZECO PIU/ MoWEM PIU and other users of the LMP:

**Occupational Health and Safety:** The ZECO PIU 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 trainings on national law requirements and best practices for occupational health and safety and the proper use of project PPE. The ZECO PIU will ensure that all its direct hires for the project comply with national occupational health and safety laws and wear all required PPE appropriate for their project work duties.

The ZECO and MoWEM PIUs 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 ZECO PIU and MoWEM PIU will maintain all records for activities related to project safety and health for inspection by ZECO, the MoWEM, or the World Bank.

The ZECO PIU and MoWEM PIU will also ensure that each of the contractors and subcontractors which they have engaged respectively for the project:

- 1) provide each project worker under the contractor's supervision with appropriate and other needed Personal Protective Equipment (PPE) safety gear at all times;
- 2) provide monthly training, and written confirmation documenting persons trained and 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.
- 3) provide written confirmation to the ZECO PIU and MoWEM PIU that each project 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.
- 4) 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.
- 5) maintain all records for activities related to project safety and health for inspection by the ZECO PIU, the MoWEM PIU, or the World Bank.

**Forced Labor:** The ZECO PIU/ MoWEM PIU will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labor or the result of labor trafficking. To this end, the ZECO PIU/ MoWEM PIU 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 ZECO PIU/ MoWEM PIU 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 recruitment of workers and provision to all workers of a written signed employment contract in English or Kiswahili, depending on the worker's preference.

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<sup>15</sup>Section 2 of the General Environmental Health and Safety Guidelines (EHSGs) on Occupational Health and Safety at <http://www.ifc.org/ehsguidelines>.

If forced labor or persons who are engaged in the project as a result of trafficking are identified, the ZECO PIU/ MoWEM PIU 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 labor victims' support services, as appropriate, to be addressed in accordance with Zanzibar law. Also, to address the risk of forced labor or persons trafficked to work for primary suppliers, the ZECO PIU/ MoWEM PIU 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 labor is identified in relation to a primary supplier, the ZECO PIU/ MoWEM PIU will require the primary supplier to report the situation to the police and other relevant government authorities. Depending on the circumstances, the ZECO PIU/ MoWEM PIU will discontinue 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 labor and the trafficking of persons.

**Child Labor:** The ZECO PIU/ MoWEM PIU 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 ZECO PIU/ MoWEM PIU will ensure that each contractor, subcontractor, and primary supplier also uses this process and provides ZECO PIU/ MoWEM PIU with written confirmation that each worker they employ or engage in relation to the project is at least the minimum age of 18 years. This information will be kept on file in the ZECO PIU/ MoWEM PIU 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, ZECO PIU/ MoWEM PIU 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, ZECO PIU/ MoWEM PIU will undertake, and ensure that all contractors, subcontractors and primary suppliers also undertake, remediation within a reasonable time period agreeable to the World Bank. The remediation activities could include, among other options:

- 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.
- 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.

## **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 labor. Due to the hazardous nature of project activities, including installation, construction, 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 ZECO PIU/ MoWEM PIU 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 labor.

The ZECO PIU/ MoWEM PIU 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 ZECO PIU/ MoWEM PIU will ensure that each contractor, subcontractor, and primary supplier also uses this process and provides ZECO PIU/ MoWEM PIU with written confirmation that each worker they employ or engage in relation to the project is at least the minimum age of 18 years. This following information will be kept on file in the ZECO PIU/ MoWEM PIU 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, ZECO PIU/ MoWEM PIU 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, ZECO PIU/ MoWEM PIU will undertake, and ensure that all contractors, subcontractors and primary suppliers also undertake, remediation within a reasonable time period agreeable to the World Bank. The remediation activities could include, among other options:

- 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.
- 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.

## **TERMS AND CONDITIONS**

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

- 1) The maximum number of hours per week that a worker can undertake work on the project is 42 hour 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.
- 2) ZECO and MoWEM, 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 know at this time, but should they exist in relation to any contracted or direct hire workers, such agreements will be respected.

- 3) The minimum net salary for all project workers, which is the legal minimum wage in Zanzibar, will be 300,000 Tshs per month, excluding social security and other payments/benefits; the amount of 300,000 Tshs per month will increase if the government increases the minimum wage.
- 4) 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.
- 5) 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.
- 6) All project workers will sign a Code of Conduct related to GBV and other issues.
- 7) 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.
- 8) The project will ensure compliance with all Zanzibar legal requirements and World Bank guidelines concerning management of the workforce in the context of COVID-19 .
- 9) The ZECO PIU, MoWEM PIU, 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.
- 10) The ZECO PIU, MoWEM PIU, and all contractors, subcontractors, and primary suppliers shall ensure that payments to project workers are made in a transparent manner, showing clearly the gross wages, any deductions 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.
- 11) The project will not engage/employ prison labor 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.
- 12) To ensure absence of child labor 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 ZECO PIU and MoWEM PIU will ensure that this requirement is strictly applied to all workers which they hire directly in relation to the project and regarding all workers engaged by contractors/subcontractors and primary suppliers for the project.

### **PROJECT WORKER GRIEVANCE MECHANISM**

All government civil servants engaged by ZECO and MoWEM have access to a grievance procedure provided under the Public Service Act No 2, 2011.

In light of discussions with the World Bank, ZECO and MoWEM have agreed that the ZECO PIU and MoWEM PIU will coordinate with each other 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.

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<sup>16</sup> "ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects," April 7, 2020

<sup>17</sup> Sections 81-92, Public Service Act No 2, 2011, and sections 107-114 of the Public Service Regulations 2014.

The WGM will be based on the following principles:

- 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.
- There will be no discrimination against those who express grievances, and all grievances will be treated confidentially.
- Anonymous grievances will also be accepted and treated equally as other grievances whose origins are known.
- Management will treat grievances seriously and take timely and appropriate action in response.

The ZECO PIU and MoWEM PIU shall inform every project worker employed/engaged directly and shall ensure that all 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 ZECO PIU, MoWEM PIU, 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 regarding 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 ZECO PIU and MoWEM PIU provide 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 ZECO PIU and MoWEM PIU will develop and implement this WGM for all persons directly employed/engaged by the project to raise workplace concerns.

The ZECO PIU and MoWEM PIU will require all project contractors to develop and implement a WGM for their workforces, including subcontractors, prior to implementation of project activities. Project construction contractors will prepare their labor 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 ZECO PIU/ MoWEM PIU and the project contractors and subcontractors will include:

- A procedure to receive, record, refer, resolve, track grievances;
- Multiple uptake channels such as comment/complaint form, suggestion boxes, email, a telephone hotline; a confidential procedure for workers to submit anonymous grievances in writing or otherwise;
- Stipulated timeframes to respond to grievances;
- A register in excel spread sheet 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;
- 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 zeco piu and MoWEM piu, the zeco piu public relations officer will be responsible for receiving, recording. And tracking resolution of such grievances.

The ZECO PIU, MoWEM PIU and each contractor/subcontractor will provide information both orally and in writing to project workers in English and Kiswahili about the purpose of and means to

access the WGM, through regular worker trainings, worker handbooks, on notice boards and other communications media, throughout the duration of the design and implementation of the project. The ZECO project coordinator and MoWEM project coordinator will monitor the contractors' recording and resolution of grievances, and report these to the ZECO PIU/ MoWEM PIU in monthly project progress reports.

The ZECO PIU/ MoWEM PIU will identify in each of their respective PIUs a Worker Grievance Mechanism Focal Point (WGMFP). The ZECO WGMFP and MoWEM will report to the ZECO PIU Public Relations Officer, who will have overall supervision of the project WGM.

The ZECO PIU and MoWEM PIU will ensure that the two WGMFPs and all other persons involved in project WGM resolution matters are properly trained in understanding and implementing the project WGM.

In the case of project workers engaged/employed through contractors/subcontractors, where a worker is not satisfied with the employer's resolution of his/her grievance, the worker will have the right to forward his/her complaint directly to the respective ZECO WGMFP or MoWEM WGMFP.

The ZECO PIU Public Relations Officer will establish a Worker Grievance Committee, which will be made up of the: 1) ZECO WGMFP; 2) MoWEM WGMFP; 3) ZECO PIU Public Relations Officer; 3) ZECO Human Resources Officer; 4) MoWEM Human Resources Officer; 5) ZECO PIU project coordinator; and 6) the MoWEM PIU project coordinator.

The purpose of the Worker Grievance Committee will be to ensure consistency and coordination of the resolution of project worker grievance issues and to act as an appeals forum for workers who believe that they have not received a satisfactory resolution of their grievances through the ZECO PIU WGMFP, the MoWEM WGMFP, or in the case of workers engaged/employed by contractors/subcontractors, the WGM established by the respective contractor/subcontractor.

The ZECO PIU and MoWEM PIU will ensure that the two WGMFPs and all other persons involved in project WGM resolution matters are properly trained in understanding and implementing the project WGM.

The WGM 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.

## **CONTRACTOR MANAGEMENT**

For contract bidding and contracts for the Project, ZECOPIU/ MoWEM PIU will use the World Bank's 2017 standard procurement documents, which include labor, and occupational health and safety requirements.

ZECO PIU/ MoWEM PIU 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 removing themselves from such dangerous situations. .

ZECO PIU/ MoWEM PIU will also state in the tender documentation that adherence to national legislation regarding labor and employment relations and occupational health and safety is a prerequisite for participation in the project.

ZECO PIU/ MoWEM PIU will also include in the tender documents provisions that forced labor, child labor, 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.

ZECO PIU / MoWEM PIU 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.

ZECO PIU/ MoWEM PIU will require bidders for contracts for the project to submit a statement confirming their firm compliance with national labor and employment and occupational health and safety laws, and labor management procedures in accordance with Environmental and Social Standard 2 “Labor and Working Conditions” (ESS2) and the LMP for the project.

ZECO PIU/ MoWEM PIU 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 labor law, unresolved labor disputes, or frequent work-related accidents.

As part of the selection process for contractors, ZECO PIU/ MoWEM PIU will request and review from prospective contractors the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;
- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system, including OHS issues, for example, labor management procedures;
- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Workers’ certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers’ enrollment in the related programs;

- Worker payroll records, including hours worked and pay received; and
- Identification of safety committee members and records of meetings

During the implementation of the contract, ZECO PIU/ MoWEM PIU 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.

### **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)

### **PRIMARY SUPPLY WORKERS**

It is expected that the project will engage primary suppliers to provide raw materials and other goods and services. There are risks of worst forms of child labor, including children working in gravel making, as well as 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, quarrying and transport sectors. There are also risks of prisoners performing unpaid or nonvoluntary labor on projects outside of prisons, including road repair and construction. Where a significant risk of child or forced labor or serious safety issues in relation to primary suppliers has been identified, the supplier shall be excluded from contracts on the Project, until the issues are addressed in line with national law and ESS2 requirements.

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

The ZECO PIU/MoWEM PIU 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 labor law, unresolved labor disputes, or frequent work-related accidents.

The ZECO PIU/ MoWEM PIU will ensure that no person is employed or engaged in relation to the project under circumstances that would constitute forced labor or the result of labor trafficking. To this end, the ZECO PIU/ MoWEM PIU 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 ZECO PIU/ MoWEM PIU 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 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 labor, victims of labor trafficking, and child labor among primary suppliers, the ZECO PIU/ MoWEM PIU 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 labor, victims of trafficking, or child labor is discovered in a primary supplier's workforce, the ZECO PIU/

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<sup>18</sup>“Suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project.” ESS2, footnote number 5.

MoWEM PIU 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 labor 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 ZECO PIU/ MoWEM PIU will require the relevant primary supplier to introduce procedures and mitigation measures to address such safety issues, which the ZECO PIU/ MoWEM PIU will review every four months to ascertain their effectiveness.

Where forced labor, trafficking, or child labor is identified, the ZECO PIU/ MoWEM PIU will require the primary supplier to report the situation to the police and other relevant government authorities. Depending on the circumstances, the ZECO PIU/ MoWEM PIU will discontinue 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 labor, child labor, 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/ZESTA 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/ZESTA 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, 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/ ZESTA PROJECT] 's environmental and social management plan.
- Implement the occupational health and safety management plan(s) established by the [CONTRACTOR COMPANY/ZESTA 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 in Jozani National Park 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 Jozani National Park, 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 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 Jozani National Park, 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 ZESTA project in relation to COVID-19.

- Treat women, children (persons under the age of 18), and men with respect regardless of gender, race, color, language, religion, political or other opinion, gender identity, national, ethnic or social origin, property, disability, birth, or other status.
- Not use language or behavior towards women, children or men that is 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. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Not engage in sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including subtle acts of such behavior. [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 favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Unless there is the 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 percent 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 Unguja Island will result in my immediate termination of employment from the project and that my employer and the ZESTA 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 project 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

Jozani National Park, the areas surrounding Jozani National Park, or any project worksites or workcamps.

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: \_\_\_\_\_

