



Draft

LABOUR MANAGEMENT PROCEDURES

FOR THE

**DISTRIBUTED ACCESS TO RENEWABLE ENERGY
SCALE-UP (DARES) PROJECT**

SEPTEMBER 2023

Table of Contents

List of Tables.....	ii
Lists of Figures.....	ii
Abbreviations.....	iii
Executive Summary.....	v
1 Introduction.....	1
1.1 Background and Context	1
1.2 Overview of Project Components and Focus Areas under the proposed DARES	2
1.3 Need for the DARES Project.....	6
1.4 Institutional Arrangements	6
1.5 Labour Management Procedures (LMP)	7
1.6 Scope of the Labour Management Procedures	8
2 Overview of labour use in the DARES	9
2.1 Category of Workers.....	9
2.2 Characterization of Labour requirements	9
2.3 Number of Project Workers.....	10
3 Legal and Regulatory Requirements.....	11
3.1 Introduction	11
3.2 Policies and Acts.....	11
3.3 Federal Ministry of Labour and Employment.....	13
3.4 International Regulations.....	14
3.5 International Finance Institution requirements	15
3.6 The World Bank Environmental and Social Standards: ESS 2.....	16
4 Assessment of Key Potential Labour Risks and Mitigation MEASURES	17
4.1 DARES Labour Risk Analysis and Mitigation	17
4.2 Potential Exposure to Toxicity of E-Waste.....	17
4.3 Security Risks Management	17
4.4 Journey Management Plan and Emergency Preparedness	17
5 Policies and Procedures for Labour Management.....	24
5.1 Policies.....	24
5.2 Procedures	24
6 Roles and Responsibilities for Managing the LMP.....	30
6.1 Introduction	30
6.2 Roles and Responsibilities Matrix	30
6.3 Capacity Assessment for Implementing the LMP	31
7 Grievance Redress Mechanism for Workers.....	32
7.1 Introduction	32
7.2 Establish a GRM.....	32
7.3 Roles of the GRCs	33
7.4 Expectation When Grievances Arise	33
7.5 Typical Grievance Redress Process	33
7.6 How to Register a Complaint.....	35
7.7 Role of Trade Unions in GRM	35
7.8 Gender-Based Violence	35
References	38
Annexes.....	39
Annex 1: Sample of a Contractor’s Code of Conduct	39

Annex 2: Sample Health Training and Environment Plan.....	45
Annex 3 Workers Campsite Management Framework.....	46

List of Tables

Table 1.1: Proposed Resources for the DARES Components.....	5
Table 2.1: Labour Characterisation under DARES.....	9
Table 4.1: Labour Risk Identification and Analysis.....	18
Table 6.1: Roles and Responsibilities for the LMP Responsibility Matrix.....	30
Table 7.1: Grievance Redress Procedures for PMU Workers.....	32
Table 7.2: Grievance Management Process.....	35

Lists of Figures

Figure 1.1: DARES Forecasted Impact - Source: WB; Draft DRES PAD.....	2
Figure 1.2: Electricity Access Deficiency Status in Nigeria - Source: WB.....	6
Figure 1.3: Collaborative Institutions with REA for the DARES implementation - Source: NEP, 2018.....	7
Figure 7.1: Flowchart for Grievance Redress Mechanism - Source: DISREP, 2020.....	34

ABBREVIATIONS

AfDB	African Development Bank
ARLAC	Africa Regional Labour Administration Centre
CUF	Capacity Utilization Factor
DAP	Data Aggregation Platform
DARES	Distributed Access to Renewable Energy Scale-up.
DLIs	Disbursement Link Indicators
DisCos	Electricity Distribution Companies
EPR	Extended Producer Responsibility
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESHS	Environment, Safety, Health and Security
ETP	Energy Transition Programme
ESS	Environmental and Social Standards
ESMAP	Energy Sector Management Assistance Program
FMEv	Federal Ministry of Environment
FGN	Federal Government of Nigeria
FEC	Federal Executive Council
GBV	Gender-Based Violence
GRC	Grievance Redress Committees
GRM	Grievance Redress Mechanism
HSE	Health Safety and Environment
IA	Implementing Agency
IDA	International Development Association
ILO	International Labour Organization
ISO	International Organization for Standardization
IPF	Investment Project Financing
LFN	Laws of the Federation of Nigeria
LMP	Labour Management Procedure
LTI	Loss Time Injury
MoP	Ministry of Power
MDAs	Ministry Departments and Agencies
MTC	Medical Treatment Case
MSMEs	Micro, Small and Medium Enterprises
NERC	Nigerian electricity Regulatory Commission
NEP	Nigeria Electricity Project
OBF	Output Based Fund
OHS	Occupational Health and Safety
OGS	Off-Grid Solar

PAD	Project Appraisal Document
PBG	Performance Based Grant
PPSD	Project Procurement. Strategy for Development
PSRP	Power Sector Reform Program
PDO	Program Development Objective
PMU	Project Management Unit
PIP	Performance Improvement Plans
PPE	Personal Protective Equipment
PUE	Productive Use Equipment
REA	Rural Electrification Agency
RESIP	Rural Electrification Strategy and Implementation Plan
SEA	Sexual Exploitation and Abuse
SAS	Standalone Solar Systems
SH	Sexual Harassment
STDs/STIs	Sexually Transmitted Diseases/Sexually Transmitted Infections
TA	Technical Assistance
UNOPS	United Nations Office for Project Services
USAID	United States Agency for International Development
WB	World Bank

EXECUTIVE SUMMARY

ES1: Project Background

The Federal Executive Council approved the Power Sector Reform Program (PSRP) on 22nd March 2017. The Federal Government of Nigeria (FGN) seeks to increase electricity access in remote, low density and traditionally underserved areas of the country through the Rural Electrification Agency (REA). The Distributed Access to Renewable Energy Scale-up (DARES) directly promotes these objectives, and will provide electricity access to serve households, enterprises, community facilities, and small businesses. While the project is technology neutral, it is expected that most of the power under the project will be generated by solar technology.

The project is nationwide in scope and aims to provide electricity to households, firms and public institutions in a least-cost and timely manner. Most of the project's funds will be used to stimulate private construction and operation of off-grid electricity supply systems by providing financial incentives and technical support. Some of the project funds will be used to acquire, by competitive tender, supply systems for selected Federal universities. The project will also co-finance Technical Assistance.

Component 1. Solar Hybrid Mini Grids for Economic Development (US\$ 1023 million, US\$ 410 million equivalent from IDA, and US\$ 613 million from private sector funding)

This component will support the development of privately owned and operated solar hybrid mini grids in unserved (primarily rural and remote) and underserved (primarily urban and peri-urban) areas with high economic growth potential. The mini grid component consists of two investment sub-components defined by their different subsidy approaches. **Minimum Subsidy Tender (IDA US\$215 million equivalent)**

The MST sub-component will aggregate demand and prepare portfolios of mini grid projects for tender. The mini grids will be privately financed, owned, and operated, and the tender will select the developer that needs the lowest subsidy to do so. Three separate MST pipelines will be used- one for isolated mini grids, one for interconnected mini grids, and one for solar rooftops in Lagos. **Performance Based Grant (PBG) Program (IDA US\$195 million equivalent):** Under this sub-component, REA will provide administratively set PBGs to mini grid operators based on new customer connections (US\$/end users) for isolated mini grids and the percentage of CAPEX for interconnected (grid-connected) mini grid projects. Performance-based grants will be made available to mini grid developers on a rolling basis and differentiated based on geographic and socio-economic factors (determined by existing mini grid activity) and consumer classes (residential, PUE). Eligible projects must have minimum commercial or productive loads to ensure sustainability overall.

(a)

Component 2: Standalone Solar Systems (SAS) for Households, MSMEs, and Agribusinesses (US\$ 715 million equivalent, of which US\$ 300 million IDA equivalent and US\$ 415 million from private sector funding).

This component will expand availability and affordability of standalone solar systems (SAS) for households (basic electrification), MSMEs, and agribusinesses (PUE support) in rural areas. Through targeted and competitively awarded performance-based and catalytic grants, the uptake of 2,750,000 quality-certified solar home systems (SHS) and 75,000 PUE products in rural areas and amongst lower-income segments will be promoted. Under sub-component 2.1, the performance-based grants (PBG) will provide results-based payments per connection (verified product sale). Under sub-component 2.2., catalytic upfront grants will support companies seeking to distribute in hard-to-reach, underserved areas focusing on poor, remote, and hardest-to-reach consumers.

Sub-Component 2.1 Performance Based Grants for Standalone Solar (SAS) (IDA US\$ 280 million equivalent): The sub-component will provide PBGs with the ability to rapidly deploy SAS solutions in rural and underserved areas. Supply and demand side support will be provided through the PBG to address the viability and affordability gap, respectively. Companies will receive a grant based on independently verified outputs with incentives varying by location and type of business model. The

sub-component will help reduce the end-user prices for households identified as poor and vulnerable by the National and State Social Registry. This sub-component will also support deploying solar-powered PUE equipment to MSMEs, agribusinesses, and commercial customers.

Sub-Component 2.2: Catalytic Grants (IDA US\$20 million equivalent): This sub-component will incentivize companies targeting the poor, remote, or hardest-to-reach consumers in the country. Grants will be offered on a matching basis to ensure the company commits its funding and has ‘skin in the game.’

Component 3: Technical Assistance (US\$80 million, US\$ 40 million IDA equivalent, and US\$ 40 million from other development partners)

1. This component will be supported by financing and collaboration from various development partners, such as GEAPP, SEforALL, JICA, USAID, etc., to create an ecosystem for universal electrification. . Technical assistance provided under the DARES umbrella will focus on the following - **Sub-Component 3.1: Institutional Strengthening (US\$ 10 million IDA equivalent):** will support activities to build institutional capacity, including (i) strengthening of implementation capacities of REA and FMOP (ii) development of critical studies, including the national electrification plan.

2. **Sub-Component 3.2: DARES Ecosystem and Implementation (US\$ 20 million IDA equivalent)** will focus on (i) pipeline preparation for isolated and interconnected mini grids; (ii) building the PUE ecosystem, including geospatial mapping, demand stimulation and capacity building of financial institutions on market-based products and pricing, financial literacy; and (iii) managing E&S risks, including the development of citizen engagement framework.

3. **Sub-Component 3.3: Engagement with States (US\$ 10 million IDA equivalent)** will focus on (i) supporting states in crafting their role in the energy transition agenda during decentralization by providing TA for designing electricity markets, building capacity of state-level sector institutions, developing regulatory and procurement capacity, and preparing policy framework and its implementation; (ii) determining viability for solar rooftop and setting up a one-stop-shop model for market creation – for interested and qualified states.

Project Development Objective (PDO)

The project development objective (PDO) is to increase access to electricity services for households and MSMEs with private sector-led distributed renewable energy generation

ES2: Overview of Labour Use in the DARES

An overview of labour use and characterization on the project has been provided in this Labour Management Procedure (LMP). This LMP was developed to identify and manage risks associated with labour and working conditions under the Distributed Access through Renewable Energy Scale-Up (DARES). It identifies labour requirements in line with applicable laws, standards and sets out the procedures for addressing labour conditions and risks associated with the DARES in line with the World Bank Environmental and Social Standard 2 (ESS2) on Labour and Working Conditions.

Labour Demand Composition (LDM) and key occupations relevant to the solar industry anticipated to participate in DARES project includes energy auditors, site assessors and remote evaluators, solar designers and engineers, , solar PV installers and technicians, solar water and pool heating installers and technicians, electricians with specific skills in solar installation, roofers with specific skills in solar installation, sales representatives and estimators, plumbers with specific skills in solar installation, HVAC technicians with specific skills in solar installation. These shall include first-line supervisors/managers of construction trades, and solar installation managers and project foremen.

The LMP has assessed the potential labour risks associated with the project based on the type of work and workers anticipated to be engaged during the implementation of each of DARES project and documented appropriate mitigation measures as presented in Table 4.1.

ES3: Legal and Regulatory Requirements

In developing this LMP, compliance obligations have been documented which will serve as supplemental policies that will guide the implementation of this LMP including national laws, international laws, and in particular, the World Bank ESS2. Particularly, the Labour Act, Chapter 198, Laws of the Federation of Nigeria (LFN) 2004: is important as the Act covers general provisions including:

- Protection of wages.
- Contracts of employment and terms and conditions of employment.
- Fair treatment and equal opportunities for project workers.
- Hours of work and overtime.
- Employment of women.
- Labour health matters.
- Prohibition of forced labour.
- Labour complaints.

In developing this document the National laws were combined with the relevant international labour law such as the, International Labour Organization (ILO), Africa Regional Labour Administration Centre (ARLAC) etc. with the WB ESS2, to meet the objectives of the ESS 2, which are as follows:

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

ES4: Assessment of Key Potential Labour Risks and Mitigation Measures

The LMP sets out policies and procedures governing the under listed key potential labour risks in order to promote sound worker-management relationships and enhance the developmental benefits of the project:

- Non-discrimination and equal opportunity
- Age of employment and Child labour
- Terms and conditions of employment
- Working conditions
- Occupational health and safety (OHS)
- Forced labour
- Labour influx
- Sexual harassment (SH), sexual exploitation and abuse (SEA), gender-based violence (GBV)
- Grievance Redress mechanism (GRM)
- Right of association and collective bargaining
- Community health & safety
- Engagement of community workers
- Contractors' management
- Primary suppliers
- Discipline and termination of employment

The highlighted labour risk are all identified and analysed in Table 4.1 to ensure workers engaged under the project are treated fairly and provided a safe and healthy working conditions.

ES5: Policies and Procedures for Labour Management

Policies and procedures for the management of workers vulnerability threats and identified labour risks under DARES implementation are outlined in the LMP and will be governed by the provisions of the World Bank ESS2: Labour and Working Conditions, International Labour Organisation (ILO), ISO 45001 standards, Labour Act and other national regulations as outlined in section 3 of this plan.

The guiding labour risks management policies for DARES implementation include:

- a. There shall be non-discrimination and equal opportunity provided for all workers.
- b. The terms and conditions of employment shall be outlined in clear and understandable terms, ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations for all workers.
- c. All Government workers deployed to work on the project shall be given official letters of deployment by their parent ministries.
- d. Employers shall provide safe and healthy working conditions for workers, void of worker exploitation, and shall ensure provision of standard facilities.
- e. Employers shall conduct job hazard and risk assessment and implement actions to address such risks.
- f. Employers shall provide adequate work tools and personnel protective equipment to all workers.
- g. Timely and adequate training on OHS/HSE shall be provided to all workers.
- h. There shall be no use of child labour or forced labour.
- i. Workplaces shall be free of Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV).
- j. Grievance redress mechanism for workers shall be instituted at all levels of engagement in consultation with the affected worker category.
- k. Workers shall have their right of association and collective bargaining.
- l. There shall be proper documentation of contractors/supplier's management in line with OHS requirements.
- m. Termination of appointment shall be valid or reasonable, clear and unambiguous, without prejudice and employee must be aware of the reason.
- n. There shall be continuous consultation with workers on the effectiveness and improvement of the labour management procedures.

ES6: Roles and Responsibility for Managing the LMP

Roles and responsibilities for implementing the LMP have also been documented in line with the project structure for implementing the DARES. While Table 6.1 enumerated the Roles and Responsibility required for the LMP responsibility matrix implementation, Table 6.2 present the capacity assessment within the implementing agencies and contractors for different aspects LMP implementation.

ES7: Grievance Redress Mechanism for Workers

This LMP recognizes the significance of having a structured process for managing complaints and has established a grievance redress mechanism for workers. Thus, a Grievance Redress Mechanism (GRM) will be implemented with a view to ensure that all complaints from workers are dealt with appropriately, with corrective actions implemented, and the complainant informed of the outcome.

The proposed project recognises that various categories of workers may be deployed to work on the project and as such a uniform grievance process will be beneficial. This is described in line with the required grievance redress committees (GRC) in Table 6, As presented in Table 7, this LMP has also provided a guide on the typical steps to be adopted for any complaint by contractors as part of the

Environmental and Social Management Plan development for site-specific Labour Management Plan. Issues relating to GBV/SEA were also captured.

1 INTRODUCTION

1.1 Background and Context

The Federal Executive Council approved the Power Sector Reform Program (PSRP) on 22 March 2017. The Federal Government of Nigeria (FGN) seeks to increase electricity access in remote, low-density and traditionally underserved areas of the country through the Rural Electrification Agency (REA). The Distributed Access Renewable Energy Scale-up (DARES) directly promotes these objectives and will provide electricity access to serve households, enterprises, community facilities, and small businesses. While the project is technology-neutral, it is expected that most of the power under the project will be generated by solar technology.

While the project is nationwide in scope, it aims to provide electricity to households, firms and public institutions in a least-cost and timely manner. Most of the project's funds will be used to stimulate private construction and operation of off-grid electricity supply systems by providing financial incentives and technical support. Some of the project funds will be used to acquire, by competitive tender, supply systems for selected Federal institutions/communities. The project will also co-finance Technical Assistance.

The Nigeria DARES project will scale up successful elements of the Nigeria Electricity Project (NEP). NEP has catalysed the establishment of an off-grid and mini grid industry in the country, with 52 off-grid solar companies and 61 mini-grid companies that have met rigorous qualification requirements to participate in the program. Experience from the NEP implementation suggests that results-based financing mechanisms (such as Performance Based Grants¹ for mini-grids and Output Based Funds² for solar home systems) are an effective approach to promote scaling up of distributed renewable energy solutions. Compared to top-down approaches that involve extensive capacity and preparation by the public sector, a private sector led approach does not face the risks and delays of large-scale public procurement, delegates environmental and social compliance to private companies that can demonstrate adequate capacity, and places the responsibility for customer selection, business strategy and execution squarely in the hands of the private sector, which allows for swifter deployment and more commercial decision-making. The public sector is tasked with planning, regulation, grievance redressal, and oversight – where its strengths and mandate lie.

The Nigeria DARES project aims at ensuring the sustainability of distributed access solutions through productive uses of electricity and demand stimulation. To foster Productive Use Equipment (PUE), several challenges and barriers have to be overcome such as the lack of confidence in the viability of PUE technology and business models, limited awareness among stakeholders on PUE benefits, limited access to finance for MSMEs with limited collateral, availability of appliances and unclear regulatory environment. While some PUE technologies are now mature, the market is still nascent in Nigeria with only a few companies and suppliers providing such services. A comprehensive and holistic ecosystem has to be built to fully tackle the market pot.

¹ PBG are performance-based, viability gap grants offered to NEP qualified mini-grid companies for every new client provided with electricity.

² OBF are performance grants of up to 60 percent of system cost to off-grid solar companies that includes a 20 percent discount on the costs of the system to the end consumers, for each eligible system installed and verified by the private sector.

Country level	Sector level			Project level
MACRO-ECONOMIC and POLICY	FINANCIAL	COMMERCIAL & OPERATIONAL	ENABLING ENVIRONMENT	CAPACITY, PROCESS & CONTRACTS
<p>Currency convertibility risk for imported equipment and/or foreign financiers</p> <p>FX volatility risk impacting mismatch between imported equipment costs in hard currency and NGN revenues</p> <p>Lack of a national electrification policy to provide predictability in investment planning</p>	<p>Limited access to project preparation funds/expertise</p> <p>Limited availability of upstream equity for private companies</p> <p>Limited access to downstream debt and high collateral requirements for private companies</p> <p>Limited local currency financing and risk mitigation mechanisms in the sector</p>	<p>Affordability constraints of end consumers (Rural and urban residential, farmers, etc.)</p> <p>Offtake risk – esp. for public institutions and C&I sectors</p> <p>Demand risk – low economic activities, volatile agricultural production, slower customer acquisition, slow consumption growth</p> <p>Skills gap in the overall industry</p>	<p>No Local manufacturing. Local industry squeezed between OEMs and Distribution shocks.</p> <p>Poor implementation of fiscal policies (tax and duty exemptions)</p> <p>Federal vs State mandates. In regulation, licensing, land rights etc.</p>	<p>Limited capacity of firms. Most firms in this space will need hand-holding to clear due-diligence of IFC/MIGA/WB-IPG</p> <p>Limited enforceability of contracts. Exclusivity agreements in rural Mini-Grids. Offtaker agreements in urban access. O&M contracts for SHS</p> <p>Permits, inspection delays pointing to red tape, governance issues</p>

Figure 1.1: DARES Forecasted Impact - Source: WB; Draft DRES PAD

1.2 Overview of Project Components and Focus Areas under the proposed DARES.

Table 1.1 present the proposed resource distribution for the three components of DARES project. Highlighted in this subsection is the proposed investment details of the three components:

Component 1. Accelerating Mini grids (US\$1023 million, US\$ 410 million equivalent from IDA, and US\$ 613 million from private sector funding). This component will support the development of privately owned and operated solar hybrid mini grids in unserved (primarily rural and remote) and underserved (primarily urban and peri-urban) areas with high economic growth potential. The mini grid component consists of two investment sub-components defined by their different subsidy approaches. It will be implemented in parallel: Sub-Component 1.1- the minimum subsidy tender and sub-component 1.2- performance-based grant program. These sub-components target different sets of private developers (although there may be some overlap), as summarized in Table 2 below.

Table 2. Description of component 1

Component	Approach					Result Based Grant	
	Objective	Geographic	Site selection	Target Cluster Type	System Capacity	Determination	Type
1.1 Minimum Subsidy Tender							
MST for Isolated Mini Grids	Last-mile access	Rural, Remote	REA led (aggregated demand)	Residential and MSMEs	Up to 1MW	Competitive	Per connection
	Energy Transition	Urban, peri-Urban		Residential and		Competitive	Percentage of CAPEX

MST for Interconnected Mini Grids	Reliable supply		DISCO led (aggregated demand)	economic clusters ³	Up to and above 1MW		
State Government Led Solar Rooftop Solution	Energy Transition Reliable supply	Urban, peri-Urban	State govt. led (aggregated demand)	Large general hospitals	Up to and above 1MW	Competitive	Percentage of CAPEX
1.2 Performance-Based Grants							
PBG for Isolated Mini Grids	Last-mile access	Rural, Remote	Developer led (site by site)	Residential and MSMEs	Up to 1MW	Pre-determined	Per connection
PBG for Interconnected Mini Grids	Energy Transition Reliable supply	Urban, peri-Urban	Developer led (site by site)	Residential and economic clusters	Up to 1MW	Pre-determined	Percentage of CAPEX

Sub-Component 1.1: Minimum Subsidy Tender for Mini Grids (IDA US\$215 million equivalent). The MST sub-component will aggregate demand and prepare portfolios of mini grid projects for tender. The mini grids will be privately financed, owned, and operated, and the tender will select the developer that needs the lowest subsidy to do so. Three separate MST pipelines will be used; one for isolated mini grids, one for interconnected mini grids, and one for solar rooftops in Lagos.

Component 1.2: Performance-Based Grants (PBG) Program (IDA US\$195 million equivalent). Under this sub-component, REA will provide administratively set PBGs to mini grid operators based on new customer connections (US\$/end users) for isolated mini grids and the percentage of CAPEX for interconnected (grid-connected) mini grid projects. Performance-based grants will be made available to mini grid developers on a rolling basis and differentiated based on geographic and socio-economic factors (determined by existing mini grid activity) and consumer classes (residential, PUE). Eligible projects must have minimum commercial or productive loads to ensure sustainability overall.

Component 2. Stand-alone Solar Systems for Households, MSMEs, and Agribusinesses (IDA US\$715 million equivalent, of which US\$300 million IDA equivalent and US\$415 million from private sector funding). This component as further described in table 3 will expand the availability and affordability of standalone solar systems (SAS) for households (basic electrification), MSMEs, and agribusinesses (PUE support) in rural areas. Through targeted and competitively awarded performance-based and catalytic grants, the uptake of 2,750,000 quality-certified solar home systems (SHS) and 75,000 PUE products in rural areas and among lower-income segments will be promoted. Under sub-component 2.1, the performance-based grants (PBG) will provide results-based payments per connection (verified product sale). Under sub-component 2.2., catalytic upfront grants will support companies seeking to distribute in hard-to-reach, underserved areas focusing on poor, remote, and hardest-to-reach consumers.

³ Economic clusters are locations with high density of commercial and productive activities adding economic value which are also co-located. Examples are markets, plazas, cottage industries, commercial streets, agro-allied centers etc.

Table 3: Description of component 2

Component	Approach				Subsidy	
	Objective	Modality	Geographic	Target	Determination	Type
2.1 Performance Based Grants						
PBG for SHS	Last mile access	Private Sector led	Rural, remote	Households, MSMEs	Pre-determined	Per connection
PBG for PUE	Productive uses	Private sector led	Rural, remote	MSMEs, farmers, Agribusinesses,	Pre-determined	Per connection
2.2. Catalytic Grants						
Catalytic Grant	Last mile access in fragile, hard areas	Private sector led	Rural, remote	Households, MSMEs, agribusinesses	per business plan	Milestone based

Sub-Component 2.1 Performance Based Grants for Standalone Solar (SAS) (IDA US\$ 280 million equivalent). The sub-component will provide PBGs with the ability to rapidly deploy SAS solutions in rural and underserved areas. Supply and demand side support will be provided through the PBG to address the viability and affordability gap, respectively. Companies will receive a grant based on independently verified outputs with incentives varying by location and type of business model. The sub-component will help reduce the end-user prices for households identified as poor and vulnerable by the National and State Social Registry. This sub-component will also support deploying solar-powered PUE equipment to MSMEs, agribusinesses, and commercial customers.

Sub-Component 2.2: Catalytic Grants (IDA US\$ 20 million equivalent). This sub-component will incentivize companies targeting the poor, remote, or hardest-to-reach consumers in the country. Grants will be offered on a matching basis to ensure the company commits its funding and has ‘skin in the game’.

Component 3. Technical Assistance (US\$80 million, US\$40 million IDA equivalent and US\$40 million from other development partners). This component will be supported by financing and collaboration from various development partners, such as GEAPP, SEforALL, JICA, USAID, etc., to create an ecosystem for universal electrification.

Sub-Component 3.1: Institutional Strengthening (US\$ 10 million IDA equivalent) will support activities to build institutional capacity, including (i) strengthening of implementation capacities of REA and FMOP (ii) development of critical studies, including the national electrification plan.

Sub-Component 3.2: DARES Ecosystem and Implementation (US\$ 20 million IDA equivalent) will focus on (i) pipeline preparation for isolated and interconnected mini grids; (ii) building the PUE ecosystem, including geospatial mapping, demand stimulation and capacity building of financial institutions on market-based products and pricing, financial literacy; and (iii) managing E&S risks, including the development of citizen engagement framework.

Sub-Component 3.3: Engagement with States (US\$ 10 million IDA equivalent) will focus on (i) supporting states in crafting their role in the energy transition agenda during decentralization by providing TA for designing electricity markets, building capacity of state-level sector institutions, developing regulatory and procurement capacity, and preparing policy framework and its implementation; (ii) determining viability for solar rooftop and setting up a one-stop-shop model for market creation – for interested and qualified states.

Table 1.1: Proposed Resources for the DARES Components

	Components/ Focus Areas	Public Finance Provided (PFP) US\$	Private Capital Mobilized (PCM) and Grant Mobilized (GM) US\$
1	Solar Hybrid Mini-grids i.e., Isolated mini-grids, interconnected mini-grids, solar roof top and franchising/embedded generation	410 million	630 million
2.	Off grid Solar i.e., Solar Home Systems (SHS), Solar Productive Use Equipment (PUE) etc.	300 million	415 million
3.	Technical Assistance ⁴	40 million	40 million
	Total	750 million	1,068 million

Project Development Objectives (PDO) Level Indicators

The key results (PDO Indicators) expected are as follows:

- CRI: People provided with new or improved electricity service (gender-disaggregated) (number).
- MSMEs are provided with new and improved electricity services (through mini grids or standalone solar), of which female managed MSMEs (number)
- Private capital mobilized for mini grids and standalone solar (US\$ million)
- New generation capacity of renewable energy installed (MW)
- Net GHG emissions (using mini grids and standalone solar) (metric tons of CO2)

Focus Area 1: Powering economies. The focus area on Powering economies rests on creating higher incomes, greater productivity, and more jobs across communities.

Focus Area 2: Urban access. While the scope of the WB support and implementation framework are yet to be decided, there is a lot of clarity on the Technical Assistance that needs to be provided given the gaps that have already been identified. The WB has already been providing technical assistance to the Lagos state. From the viability work there is a need to build capacity in the FIs as well as put in a place an enabling framework through standardization, proper regulation, better human capital and building consumer awareness. The TA support will include support for creation of one stop shop to support PV developers in accessing funds and reliable market data that will help them build a pipeline of projects. There will be activities to build capacity at financial institutions to assess credit risk related to solar DPV. The support will include support for implementation of IEC/Lighting Global quality standards and stricter monitoring of quality of solar products. The TA will identify the skills gap that exist in the market and develop training curriculum and standardized training program for solar DPV. Finally, the TA will also work with various stakeholders across the value chain to increase consumer awareness on solar DPV.

Focus area 3: Electrifying public institutions. The focus area would seek to demonstrate an approach whereby the private sector is competitively selected to supply and install the systems as well as provide long-term service and maintenance. The focus area would contribute to promote human capital

⁴ Estimated Grant Mobilized (GM) for technical assistance assumes that DARES will synergize with other development partners by leveraging on-going or already planned TA for similar endeavor in the sector to avoid duplication of efforts.

development through new or improved access to electricity services for improved delivery of health and education services. The proposed project will collaborate with ongoing and planned health and education sector projects.

1.3 Need for the DARES Project

Nigeria has the largest electricity access deficit in absolute terms of any country in the world, and the trend is worsening. As of 2020, 55 percent of Nigeria’s population had access to electricity, leaving over 91 million people without access.⁵ Large disparities exist in access between urban areas (82 percent) and rural ones (31 percent) as well as by income, with only 31 percent of the poorest 40 percent of the population⁶ having access to electricity nationwide. The electricity access deficit has remained at 45 percent since 2015, and yet the net access deficit has increased by over 7 million citizens over the last decade, as the rate of population growth has outpaced the increase in electrification, making Nigeria an outlier even in Sub-Saharan Africa. Access to electricity has not only impacted households but has presented a challenge for effective delivery of essential public services such as health and education. Only 40 percent of functional primary health facilities and 26 percent of primary schools in Nigeria have access to electricity. Figure 1.2 present the Electricity Access Deficiency Status in Nigeria.

Recognizing the need to expand access in underserved population the FGN approved the Rural Electrification Strategy and Implementation Plan (RESIP) and forward-looking Mini-Grid Regulations in 2016. The FGN established the Rural Electrification Agency (REA) through the Electric Power Sector Reform Act of 2005 with a mandate to increase rural access. The FGN launched the Nigeria Electrification Project (NEP) in June 2018 as a results-based, private-sector led initiative to implement the RESIP. Nigeria DARES will support FGN’s vision⁷ to reach universal electrification. Successful ongoing implementation of NEP has created an ecosystem of private-sector led electrification in Nigeria – specifically for the off-grid solar and Mini-Grids industries. This ecosystem has evolved around NEP and is supported by DFIs⁸ (such as AfDB, GIZ, FCDO, USAID), Non-profit organizations (GEAPP, RMI), Investors (Commercial Banks, investment management, guarantee firms) and partnerships.

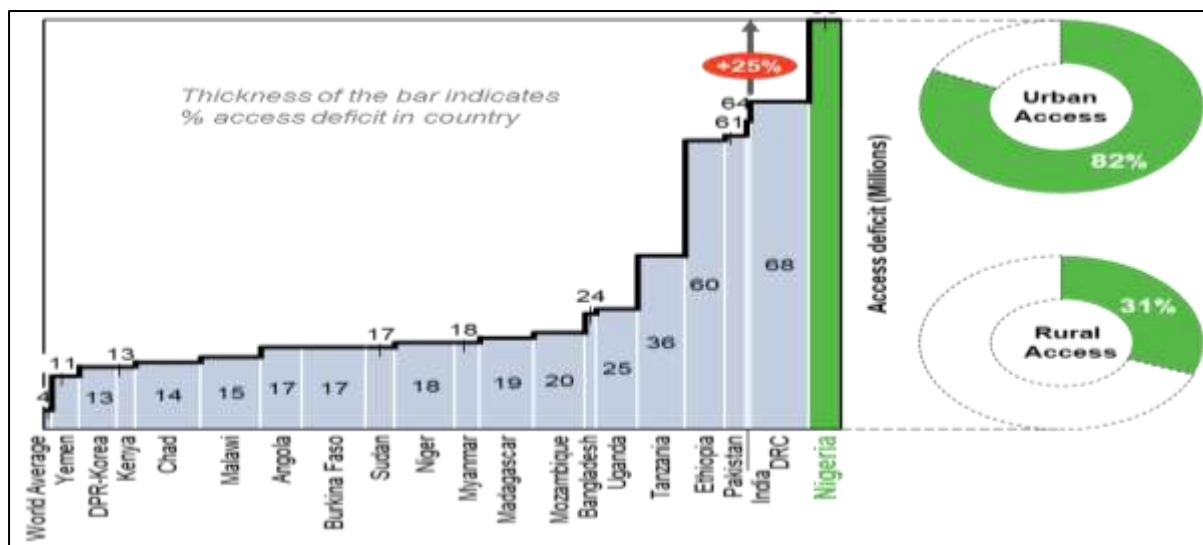


Figure 1.2: Electricity Access Deficiency Status in Nigeria - Source: WB

1.4 Institutional Arrangements

The implementation of this project and its subproject requires the collaboration of several institutions. The Rural Electrification Agency is the implementing agency for NEP, and it established a Project Management Unit (PMU) that has been performing relatively well and has amassed considerable knowledge of the mini grid and off-grid sector in Nigeria. While administering the PBG and OBF

⁵ [Tracking SDG7](#), World Bank 2022.

⁶ NBS survey data

⁷ As outlined in the approved ETP

⁸ **AfDB** – African Development Bank, **GIZ** - The Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH, **FCDO** – The Foreign, Commonwealth & Development Office of the United Kingdom, **USAID** - The United States Agency for International Development, **GEAPP** – The Global Energy Alliance for People and Planet, **RMI** – Rocky Mountain Institute.

programs that are proposed to be continued under DARES, the PMU was established application, evaluation, monitoring, and independent verification and disbursement processes, including standardized document templates and workflows and the use of a data and analytics platform. This experience means that the REA and the PMU established for NEP would be the logical and efficient choice for the implementing agency for DARES. Figure 1.3 present the collaborative Institutions that would be required for the effective implementation of the DARES.

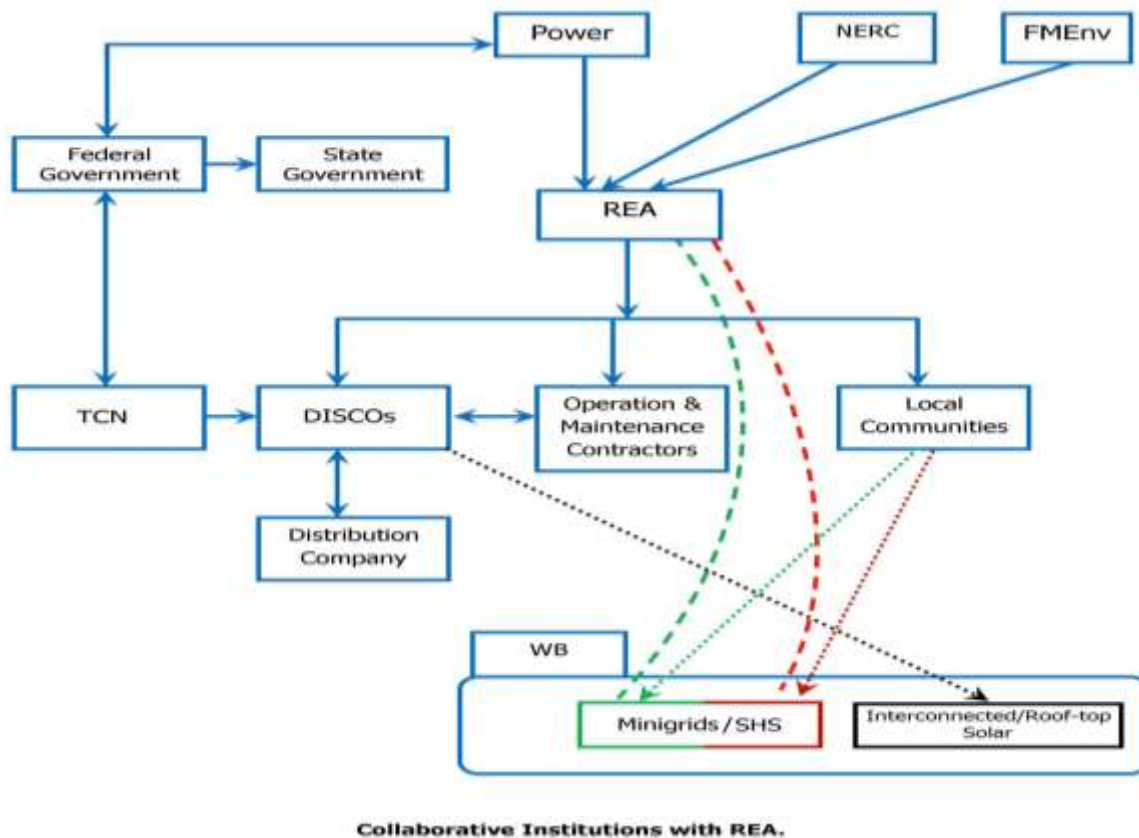


Figure 1.3: Collaborative Institutions with REA for the DARES implementation - Source: NEP, 2018

1.5 Labour Management Procedures (LMP)

These Labour Management Procedures (LMP) was developed to identify and manage the potential impacts and risks associated with labour and working conditions under the Nigeria Distributed Access to Renewable Energy Scale-up (DARES) project. It identifies labour requirements in line with applicable laws and standards; and sets out the procedures for addressing labour conditions and risks associated with the DARES, which is aimed at helping the project determine, plan resources necessary to address project Labour issues and implement the plan. The LMP is enshrined within the context of applicable Nigerian laws, notably the Labour Act 1974, Occupational Safety and Health Act 2005, Nigerian Electricity Health and Safety Standards Manual, the World Bank Environmental and Social Standards (ESS) 2: Labour and Working Conditions, International Labour Organization (ILO) and ISO 45001 requirements.

The LMP applies to all Project workers whether full-time, part-time, temporary, seasonal or migrant workers. The LMP is applicable, as per ESS2 to the Project. The main objective of the LMP is to recognize the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Other objectives include:

- To protect project workers including vulnerable workers such as women and girls, persons with disabilities, children of working age, contracted workers, and primary supply workers
- To promote safety and health at work
- To promote the fair treatment and non-discrimination
- To prevent the use of all forms of forced labour and child labour

- To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.
- To provide project workers with an accessible platform to raise workplace concerns

1.6 Scope of the Labour Management Procedures

This LMP describes the requirements and expectations in terms of compliance, reporting, roles & responsibilities, monitoring, supervision, and training with respect to labour and working conditions, including camp accommodation. This LMP covers all categories of project workers under the Investment Project Financing (IPF) component but exclude government workers/civil servants working in connection with this project except there is a legal transfer of their employment or direct engagement to this project. The LMP sets out the following:

- Overview of labour use under DARES
- Legal and regulatory requirements
- Assessment of key potential labour risks and impacts
- Mitigation of potential risks and impacts
- Policies and procedures, including:
 - Non-discrimination and equal opportunity
 - Age of employment
 - Terms and conditions of employment
 - Working conditions
 - Occupational health and safety
 - Forced labour
 - Sexual harassment (SH), sexual exploitation and abuse (SEA), gender-based violence (GBV)
 - Grievance Redress mechanism (GRM)
 - Right of association and collective bargaining
 - Contractors' management
 - Primary suppliers
 - Discipline and termination of employment
- Roles and responsibilities for managing the LMP
- Grievance redress mechanism for workers

2 OVERVIEW OF LABOUR USE IN THE DARES

2.1 Category of Workers

Environmental and Social Standard 2 (ESS 2): Labour and Working Conditions of the World Bank’s Environmental and Social Framework (ESF) categorizes workers into direct workers, contracted workers, community workers, and primary supply workers. Project workers refer to:

- i. People employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers);
- ii. People employed or engaged through third parties (contractors, subcontractors, brokers, agents or intermediaries) to perform work related to core functions of the project, regardless of location (contracted workers which shall unskilled workers from communities);
- iii. People employed or engaged by the Borrower’s primary suppliers (primary supply workers).

The outlined project workers include full-time, part-time, temporary, seasonal, and migrant workers. The categories of workers relevant to the DARES are provided below:

- a. **Direct workers:** Direct workers will comprise a mix of government civil servants from various relevant line ministries (deployed to work directly on the project) and those engaged as technical consultants, full and part-time, by the coordinating and implementing agencies under the project. A set of public service rules, the latter will govern the former by mutually agreed contracts. All workers from these organizations engaged directly by the borrower to work on the DARES are considered direct workers. This includes workers within the Project Management Unit (PMU), which will be domiciled in the Rural Electrification Agency (REA), the implementing agency.
- b. **Contracted workers:** Two broad categories of contracted workers are expected. First is Consultant service providers who will provide implementation support services to the various organisations involved in the project. The second category involves those who will be contracted to carry out services under the project including contractors, subcontractors, transporters, waste managers, storage services, installation, agents and other forms of services that will require contractors.
- c. **Primary Suppliers:** include private developers, third party developers dealing directly with REA and suppliers of items engaged by the developers to supply equipment such as meters, ICT hardware and software, operational equipment, and other items under procurement of project goods.

2.2 Characterization of Labour requirements

Given the nature of the project and categories of workers required, the workforce will comprise of both skilled and unskilled labour, technical staff, and government civil servants, full-time, part-time, migrant/seasonal workers. Labour Demand Composition (LDM) and key occupations relevant to the solar industry anticipated to participate in DARES project includes energy auditors, site assessors and remote evaluators, solar designers and engineers, solar PV installers and technicians, solar water and pool heating installers and technicians, electricians with specific skills in solar installation, roofers with specific skills in solar installation, sales representatives and estimators, plumbers with specific skills in solar installation, HVAC technicians with specific skills in solar installation. These shall include first-line supervisors/managers of construction trades, and solar installation managers and project foremen.

A summary of the labour characterization is presented in Table 2.1.

Table 2.1: Labour Characterisation under DARES

Worker Category	Description	Type Of Work
Direct Workers	People who will be deployed to work directly for the project, including project workers as indicated below:	
	REA	DARES TA component will support the establishment of a Project Management Unit (PMU) in REA and some workers within the organization will be deployed to execute various project activities in the PMU.
	REA	REA is the implementing agency for the different components. Some staff will work directly for the project on: <ul style="list-style-type: none"> ▪ Implementation of TA component which will entail:

		<ul style="list-style-type: none"> – Implementation support for the establishment of a PMU in REA to support for verification of the deployment made and the PMU will work closely with an independent verification agent. – capacity building
	Technical Consultants	Technical Consultants will provide technical assistance under the project, based on their various areas of expertise.
Contracted Workers	Contractors, subcontractors including community workers, transporters, waste managers, storage services, installers, agents, migrant/seasonal workers	<p>These types of workers (all categories) will be engaged for:</p> <ul style="list-style-type: none"> ▪ Management of waste including e-waste ▪ Loading and off-loading and unloading of packages ▪ Temporary/ permanent storage of equipment ▪ Transportation of equipment and infrastructure ▪ Enumeration/ data collection for the design of a consumer assistance fund ▪ Construction works
	Consultants	Consultant service providers who will provide implementation support/advisory services
Primary Suppliers	Suppliers of Goods and materials over which a primary supplier exercises control over the work, working conditions and treatment of the person	<ul style="list-style-type: none"> ▪ Supply of meters ▪ Supply of ICT equipment ▪ Supply of operational equipment ▪ Other procured goods

2.3 Number of Project Workers

The exact scope of project works is yet to be defined at the point of preparation of this LMP, thus the required personnel load for each project activity and staffing level could not be determined. Hence identifying the number of potential workers required is not possible at this stage. When the exact project scope is known, site-specific Labour Management Plan will be prepared as a part of the Environmental and Social Impact Assessment/Environmental and Social Management Plans to provide estimated numbers of required workers.

3 LEGAL AND REGULATORY REQUIREMENTS

3.1 Introduction

There are national laws, policies, systems, standards and international good practice codes that govern labour and working conditions associated with projects such as the DARES which the project will comply with. Such requirements are outlined in this section.

3.2 Policies and Acts

Labour Act, Chapter 198, Laws of the Federation of Nigeria (LFN) 2004

The Act covers general provisions including:

- Protection of wages
- Contracts of employment and terms and conditions of employment
- Fair treatment and equal opportunities for project workers.
- Hours of work and overtime
- Employment of women
- Labour health matters
- Prohibition of forced labour
- Labour complaints

Factories Act, 1990

The Factories decree 1990 is a landmark in legislation in occupational health in Nigeria. It provides a substantial revision of the colonial legislation, Factories Act 1958, in which the definition of a factory was changed from an enterprise with 10 or more workers to a premise with one or more workers thereby providing oversight for the numerous small-scale enterprises that engage most of the workforce in Nigeria. It stipulates the enforcement of compliance on factories, industries and organizations that employ labour on the protection of the right of workers to friendly environment, health and safety including provisions for prevention and protection from hazards, safety training and supervision, notification and investigation of accidents amongst others.

Factories Act, Cap F1, LFN 2004

- Provides a legal framework for the regulation of safety standards for the operation of factories in Nigeria; and
- Sets out minimum standards for clean and conducive working environments.

Employees' Compensation Act (2010)

The Act provides compensation to employees who suffer from occupational diseases or sustain injuries arising from accidents at the workplace or in the course of employment. Payment of compensation (to the worker or his dependents in case of death) by the employer is rooted in the accepted principle that the employer has a duty of care to protect the health, welfare, and safety of workers at work.

Trade Unions (Amended) Act, 2005

Relevant provisions include:

- Membership of a trade union by employees shall be voluntary and no employee shall be forced to join any trade union or be victimized for refusing to join or remain a member.
- For the purposes of collective bargaining all registered Unions in the employment of an employer shall constitute an electoral college to elect members who will represent them in negotiations with the employer.
- The right to strike is an integral part of the freedom of every citizen to associate with others particularly to form or join a trade union of his choice for the protection of his interests, which is entrenched in section 40 of the Constitution of the Federal Republic of Nigeria 1999.
- No person shall subject any other person to any kind of constraint or restriction of this personal freedom during persuasion.

National Minimum Wage Act, 2010

National minimum wage in Nigeria is determined by the Government. Government is empowered to set up "industrial wages boards" for specific sectors or geographical areas where it considers wages to be "unreasonably low" or where there is no adequate collective bargaining machinery for the effective regulation of wages or other conditions of employment of those workers.

Generally, wage rate is determined by the applicable collective agreement or the agreement between the worker and the employer.

Section 15 of the Labour Act states that "wages shall become due and payable at the end of each period for which the contract is expressed to subsist (daily, weekly or at such other period as may be agreed upon) provided that where the period is more than one month, the wages become due and payable at intervals not exceeding one month".

The Act applies across all sectors/employers, with the exception of an establishment in which workers are employed or paid on part-time and/or on a commission or piece-rate basis: this implies that such supply and transport workers are bound by their contractual agreements.

The Occupational Safety and Health Act 2005

This act states that every employer shall, so far as is reasonably practicable, ensure the safety, health, and welfare at work of all his employees. Other special provisions relevant to this LMP include:

- Prohibitions regarding young persons.
- Duties of employer regarding Safety and Health Officers.
- Risk assessment by employer and Record of risk assessments
- Exposure to serious and imminent danger.
- Duties of Safety and Health officers, Establishment of Safety and Health Committees.
- Health and welfare: Structure of building, Overcrowding, Ventilation and temperature, Lighting, Sanitary conveniences, Supply of drinking water, Washing facilities, Provisions for first-aid.
- Safety (Machinery): Training and supervision, use of equipment and machinery.
- Safety (general provision): Safe means of access and safe place of employment, Substances hazardous to health, Prevention of fire, Safety provisions in case of fire.

National Policy on Occupational Safety and Health, revised 2020

This policy was approved by the Federal Executive Council (FEC) in September 2020. While this has not been legislated, in this LMP it is captured as a guide for voluntary compliance and serve as a basis for OSH programs. Furthermore, it recognizes ISO 45001:2018 and captures policy provisions for implementing Occupational Safety and Health, and duties and roles of various groups including:

Statutory authority, federal ministry of health, MDAs, employers, organizations, manufacturers, transporters, workers, HSE Committees, Nigeria Social Insurance Trust Fund, Standards Organisation of Nigeria, Office of the Head of Civil Service, Mass Media, Academia, and other stakeholders.

Nigerian Electricity Health and Safety Standards Manual:

This manual outlines provisions for the following:

- Creating a culture of safety in the workplace
- Good housekeeping practices to minimize risks and incidents in the workplace including:
 - Dust and dirt removal
 - Employee facilities
 - Surfaces
 - Maintain light fixtures
 - Aisles and stairways
 - Spill control

- Tools and equipment
- Maintenance
- Waste disposal
- Storage
- New employee orientation
- Workers' rights

3.3 Federal Ministry of Labour and Employment

The Nigeria Ministry of Labour and Employment is the country's designated authority for Labour-related matters. The ministry has the authority and capacity to ensure appropriate Labour management in the country; as such, its institutional framework is adequate to accommodate and oversee to the implementation of requirements under the World Bank's ESS2 – Labour and Working Conditions.

The Ministry is structured into six Zonal Labour offices, nine departments consisting of six professional and three service departments. It operates 36 State Labour Offices and the FCT, 23 District Labour Offices, Labour Desk Offices. Recently, 9 Labour Desks were approved for 9 ministries, department, and agencies. In addition, it oversees 5 parastatals and relates to several national and international bodies and organizations. Thus, representatives of the Ministry are present across the country.

Relevant Departments

a. The Inspectorate

The Department is charged with the responsibility of ensuring compliance with all national and international Labour legislation connected with terms and conditions of employment, promotion of health and safety and sustenance of industrial peace and harmony. The department is also charged with the protection of children from child Labour especially in its worst forms.

b. Social Security Department

The Ministry inaugurated a National Working Committee (NWC) on Social Security Policy for Nigeria. The outcome was the establishment of Social Security Department within the ministry to promote a coordinated and holistic approach to social security. The policy drafted by the NWC was in line with the International Labour Organization (ILO) Convention 102, to provide a framework for international best practices based on set minimum standards. The policy is expected to provide the poor, weak, and vulnerable equitable access to medical care, employment, maternity care, survivor's benefits, etc. The department collaborates with relevant stakeholders to regulate a well-focused, coordinated, and effective National Social Security System.

c. Employment and Wages

The Department is charged with the responsibility of initiating and implementing the employment and wages policies of the Federal Government of Nigeria and has the following functions:

- Formulation and implementation of employment policies.
- Registration and placement of unemployed applicants through:
 - Employment Exchanges
 - Professional and Executive Registries
 - National Electronic Labour Exchange
 - Coordination of Decent Work Country Program
- Wages administration through:
 - Wages Monitoring
 - Processing of Collective Agreements
- Issuance of Recruiter's Licenses.
- Labour migration management.
- Initiating and implementing programs on active aging

- Oversight functions over the National Directorate of Employment.

d. Occupational Safety and Health

The Factory Inspectors under the department are responsible for the enforcement of Factories Act 1990, Cap 126 Law of the Federation of Nigeria. The Occupational Safety and Health Department has statutory responsibility for safeguarding and promoting the safety, health and wellbeing of workers in their various workplaces (Factories), through workplace Inspections, accident investigations, Safety and Health awareness campaigns, workplace Safety and Health audit, etc., as well as developing policies, regulations, guidelines, codes of practice and other instruments, with a view to preventing the occurrence of work related accidents, injuries, diseases/ill health, and deaths and enhancing occupational safety and health performance levels for higher productivity among the workforce. They also oversee the implementation of several other subsidiary legislations, which provide for the safety, health and welfare of workers in all workplaces nationwide. Some specific activities in line with OSH include:

- Special Inspection of workplaces.
- Investigation of accidents, dangerous occurrences and occupational diseases.
- Prosecution of recalcitrant occupiers.
- Preparation of safety and health regulations, code of practice, guidelines and standards for various operations, processes and hazardous agents.
- Provision of occupational safety and health education to workers and employers.
- Recording and dissemination of information and statistics on all aspects of occupational safety and health through the national Occupational Safety Health Information Centres.
- Provision of technical assistance and advisory services to workplaces on HIV and AIDS interventions.

e. The Office of the Registrar of Trade Unions

The Registrar of Trade Unions is a unit in the Trade Unions Services and Industrial Relations Department, the office of the Registrar of Trade Union (RTU) is a statutory office created by Section 45 of the Trade Union Act CAP T8 LFN 2004. The Registrar has the primary responsibility for the effective administration of the Trade Unions Act. Hence, the office of the registrar of Trade Unions has the following specific responsibilities:

- Registration of trade unions.
- Cancellation of certificate of registration of trade unions.
- Supervision of trade unions account.
- Issuance of guidelines and circulars to registered unions, highlighting observed shortcomings in their obligations under the provisions of the Trade Unions Act for effective administration of the registered bodies.
- Promotion of workers educational programs through lectures at trade unions organized seminars, workshops, symposia and conferences.
- Maintenance of records of registered offices, documents and particulars of registered unions.
- Attendance to courts in respect of relevant Trade Union matters.
- Collection of statutory fees as revenue for the government and paying same into the government coffers.

3.4 International Regulations

The following international regulations are also relevant to the project:

1. International Labour Organization (ILO)

International Labour Organization has maintained and developed a system of international labour standards aimed at promoting opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and dignity. International labour standards are legal instruments drawn up by the ILO's constituents (governments, employers and workers) and setting out

basic principles and rights at work. The standards provide a comprehensive system of instruments on work and social policy, backed by a supervisory system designed to address all sorts of problems in their application at the national level of member-countries including Nigeria. Specifically, Nigeria is a signatory to the following agreements relevant to this project:

- Freedom of Association and Protection of the Right to Organise, 1948 (No. 87)
- Right to Organise and Collective Bargaining, 1949 (No. 98)
- Discrimination (Employment and Occupation), 1958 (No. 111)
- Equal Remuneration, 1951 (No. 100)
- Child Labour, 1999 (No. 182)
- Abolition of Forced Labour, 1957 (No. 105)
- Occupational Safety and Health, 1981 (No. 155)

2. Africa Regional Labour Administration Centre (ARLAC)

The African Regional Labour Administration Centre was jointly established by the ILO and UNDP in 1974 as a project for the development of labour administration issues, then referred to as public administration activities in the field of national labour policy in ratified member states including Nigeria. The following areas are covered:

- Labour Administration
- Labour Inspection
- Occupational Safety and Health
- Employment Issues
- Training of Trainers
- Social Dialogue

3. Organization of African Trade Union Unity (OATUU)

OATUU, which Nigeria is a party to, performs its functions of coordinating trade union actions in Africa, defending the moral and material interest of African workers including migrant workers; harmonizing labour legislation and the principles of collective bargaining; working for African unity and economic integration; working for social and economic justice etc.

4. Africa Union, Labour and Social Affairs Commission (AULSAC)

Addresses issues on:

- Employment creation, with a particular focus on young people.
- Social protection in the context of widening inequalities.
- Inclusive social dialogue, anchored on International Labour Standards; and
- Migration and mobility as they impact on employment creation.

5. Organization of Trade Union of West Africa (OTUWA)

Key Objectives of the OTUWA which Nigeria is part of, and relevant to this project include:

- To work towards full, decent and freely chosen employment and the elimination of all forms of discrimination based on race, sex, nationality or creed.
- To fight for the improvement of working and living conditions including the extension and sustenance of social security coverage to everyone.
- To promote greater gender equality

3.5 International Finance Institution requirements

In relation to this LMP, the most pertinent applicable requirement is The World Bank Environmental and Social Standard 2 (ESS 2): Labour and working conditions (The World Bank, 2017)

Other important requirements include:

- Performance Standard 2: Labour and Working Conditions (International Finance Corporation, 2006)
- Workers' accommodation: processes and standards (European Bank for Reconstruction and Development and International Finance Corporation, 2009)
- Universal Declaration of Human Rights (United Nations, 1948)
- International Labour Organization Core Conventions
- United Nations Human Rights Council: Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations

3.6 The World Bank Environmental and Social Standards: ESS 2

The World Bank ESS 2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. The objectives of the ESS 2 are as follows:

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

The requirements of the ESS 2 on Occupational Health and Safety will be to carry out site-specific risk assessments (see Annex 1 for Sample) and develop appropriate risk prevention and mitigation measures. This will include the provision of appropriate personal protective equipment (PPE) and training to workers who are tasked to work on high-risk tasks or areas and also informing them about the risks associated with the job. During risk assessment which will be conducted during the screening process, possible hazards or risks related to the project activities will be identified, and mitigation measures will be included in the site-specific environmental and social management plans (ESMPs) and subsequently implemented and monitored as appropriate.

This Labour Management Procedure has been prepared in line with the World Bank ESS2 and National Labour Laws for all categories of workers. In addition, this has been integrated in the project Environmental and Social Management Framework (ESMF).

4 ASSESSMENT OF KEY POTENTIAL LABOUR RISKS AND MITIGATION MEASURES

This section outlines the potential labour risks and impacts associated with the DARES. The labour risks and impacts associated with the project are moderate due to the nature of activities which are expected to have limited impacts as they can largely be avoided, minimized or managed through procedures, including procedures set out in this LMP. The LMP will be reviewed during project implementation and adequate measures and procedures to manage negative impacts will be indicated as required.

4.1 DARES Labour Risk Analysis and Mitigation

Table 4.1 presents the labour risks and impacts associated with the DARES along with appropriate mitigation measures. This was also documented in line with information obtained from stakeholders during stakeholders' meetings. This provided a basis for the subsequent labour management policies and procedures as presented in section 5.

4.2 Potential Exposure to Toxicity of E-Waste

A detailed chemical handling procedure is expected to be prepared by each implementing agencies and contractors to ensure safe maintenance and disuse of electronics that could expose workers, storage personnel and waste managers to certain of chemicals and heavy metals such as lead, mercury, cadmium, brominated flame-retardants etc. The PMUs will be expected to liaise with appropriate professionals and authorities in handling and disposal of such items towards implementing the extended producers' responsibility (EPR). In addition, e-waste management plan will be developed as part of the site specific ESMPs. Additional measures have been outlined in the ESMF.

4.3 Security Risks Management

Considering significant security risks in some parts of the countries where some elements of the project will be implemented, the project will take appropriate and proportionate security measures to minimize the potential risk to the workers, as detailed in the site or project specific Security Management Plan to be developed by each implementing agencies and contractors. Key security measures will include restrictions on work hours where security risks are higher (such as night time); and measures to maintain low profile of the site and workers (such as the minimum use of sign boards). While security measures to be arranged in coordination with public security personnel to address external security risks (such as armed insurgency) will be determined by relevant security authorities engaged in each location, DARES project will ensure internal security risks associated with the deployment of such security personnel on the community and guarding of project workers is in line with the *WB Good Practice Note "Assessing and Managing the Risks and Impacts of the Use of Security Personnel"* (such as the training of security officers on the principles of proportionality in the use of force).

4.4 Journey Management Plan and Emergency Preparedness

As part of procedural safety culture in the implementation of LMP a journey management plan which provides guidance to employees in case of road emergencies and accidents shall be developed by each IAs and contractors. Aside from providing general safety guidelines on what to do if their vehicle breaks down, the journey management plans shall include project or company specific processes and information such as a list of contact persons an employee can reach out to if necessary. Likewise, general guidelines for dealing with the most common safety and security incidents shall be prepared as a critical element of emergency preparedness and incidents response.

Table 4.1: Labour Risk Identification and Analysis

Risk Category	Labour Risks	Impacts	Mitigation
Non-discrimination and equal opportunity	Unfair and unclear recruitment/employment and selection practices	This could discriminate against women, vulnerable groups, ethnicity, religion, etc.	The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as 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, or disciplinary practices.
	<ul style="list-style-type: none"> - Unfair and unclear deployment of government workers to work in the PMU (no contract, terms of reference, etc.) - Lack of competitive process of employment/ deployment 	Workers may become frustrated, lack focus or be redundant.	<ul style="list-style-type: none"> - Government workers to be deployed to the PMU should have official letters of deployment, stating designation and reporting obligations - The Environmental, Social, Health and Safety System (ESHS) team of the IA (REA) and contractors to monitor mitigation measures. - Condition of service with detailed job description shall be outlined in the letter of engagement of all category of workers
	<ul style="list-style-type: none"> - Payment of workers may be based on discrimination, e.g., male may be paid higher than women even on the same level of job schedule. - Foreign workers may be treated better than local workers in terms of living conditions, unequal pay, varying closing time, etc., even when they are on the same level of qualification and experience, - Favouritism for some and not for others 	<ul style="list-style-type: none"> - This could also attract the attention of NGOs and legal actions against the project. - Displeasure, strifes and conflicts amongst workers. Sabotage and under-performance by workers - Create bad reputation for the project and the organisations involved 	The IA will track suppliers' performance to inform whether labour management procedures and mitigation measures are being appropriately implemented and provide feedback on performance and any new areas of risk Project Implementing Agencies (IAs) and organisations to safeguard the interests of vulnerable groups, women including gender parity at the workspace.
Terms and Conditions of Employment	Project workers may not be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment/ deployment	Speculations, wrong expectations, grievances, riots, refusal to work etc.	The project Implementing Agencies will ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations and requirements set out in this LMP. They will also closely supervise contractors to ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations and requirements set out in this LMP

Risk Category	Labour Risks	Impacts	Mitigation
	<ul style="list-style-type: none"> - Lack of unified rules and regulations for all workers - Adequate facilities may not be provided 	<ul style="list-style-type: none"> - Workers may become frustrated, lack focus or be redundant - High staff turnover - Workers could be overlaboured, worker fatigue & stress 	<ul style="list-style-type: none"> - All information and documentation must be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur - Government workers deployed to the PMU should have clearly defined terms of reference, terms and conditions of employment, entitlements amongst others. - Condition of service with detailed job description shall be outlined in the letter of engagement of all category of workers
	Exploitative wages: wages may not be commensurate with the level of work/services performed	<ul style="list-style-type: none"> - Legal action against the project - Abuse of power, abuse of personnel 	Project workers should be paid on a regular basis as required by national law and labour management with a principle of “equal pay for equal work” ⁹
	Over-stretched working hours: undefined cut-off time, no break periods, denial of time for religious practices etc.	<ul style="list-style-type: none"> - Under-compensation - Unfair dismissal procedures - Workers could be overlaboured, grievances, high turnover, poor reputation for the project, worker fatigue & stress, LTIs 	<ul style="list-style-type: none"> - All project workers will abide by the national adopted hours of work,¹⁰ which is eight hour, five days a week , be provided with adequate periods of one hour rest per day and one day per week¹¹, annual holiday and sick leave¹², as required by national law - All project workers will be provided with adequate periods of rest per week, annual holiday and sick leave, as required by national law
Occupational Health and Safety	Unsafe and unhealthy work environment	Lead to injuries, incidents, accidents, Loss Time Injury	Implementing agencies, contractors, suppliers and all those involved in the project will conduct a risk and hazard analysis for the work under their control and ensure adequate mitigation measures are in place
	<ul style="list-style-type: none"> - Poor work safety culture such as lack of provision of PPEs, absence of hazard analysis and HSE training - Inadequate work tools 	Increased accidents during project execution	Implementing Agency, Contractors to ensure workers have appropriate working conditions, sanitation facilities separate for male and female, basic amenities, appropriate signage in place, provision of adequate PPEs, first aid boxes, appropriate work tools, work permit etc.

⁹ Statutory deductions for Nigerian employees:

Pension Fund: 8% monthly salary, Pension Reform Act,2014

National Housing Fund: 2.5% monthly basic salary

National Health Insurance Scheme: 5% monthly basic salary

PAYE tax: 7% on taxable income of ₦300,000 and 24% for above ₦3,200,000, Personal Income Tax (Amendment) Act 2011

Nigeria Social Insurance Trust Fund: 1% of employees’ monthly payroll

¹⁰ official work hour in Nigeria is eight hour, five days a week in line with International Labour Organization and Section 9 of the National Minimum Wage Act

¹¹ Labour Act section 13

¹² all employees are entitled to wages up to twelve working days in any year during their absence from work caused by temporary illness certified by a registered medical practitioner.

Risk Category	Labour Risks	Impacts	Mitigation
	<ul style="list-style-type: none"> - Lack of provision of basic facilities – water, food, toilets, washing hand facilities, medical aid - Sub-standard worker facilities and workers management 	<ul style="list-style-type: none"> - Spread of diseases and illnesses amongst workers - Sub-optimal work 	IA and contractors must provide clean, safe and accessible toilets, drinking water, washing and eating facilities, and secure storage for personal items
	Poor ergonomics in the workplace	Posture defects, stress, fatigue, lost time injury	<ul style="list-style-type: none"> - Implementing Agency, contractors to raise awareness of such risks, communicate expectations regarding appropriate conduct - Arrangement of furniture, facilities and equipment should promote good ergonomics.
	Exposure to toxic substances while handling e-waste	Serious injury, accident, fatality, legal action against the project	Work tools should be provided to minimise manual labour as much as possible
		Health challenges, poisoning, pollution of the environment	Ensure provision of adequate PPEs, first aid tools and work tools or workers
	<ul style="list-style-type: none"> - Accidents from movement of equipment and infrastructure and other project works - Road safety issues from transportation activities of goods from one location to another 	<ul style="list-style-type: none"> - Lost Time Injury (LTI), - Medical Treatment Case (MTC), - Permanent disability, - Fatality 	<ul style="list-style-type: none"> - OHS/HSE training for all category of workers periodically including office staff, field staff, contractors (see sample training plan in annex 3). This includes ESF training - Accident/incidents will be timely reported to the relevant Implementing Agencies and where there are fatalities should be reported to the World Bank within 48hrs or in accordance with the Environmental and Social Commitment Plan (ESCP). Following which correction, investigation and corrective action plan (CAP) should be developed and implemented site-specific waste management plans to be developed including handling and management of hazardous waste by the Implementing Agencies and contractors - Only skilled and licensed drivers will be used under DARES with continual training. Implement proper procedures for the transportation of hazardous materials like e-waste - Project organizations, contractors and other involved groups to operate an Environmental, Social, Health and Safety System (ESHSS) that is consistent with good international industry practice - The ESHSS/ HSE team to conduct risk assessment and develop emergency preparedness and response plans for various work types <p>Monitor compliance through the Health, Safety, Security and Environment (HSSE)/HSE/OHS team, or other departments based on the organization/group</p>
Security risk/threat to workers	Significant security risks in some parts of the country	Unsafe exposure to security threats from ambush, carjacking, kidnaping, banditry and terrorism especially migrant workers.	<ul style="list-style-type: none"> - Contractors and all implementing agencies are to develop and implement emergency preparedness plan. - Contractors and all implementing agencies are to develop and implement journey management plan to ensure safe sailing.

Risk Category	Labour Risks	Impacts	Mitigation
Child Labour	Underage children (below the age of 18) could be exploited by contractors or primary suppliers or in other project related activities High risk of accidents	<ul style="list-style-type: none"> - Children could be exposed to dangerous situations causing injury, accidents and ill-health. - Deprive children of school attendance, which is against the law - Child abuse could ensue 	<ul style="list-style-type: none"> - The minimum age of eighteen (18) will be enforced at recruitment and continuously during project implementation. IA will also supervise this through the monitoring activities of their ESHS/OHS/ESHSS team. - The IA will track suppliers' performance to inform whether labour management procedures and mitigation measures are being appropriately implemented and provide feedback on performance and any new areas of risk - Hired project workers above 18 shall conduct his/her activities in ways that are not detrimental with respect to education or be harmful to the child's health or physical, mental, spiritual, moral, or social development
Forced Labour	<ul style="list-style-type: none"> - People could be coerced and threatened to work - Involuntary or compulsory - Labour, such as indentured Labour, bonded Labour, or similar Labour-contracting arrangements. 	<ul style="list-style-type: none"> - Reprisals - Exposure to injury and harm - Abuse of human rights and poor working conditions - Legal action against the project - Attention of NGOs and bad reputation for the DISREP 	<ul style="list-style-type: none"> - IA, Contractors, Suppliers will ensure that no forced Labour exists in the project by gathering documents and appropriate proof - A consent section will be part of the employee's signed employment contract. - Contractors and primary suppliers will ensure that if Labour is sourced from any sub-contracting agency, the workers are not subject to coercion and forced labor conditions
Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV)	Workplace sexual harassment /sexual exploitation and abuse/gender-based violence.	<ul style="list-style-type: none"> - Abuse of human rights - Injury and associated physical and mental health conditions. - Unwanted pregnancy - Legal action against the project, attention of NGOs and bad reputation for the DISREP 	<ul style="list-style-type: none"> - All category of workers in DISREP to be made aware of zero tolerance to Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV).. - All contractors workers including managers are to sign code of conduct forms (sample provided in annex 2) - IAs, contractors to establish and inform workers of a reporting mechanism for such incidents including referral services - Implement any World Bank approved GBV action plan prepared for the project
Grievance Mechanism (GRM)	Lack of grievance redress channel for workers	<ul style="list-style-type: none"> - Workers may be aggrieved due to unfair treatment, - Poor working conditions, conflicts, poor pay, - Overstretched working hours amongst other things. Reprisals, refusal to work 	<ul style="list-style-type: none"> - A GRM has been included in section 7 of this LMP to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate in an independent and objective manner. - The effectiveness of the system will be reviewed periodically or when there is any significant change in the project by the IAs, contractors etc.

Risk Category	Labour Risks	Impacts	Mitigation
Right of Association and Collective Bargaining	<ul style="list-style-type: none"> - Workers may not have the right to freely form, join or not join a trade union for the promotion and protection of the economic interest of that worker. - Workers may not be allowed the right to organize and collective bargaining, and representation 	<ul style="list-style-type: none"> - Underpayment - Poor working conditions leading to injury, accident, ill-health. - Abuse of power by employers - Reprisals, legal action 	<ul style="list-style-type: none"> - IA, contractors to ensure that all workers are informed of their right of association and collective bargaining according to ESS2 - Workers will also be informed of the workers GRM and their right to utilize the system.
Contractors Management	<ul style="list-style-type: none"> - Contractors on the project may not be adequately managed or monitored. - Non-compliance to provisions of this LMP and other national Labour requirements, especially by international migrant workers 	<ul style="list-style-type: none"> - Accidents/incidents, loss time injury - Unruly behaviour of contractors - Unfair treatment of workers, conflicts - Legal actions against the project, bad reputation for DARES 	<p>Labour Management Plans will be prepared by the respective contractors as part of Contractor's ESMPs based on the provisions of this LMP and the details of labour to be used in those contracts. These plans will be reviewed and cleared by the PMU, as appropriate.</p> <p>Contractors to maintain records of:</p> <ul style="list-style-type: none"> - Workers engaged under the Project, including contracts must be kept. - Training attended by workers including CoC, HSE, STIS/STDS, GBV etc. - Accidents/ incidents and corresponding root cause analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (Corrective Action Register) - Strike actions, reasons and resolution reached. - Sanctions, punishments and terminations with reasons and follow-up actions taken. <p>These records will be periodically reviewed by the ESSHS team of the respective IAs as required</p>
Primary Suppliers	<ul style="list-style-type: none"> - Primary suppliers could also be exposed to occupational risks. - Worker's mismanagement 	<ul style="list-style-type: none"> - Incident/accidents while performing project related functions. - Workers could be treated unfairly. 	<ul style="list-style-type: none"> - Primary suppliers should maintain records related to occupational injuries, illness and lost time accident, corrective action, conditions of work etc. - The ESSHS team of IAs to review this periodically (monthly where applicable)

Risk Category	Labour Risks	Impacts	Mitigation
Discipline and Termination of Employment	<ul style="list-style-type: none"> - Disciplinary process may not be fairly or equitably employed across board - Conditions for termination may be clearly outlined in the terms of employment 	<ul style="list-style-type: none"> - Grievances, reprisals etc. - Unfair dismissal from work - Abuse of power and human rights - Legal action against the project 	<p>Disciplinary process will be laid out before commencement of work and explained to every worker under the DARES</p> <p>Termination of appointment should abide by the following principles:</p> <ul style="list-style-type: none"> - Valid or reasonable; - Clear and unambiguous; - The employee is aware, or could reasonably be aware of the rule or standard; and - The procedure to be applied in the event the employee contravenes any of these rules <p>The ESSHS team of the IAs should periodically review workers disciplinary and termination processes to ensure that they are executed fairly and without prejudice. Where unfair treatment is established, correction and corrective action should be implemented and monitored</p>

5 POLICIES AND PROCEDURES FOR LABOUR MANAGEMENT

5.1 Policies

Management of labour under DARES will be governed by the provisions of the World Bank ESS2: Labour and Working Conditions, International Labour Organisation (ILO), ISO 45001 standards, Labour Act and other regulations as outlined in section 3 of this plan.

The guiding policies for DARES include:

- There shall be non-discrimination and equal opportunity provided for all workers.
- The terms and conditions of employment shall be outlined in clear and understandable terms, ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations for all workers.
- All Government workers deployed to work on the project shall be given official letters of deployment by their parent ministries.
- Employers (e.g. REA; Private Developers, Third Party Developer & Contractors etc) shall provide safe and healthy working conditions for workers, void of worker exploitation, and shall ensure the provision of standard facilities.
- Employers shall conduct job hazard and risk assessment and implement actions to address such risks.
- Employers shall provide adequate work tools and personnel protective equipment to all workers.
- Timely and adequate training on OHS/HSE shall be provided to all workers.
- There shall be no use of child labour or forced labour.
- Workplaces shall be free of Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV).
- Grievance redress mechanism for workers shall be instituted at all levels of engagement in consultation with the affected worker category.
- Workers shall have their right of association and collective bargaining.
- There shall be proper documentation of contractors/supplier's management in line with OHS requirements.
- Termination of appointment shall be valid or reasonable, clear and unambiguous, without prejudice and the employee must be aware of the reason.
- There shall be continuous consultation with workers on the effectiveness and improvement of the labour management procedures.

5.2 Procedures

1. Non-Discrimination and Equal Opportunity

Employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion, or termination of employment. The following measures will be followed by the Implementing Agency and contractors and monitored by the respective ESSHS/HSE teams:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender;
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post;

- All workers will have written contracts describing the terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties;
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.
- Government workers deployed to work in PMU will be given official deployment letters from their parent ministries which will state the designation at the PMU, reporting obligations, commencement date and end date (where possible), entitlements amongst others.

2. Age of Employment and Child Labour

- DARES will only engage individuals at the minimum age of eighteen (18) and this will be enforced at recruitment and monitored by the IA, suppliers, and contractors.
- Contractors will verify the identity and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record.
- Hired project workers above 18 will conduct their activities in ways that are not detrimental with respect to education or be harmful to the child's health or physical, mental, spiritual, moral or social development.
- If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, considering the best interest of the child.

3. Terms and Conditions of Employment

- All workers will be provided with clearly defined terms and conditions of employment.
- Terms and conditions of direct workers will be determined by their individual contracts and public service rules (for government staff) and are guided by terms and conditions stipulated in the Public Service Rules (2008 edition).
- Consultants will apply the terms and conditions stipulated in their contract of engagement.
- The conditions of employment will set out workers' rights under national labor and employment law (which will include any applicable collective agreements), including job title, supervisor, their rights related to hours of work, wages, overtime, compensation and benefits, contract duration, disciplinary procedures, rules & regulations, procedure for termination of appointment, as well as those arising from the requirements of this LMP. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.
- Oral communication and explanation of working conditions and terms of employment will be provided where project workers do not read or have difficulties understanding the documentation.
- Project workers will be paid on a regular basis as required by national law and in the conditions of employment. Deductions from payment of wages will only be made as allowed by national law or the labour management procedures, and project workers will be informed of the conditions under which such deductions will be made.

4. Working Conditions

- Project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest.
- Where worker camps are provided to project workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the

health, safety, and well-being of the project workers, and to provide access to or provision of services that accommodate their physical, social and cultural needs in line with the DARES ESMF.

- Employees and contractors will ensure accessibility of facilities, resources and information communication for project workers with disabilities including the provision of wheelchair ramps or elevators, or alternative formats of communication, such as large print, Braille, accessible digital formats or audio tape.
- Provide protection and assistance for pregnant women against prejudice, physical harm, and unfair dismissal and allow for adequate maternity leave in line with applicable laws.
- Ensure workplace ergonomics including:
 - Adequate lighting to avoid eyestrain including protective screens on computers
 - position the computer workstation at a parallel position to the eyes
 - Use of supportive chairs for good lumbar support
 - Good housekeeping practices
 - Proper layout of electrical wires and appliances
 - Deployment of fire extinguishers

5. Occupational Health and Safety

Employees and contractors will implement the following procedures:

- Conduct hazard and risk assessment for all job types/activities.
- Provide preventive and protective measures for such risks, including modification, substitution, or elimination of hazardous conditions or substances.
- Provide adequate work tools, first aid boxes, appropriate personnel protective equipment (PPEs) and implement job controls such as work permits and standard operating procedures (SOPs).
- Provide HSE/OHS training for workers and maintain records of such training.
- Ensure the inclusion of Occupational health issues in contract documents to make them obligatory/mandatory.
- Prepare emergency prevention and preparedness and response plan, assign responsibilities, train responsible parties, test and improve on such plans.
- Establish Environmental, Social, Health and Safety System (ESHSS) and ensure training for associated workers in line with the required national labour requirements, World Bank ESS2 requirements and procedures set out in this LMP.
- It is recommended to include women representative on OHS team to help design policies and practices responding to the needs of female project workers.
- Provide mechanism for consultation and participation of workers in OHS matters and implementation of OHS measures.
- Provide workers in high noise areas with earplugs or earmuffs.
- Project workers have the right to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health.

Fatality and Serious Incidents Handling

Severe incidents will be notified to the Bank within 24 - 48 hours after learning of the incident or accident using World Bank Environmental and Social Incident Reporting Template (ESIRT). A detailed report of the incident will be provided within fifteen (15) days of occurrence of the accident. In the event of an occupational fatality or serious injury, the IA / contractor shall report to REA/PMU and consequently escalate to the Bank as soon as becoming aware of such incidents. Relevant government authorities shall be informed as applicable. Corrective actions shall be implemented in response to

project related incidents or accidents. REA – PMU in collaboration relevant IA or contractor as applicable, will be required to conduct a root cause analysis for designing and implementing further corrective actions with the support of the Bank.

6. Forced Labour

- Employees and contractors will not make use of any work or service which is exacted from an individual under threat of force, penalty, coercion, abduction, fraud, or deception. DARES will not entertain any kind of involuntary or compulsory labour, such as indentured labour, bonded labour, or similar labour-contracting arrangements. No trafficked persons will be employed in connection with the project.
- Workers will be allowed free and informed consent of the type of job they are being engaged to perform.
- Where forced labour is discovered in the project’s workforce, prompt action will be taken to address the practice that has coerced the worker and reported to the REA as appropriate to be addressed in accordance with national law.

7. Labour Influx

The objective of this procedure is to enable REA, IAs and all contractors to mitigate the excessive labour influx risks and impacts as may be triggered by Component 1.1 & 1.2. The excessive influx of workers and followers can lead to adverse social and environmental impacts on local communities, especially if the communities are rural, remote or small. Such adverse impacts may include increased demand and competition for local social and health services, as well as for goods and facilities, which can lead to price hikes and crowding out of local consumers, increased volume of traffic and higher risk of accidents, social conflicts within and between communities, increased risk of spread of communicable diseases, and increased rates of illicit behaviour and crime, including GBV cases. The procedure to be implemented is as follows:

- REA and its IA/Contractors shall, to the extent possible ensure that all non-technical work is reserved for locals and local entrepreneurs (identifiable with the host community and witnessed by host community leadership to maximize employment creation.
- Beneficiary selection and employment recruitment should verify the authenticity of the localness of potential employees through community leaders and trade associations’ leadership.
- REA, IA/Contractor shall liaise with local leadership on enrolment for community workers while at the same time ensuring that no grievances derive from nepotism via utmost transparency in the selection process, announcing hiring campaigns early enough during community consultations and/or other outreach activities.
- Where there are camp establishments, implementing agencies (IAs) or contractors shall ensure camp management and community relations are good. If labour camps are required, special management plans should be developed, or if smaller establishment, camp management should be reflected in the Contractor ESMP (C-ESMP), including; security within camp, social relations with community members should be cordial and consistent with guidelines for GBV and SEA, waste management, water and sanitation, and proper camp demobilization.
- Establish code of conduct for contract workers interaction with the host community. This may include:
 - Access to camp by children, non-employed girls and women
 - Appropriate language
 - Time restrictions where required
 - GBV/SEA
 - Good conduct is expected if small numbers of workers are accommodated within in communities rather than camps (requirements on when to establish a camp shall be included in the Project Operation Manual)

- IAs/Contractors should have own supply, pay for accommodation offered by community to contracted employees.
- IA/Contractor shall ensure that local supply shall not negatively impact the availability of resources for the local communities and sourcing of local wildlife shall be prohibited.
- IA/Contractor shall provide a fully equipped first aid kit.
- IA/Contractors to mainstream HIV issues in the workplace by providing HIV prevention training during induction and continuously during employment through health and safety talks.
- IA/Contractor to be fully aware of and be ready to implement the Workers' Grievance Redress Mechanism

8. Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV)

- All categories of workers in DARES will be made aware of zero tolerance in matters relating to SEA/SH/GBV.
- All contractors will sign code of conduct forms as provided in Annex 2.
- IA, contractors will establish and inform workers of a reporting mechanism for such incidents including referral services.
- Implement any World Bank approved GBV action plan prepared for the project, including management of suppliers.

9. Grievance Mechanism (GRM)

A grievance mechanism will be provided for all category of workers (and, where relevant, their organizations) to raise workplace concerns. Such workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use.

Measures will be put in place to make the grievance mechanism easily accessible to all such project workers. The GRM will be in line with the procedures set out in section 7 of this LMP.

10. Right of Association and Collective Bargaining

- Workers will be allowed rights to form and to join workers' organizations of their choosing and to bargain collectively without interference.
- Employees will also provide the information needed for meaningful negotiation in a timely manner.
- Employees will not discriminate or retaliate against project workers who participate or seek to participate, in such workers' organizations and collective bargaining.

11. Contractors Management

- The Implementing Agency (IA) will ensure that contracted workers (contractors, subcontractors, brokers, agents, or intermediaries) are legitimate and reliable entities.
- Have documentation of their business licenses, registrations, permits and approvals.
- Should have safety and health personnel, review their qualifications and certifications.
- 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' enrolment in relevant programs, worker payroll records, including hours worked and pay received.
- Contractors to prepare Labour Management Plans as part of their ESMPs based on the provisions of this LMP and the details of labour to be used in those contracts. These plans will be reviewed and cleared by the PMU, as appropriate.
- Contracted workers will have access to a grievance mechanism as provided in section 7 of this LMP.

12. Primary Suppliers

- The IA will review industry labour issues relating to the supply of goods and materials that will be required under DARES and the risks and implement actions to mitigate such risks.
- The IA will also track suppliers' performance to help inform whether procedures and mitigation measures are being appropriately implemented and provide feedback on performance and any new areas of risk.
- Specific requirements on child labour, forced labour and work safety issues will be included in all purchasing orders and contracts with suppliers.
- Where there is a significant risk of child labour, forced labour, serious safety issues related to primary supply workers, the PMU will require the relevant primary supplier to introduce procedures and mitigation measures to address such issues. Such procedures and mitigation measures will be reviewed periodically to ascertain their effectiveness.

13. Discipline and Termination of Employment

Project workers will receive written notice of termination of employment and details of severance payments in a timely manner: one month for skilled labour, one week for unskilled labour. However, in cases of gross misconduct, termination can be immediate but must be accompanied with proper incident report, fair, without prejudice and ensure adequate documentation.

6 ROLES AND RESPONSIBILITIES FOR MANAGING THE LMP

6.1 Introduction

The Implementing Agencies (IAs) have the overall responsibility to oversee all aspects of the implementation of this LMP including contractor's compliance. The IAs will address all LMP aspects as part of procurement for works/services as well as during contractor induction/training. This role will primarily be part of the responsibilities of the Environmental, Health, and Safety teams/departments of the various IAs, however, they will be required to liaise with their management on the fulfilment of such duties.

Contractors will be responsible for the implementation of the plan on a daily basis and providing the required human, financial, and training resources for effective compliance.

6.2 Roles and Responsibilities Matrix

Specific roles are outlined below in Table 6.1 below.

Table 6.1: Roles and Responsibilities for the LMP Responsibility Matrix

Institution	Roles	Responsibilities
REA	Health, Safety and Environment Unit	<ul style="list-style-type: none"> Regulation of OHS/HSE guidelines for the sector. Provide workers with safety materials as well as training on safety procedures. Implement mitigation measures and procedures outlined in this LMP. Safety compliance checks and monitoring Ensure the organisation provides good working conditions. Keep OHS records
REA	DARES PMU	<ul style="list-style-type: none"> Implement mitigation measures and procedures outlined in this LMP. Provide workers with safety materials as well as training on safety procedures. Ensure the organisation provides good working conditions. Keep OHS records
REA, FMEnv	E&S Unit of the PMU in collaboration with the Health Safety and Environment Department (HSE) of FMEnv	<ul style="list-style-type: none"> Provide workers with safety materials as well as training on safety procedures. Provide health and safety awareness for workers and stakeholders. Implementation of mitigation measures and procedures outlined in this LMP. Review of OHS/HSE documentation of contractors/suppliers. Safety compliance checks and monitoring of contractors/suppliers. Obligatory reporting on OHS compliance and fatalities to the World Bank Keep OHS records
Contractors	ESHS/HSE Officers	<ul style="list-style-type: none"> Provide workers with safety materials as well as training on safety procedures. Implement mitigation measures and procedures outlined in this LMP. Keep OHS records
Trade Unions: Workers associations	As defined in the MOU or agreement	<ul style="list-style-type: none"> Manage workers' welfare. Promote workers' health and safety. Provide a fair system of grievance redress
Federal Ministry of Labour and Employment	Relevant Departments	<ul style="list-style-type: none"> Overall responsibility for enforcing labour laws

6.3 Capacity Assessment for Implementing the LMP

Table 6.2 present the capacity assessment and strengthening actions to ensure effective implementation of different management aspects of this LMP.

Table 6.2: Capacity Assessment for Implementing the LMP

Aspect	Capacity Assessment	Strengthening Actions
Policies	There are robust policies governing workers management, safety and wellbeing, however, provisions for freedom of association, grievance redress mechanism, gender-based violence, forced labour etc. especially for casual workers is not adequate	The LMP has provided a set of straightforward mitigation measures to be adopted for DARES in addition to applicable laws.
		The provisions of this LMP should be disseminated for adoption to all institutions/workers groups under DARES.
		This should also be included in procurement contracts/ other contracts
Procedures	Various OHS/HSE procedures exist in the various organisations under this project, however, not all conform to the minimum requirements of World Bank ESS2 including procedures for grievance redress mechanism, gender-based violence, workers' consultation & participation, etc.	Procedures have been outlined in this LMP which will guide the implementation of mitigation measures for risks associated with labour and working conditions under DARES.
	Most contractors do not have defined procedures for managing labour and working conditions	Adequate sensitization on these procedures should be carried out at every level of implementation of the project, and especially prior to the implementation of project/works
Roles	All the organisations have some form of HSE team/department, however, some of them do not encompass social issues. There may also be limited capacity to implement provisions of ESS2 and thus this LMP.	Enhance the capacity of the HSE teams in terms of staffing and staff qualifications, and also coverage of social issues such as SEA/SH/GBV, vulnerable persons etc.
	Some contractors do not engage HSES officers, and/or not on a full-time basis	Contracts should entail the employment of HSES officers
Responsibilities	The staff of the various institutions have a good understanding of their responsibilities in implementing and monitoring matters relating to labour and working conditions.	Implement capacity building programs to strengthen ESHSS responsibilities, especially with respect to ESS2 and the provisions of this LMP.
	There is some level of limited capacity in handling emerging themes like SEA/SH/GBV, grievance redress mechanism.	An effective system of monitoring and reporting on matters relating to labour and working conditions will also need to be emphasized.

7 GRIEVANCE REDRESS MECHANISM FOR WORKERS

7.1 Introduction

This procedure requires every employer, including contractors, to have a formal grievance management procedure which should be known and explained to the employee. The PMU staff and consultants will be informed of the applicable grievance procedure to adopt in their contracts or terms of employment. All the contractors who will be engaged for the project will be required to produce their grievance procedure in line with the GRM provided in this LMP as a requirement for tender. All grievance mechanisms should at a minimum comply with these requirements:

- Who the employee should report to;
- Time frame for addressing grievances at each level should be specified;
- Opportunity to report to a higher-level authority if grievance is not resolved at within the stipulated time;
- Right to seek judicial redress

The grievance process should be guided by the following principles:

- Transparency
- Confidentiality
- Accessibility
- Non-retribution
- Non-vindictive
- Right to representation
- Proper documentation

The GRM for workers is not the same as the project-wide GRM defined in the DARES ESMF. The former sets out specific procedures for workers management (labour and working conditions), while the latter sets out procedures for reporting issues related to the implementation of the project.

7.2 Establish a GRM

A Grievance Redress Mechanism (GRM) will be implemented to ensure that all complaints from workers are dealt with appropriately, with corrective actions implemented, and the complainant informed of the outcome.

DARES recognises that various categories of workers may be deployed to work on the project and as such a uniform grievance process will be beneficial. This is described in line with the required grievance redress committees (GRC) in Table 7.1. This procedure will guide the preparation of site specific GRM to be prepared as part of the Environmental and Social Management Plans (ESMPs).

Table 7.1: Grievance Redress Procedures for PMU Workers

First Level GRM	The GRC will be formed at the project level and be easily accessible to project workers. It will comprise of REA – PMU Social safeguard specialist, project coordinator, environmental safeguards specialist, and any other officer as adjudged necessary. The complainant shall make an official complaint to the GRC through the social safeguard officer. Complaints shall be duly received, registered, and reviewed by the committee. If the complainant does not accept the solution offered by the first level GRC, then the complaint is referred to the 2 nd level GRC.
Second Level of GRM: GRC at the institutional level	The GRC will be at the institutional level. This committee shall comprise of members from the parent institutions/ ministry in line with the grievance channel established by the organization. Complaints shall be duly received, registered, and reviewed by the committee. If the complainant does not accept the solution offered by the first level GRC, then the complaint is referred to the 3 rd level GRC.
Third Level of GRM: GRC at the level of regulators	Where worker's grievances remain unresolved, complainants can channel this to the regulators including the REA.
Court Redress of Grievances	While the purpose of GRM put in place for workers is to resolve all issues of labour and working conditions under DISREP out of court and to save time which is usually involved in litigation matters, it is not out of place to anticipate a scenario where aggrieved person is not satisfied with the process and judgment were given by the grievance redress committee(s). Therefore, the project shall inform aggrieved persons of their right to seek for redress in the court of law as the final resort.

Please note that Table 7.1 only present a generic procedure, and the PMU may need to adapt their GRM to ensure that while they adopt the requirements of the World Bank ESS2, they do not contravene with national laws.

7.3 Roles of the GRCs

The Grievance Redress Committees will be responsible for:

- Communicating with the affected worker and evaluating if they are entitled to recompense;
- Making the established grievance redress procedure public
- Escalating unresolved matters to the next level of GRC
- Maintain proper documentation of complaints, proceedings, and resolutions

7.4 Expectation When Grievances Arise

When workers present a grievance, any of the followings is or are expected from the project management/channel of grievance resolution:

- acknowledgement of their problem;
- an honest response to questions/issues brought forward;
- an apology, adequate compensation; and
- Modification of the conduct that caused the grievance and some other fair remedies.

7.5 Typical Grievance Redress Process

The process of grievance redress will start with registration of the grievance(s) to be addressed, for reference purposes and to enable progress updates of the cases. Thus, the aggrieved worker will file a complaint/ complete a grievance form with the Grievance Redress Committee.

The complaint should contain a record of the person responsible for an individual complaint and records dates for the date the complaint was reported; the date the Grievance Log was uploaded onto the project database; date information on proposed corrective action sent to the complainant (if appropriate), the date the complaint was closed out and the date response was sent to complainant.

The officer receiving the complaint (part of the GRC member) will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed. The response time will depend on the issue to be addressed but it should be addressed with efficiency. The Grievance Committee will act on it within 10 working days of receipt of grievances. If no amicable solution is reached, or the affected person does not receive a response within 15 working days, the affected person can appeal to the PMU, which should act on the grievance within 15 working days of its filing. The Grievance Management Process timelines are further illustrated in Table 7.2.

Table 7.2: Typical Steps in a Grievance Redress Process

Steps	Process	Description	Completion Time frame	Responsible Agency/Person
1	Receipt of complaint	Document the date of receipt, name of the complainant, village, and nature of the complaint, and inform the PMU	1 day	Grievance redress officer
2	Acknowledgment of grievance	By letter, email, phone	1-2 days	Grievance redress officer

3	Screen and establish the merit of the grievance	Visit the site; listen to the complainant/community; assess the merit	5-10 days	GRC & the aggrieved worker or his/her representative
4	Implement and monitor a redress action	Where the complaint is justified, carry out agreed actions	14 days or at a time specified in writing to the aggrieved worker	Contractor
5	Extra intervention for a dissatisfied complainant	Review the redress steps and conclusions, provide intervention solution	10 days of receiving the status report	2 nd /3 rd /4 th level GRCs
6	Judicial adjudication	Take complaint to the court of law	No fixed time	Complainant
7	Funding of grievance process	GRC logistics and training, redress compensation, court process	No fixed time	The proponent

*All complaints including anonymous ones must be attended to and resolved

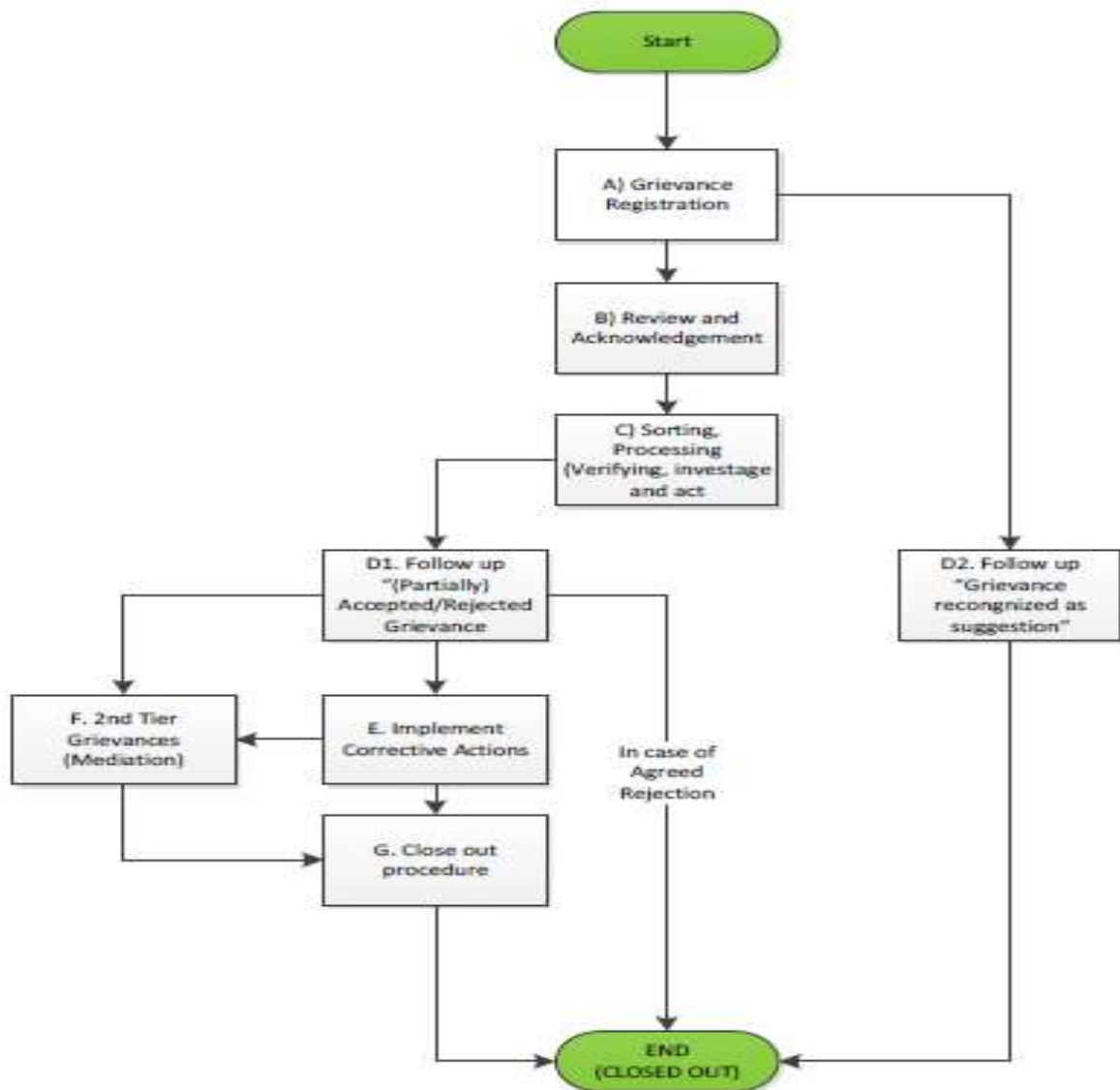


Figure 7.1: Flowchart for Grievance Redress Mechanism - Source: DISREP, 2020

During DARES implementation the above DISREP GRM flowchart will be adopted as presented in Figure 7.1.

7.6 How to Register a Complaint

There shall be a variety of channels to submit complaints:

- a. The complaints are submitted to the GRC member to whom they have easy access.
- b. The complainants can put their grievances into the complaints boxes which will be checked every two days by the grievance redress officer.
- c. The GRC will acknowledge the receipt of complaints.
- d. Received complaints should be registered in a grievance logbook.
- e. GRC will inform the complainant about the timeframe in which a response can be expected.
- f. GRC will investigate the grievance, consult with the aggrieved worker, and resolve the issue.

7.7 Role of Trade Unions in GRM

Where a trade union is recognized, it is entitled to negotiate on a regular basis with the employer over terms and conditions existing at the workplace, and the employer is obliged to negotiate with it. The procedures followed in such instances is usually contained in the Recognition Agreement, which states how the issues are raised, the procedure for negotiations, the composition of the parties involved in the negotiation, and the procedure to deal with issues that are not resolved through consensus.

If the dispute is not resolved at the workplace, the parties to the dispute can utilize the dispute resolution mechanisms provided for in this LMP.

7.8 Gender-Based Violence

Grievance redress mechanism will be available both at the REA level and private sector entities level (mini-grid developers, SHS companies, and contractors). As presented in Table 7.2, the GM will provide appeals process if the complainant is not satisfied with the proposed resolution of the complaint. Once all possible means to resolve the complaint have been proposed.

Table 7.3: Grievance Management Process

Process	Description	Time Frame	Other Information
Identification of grievance	<ul style="list-style-type: none"> - Face to face; phone; letter; mail; e-mail; website; recorded during public/community interaction; others - The responsible party to receive the grievances will be REA and the subproject implementers. - The grievance can also be passed through other parties, such as the chief office because the public is more conversant with this office. - The grievance receiver would then pass the complaint to the REA contact person 	1 Day	Email address; hotline number
Grievance assessed and logged	<ul style="list-style-type: none"> - Significance assessed and grievance recorded or logged (i.e., in a logbook) - It will be prudent to have a grievance record book where the grievances are recorded for follow-up 	3-6 Days	Significance criteria: <ul style="list-style-type: none"> - Level 1: one-off event; - Level 2: complaint is widespread or repeated; - Level 3: any complaint (one-off or

Process	Description	Time Frame	Other Information
			repeated) that indicates breach of law/ policy
Grievance is acknowledged	Acknowledgement of grievance through appropriate medium	3 Days	
Development of response	- Grievance assigned to appropriate party for resolution. - Response development with input from management/ relevant stakeholders	4-8 Days	
Response signed off	Redress action approved as appropriate	8-15 Days	
Implementation /communication of response	Redress action implemented and update of progress on resolution communicated to the complainant	5-9 Days	

If the complainant is still not satisfied, then they should be advised of their right to legal recourse.

The SEA/SH GM will link the project grievance mechanism to an existing service provider to handle SEA/SH allegations. If a SEA/SH allegation report is received through the formal grievance mechanism, the GM operator refers the matter to the intermediary. The intermediary will provide immediate support services in its sphere of competencies, such as health or psychological support, and then refer the survivor to other relevant GBV service providers and coordinate with the project GM operator on the survivor's behalf with the survivor's consent.

If the survivor gives consent, the second action for the GM operator is to communicate the allegation to a specially constituted SEA/SH grievance committee comprising representatives of the client, consultant, contractor, and local service providers that are charged with monitoring SEA/SH response. The allegation is reviewed, and a determination is made regarding the likelihood of the allegation being linked to the project. The intermediary is responsible for informing the GRM operator of all SEA/SH allegations that have been identified as originating from the project, such as those against contractors, workers, or consultants, with the consent of the survivor.

In this way, the PMU and the World Bank can be kept apprised and appropriate action can be taken if the alleged perpetrator is linked to project activities and if the survivor wants to seek disciplinary action. If the SEA/SH allegation is linked to a World Bank-financed project but the survivor does not want to submit a grievance with the alleged perpetrator's employer, the intermediary only shares information with the GRM operator about the survivor's age, sex, and the fact that he or she does not choose to proceed with accountability processes.

Communities and individuals who believe that they are adversely affected by a project supported by the World Bank may complain as outlined in the DARES labor grievance mechanism in the DARES LMP. Workers can also complain directly to the Bank's Grievance Redress Service (GRS) (<http://projects-beta.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>). A complaint may be submitted in English, or in local languages, although additional processing time will be needed for complaints that are not in English.

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

- By email: grievances@worldbank.org
- By fax: +1.202.614.7313
- By mail: The World Bank, Grievance Redress Service, MSN MC10-1018, 1818 H Street Northwest, Washington, DC 20433, USA
- Through the World Bank Nigeria Country Office in Abuja: 102 Yakubu Gowon Crescent, Asokoro, Abuja

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

In addition, project-affected communities and individuals may submit complaints to the World Bank's independent Inspection Panel, which will then determine whether harm occurred, or could occur, as a result of the World Bank's non-compliance with its policies and procedures. Complaints may be submitted to the Inspection Panel at any time after concerns have been brought directly to the World Bank's attention, and after Bank Management has been given an opportunity to respond. Information on how to submit complaints to the World Bank Inspection Panel may be found at www.inspectionpanel.org. The World Bank and the Borrower do not tolerate reprisals and retaliation against project stakeholders who share their views about Bank-financed projects.

Manifestations of GBV

To understand if an act of violence is an act/manifestation of GBV, one must consider whether the act reflects and/or reinforces unequal power relations between males and females. Many—but not all—forms of GBV are criminal acts in Nigeria laws and policies:

- Physical Violence (such as slapping, kicking, hitting, or use of weapons);
- Emotional abuse (such as systematic humiliation, controlling behaviour, degrading treatment, insults, and threats);
- Sexual violence, which includes any form of non-consensual sexual contact, including rape;
- Early/forced marriage, which is the marriage of an individual against her or his will often occurring before the age of 18, also referred to as child marriage.
- Economic abuse and the denial of resources, services, and opportunities (such as restricting access to financial, health, educational, or other resources with the purpose of controlling or subjugating a person);
- Trafficking and abduction for exploitation.

The project is expected to comply with the provisions regarding SEA/SH/GBV in the DARES ESMF, and any World Bank-approved GBV action plans that have been developed for DARES. Thus, all additional measures for how GBV/SEA are to be handled have been outlined in the ESMF.

REFERENCES

- Environmental and Social Management Framework (ESMF) for the Distribution Recovery Program (DISREP), 2020
- European Bank for Reconstruction and Development and International Finance Corporation. (2009). Workers' accommodation: processes and standards.
- Factories Act, 1990, Nigeria
- Factories Act, Cap F1, LFN 2004, Nigeria
- International Finance Corporation. (2006). Performance Standard 2: Labour and Working Conditions.
- International Labour Organization. (1998). ILO Declaration on Fundamental Principles and Rights at Work. Secretariat for the Voluntary Principles on Security and Human Rights. (2000). Voluntary Principles on Security and Human Rights.
- Labour Act, Chapter 198, Laws of the Federation of Nigeria (LFN) 2004
- National Policy on Occupational Safety and Health, revised 2020
- Nigerian Electricity Health and Safety Standards Manual
- Ruggie, John. (2008). Protect, Respect and Remedy: a Framework for Business and Human Rights.
- United Nations. (1948). Universal Declaration of Human Rights.
- Worker's Compensation Act (2010), Nigeria
- Labour Management Procedure for the Nigeria Distribution Sector Recovery Program
- Environmental & Social Framework for IPF Operations
- ESS2: Labor and Working Conditions: WB Guidance for Borrowers
- Source of Labour Act Chapter 198, Laws of the Federation of Nigeria (LFN) 2004
- Factories Act CAP. 126 L.F.N. 1990 CAP. F1 L.F.N. 2004
- Employees Compensation Act
- Trade Union (Amended) Act
- National Minimum Wage Act 2010
- Occupational Safety and Health Act 2005
- Federal Ministry of Labour and Employment
- International Labour Organisation (ILO)
- Africa Regional Labour Administration Centre
- Organisation of Trade Union of West Africa (OTUWA).

ANNEXES

ANNEX 1: SAMPLE OF A CONTRACTOR'S CODE OF CONDUCT

1.0. AIM OF THE CODE OF CONDUCT

The main aim of the Code of Conduct is to prevent and/or mitigate the social risks within the context of rehabilitation and expansion of schools. The Codes of Conduct are to be adopted by contractors. The social risks that may arise include but not limited to Gender-Based Violence (GBV), Violence Against Children (VAC), HIV and AIDS infection/spread, and occupational health and safety.

2.0 KEY DEFINITIONS

The following definitions apply:

Gender-Based Violence (GBV)

This is defined as any conduct, comment, gesture, or contact perpetrated by an individual (the perpetrator) on the work site or in its surroundings, or in any place that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to another individual (the survivor) without his/her consent, including threats of such acts, coercion, or arbitrary deprivations of liberty.

Violence Against Children (VAC)

This may be defined as physical, sexual or psychological harm of minor children (i.e., under the age of 18), including using for profit, labour, sexual gratification, or some other personal or financial advantage. This also includes other activities such as using computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any mediums.

Child Labour

This involves employment of underage. Any person under the age of 18 should not be employed in the project sites.

Child Protection (CP)

An activity or initiative designed to protect children from any form of harm, particularly arising from VAC, and child labour.

Child

The word is used interchangeably with the term 'minor' and, in accordance with the United Nations Glossary on Sexual Exploitation and Abuse, refers to a person under the age of 18.

Grooming

This is defined as behaviours that make it easier for a perpetrator to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for instance by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

Online Grooming

This is the act of sending an electronic message with indecent content to a recipient who the sender believes to be a minor, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Survivor/Survivors

This is defined as the person(s) adversely affected by GBV, VAC, and child labour. Women, men and children can be survivors of GBV, VAC, and child labour.

Perpetrator

This is defined as the person(s) who commit(s) or threaten(s) to commit an act or acts of GBV, VAC, and child labour.

Work site

This is defined as the area in which infrastructure development works are being conducted, as part of interventions planned under the project, funded by the World Bank.

Work site surroundings

These are defined as the ‘Project Area of Influence’ which is any area, urban or rural, directly affected by the project, or located within the distance of three kilometres’ radius from the work site and/or worker’s camps, including all human settlements found on it.

Consent

This word is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance, or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. Any use of a threat to withhold a benefit, or of a promise to provide a benefit, or actual provision of that benefit (monetary and non-monetary), aimed at obtaining an individual’s agreement to do something, constitutes an abuse of power; any agreement obtained in presence of an abuse of power shall be considered non-consensual. In accordance with the United Nations, the World Bank considers that consent cannot be given by children under the age of 18, even in the event that national legislation of the country into which the code of conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defence.

Contractor

This is defined as any firm, company, organisation or other institution that has been awarded a contract to conduct infrastructure development works in the context of the project and has hired managers and/or employees to conduct this work.

Manager

The word is used interchangeably with the term ‘supervisor’ and is defined as any individual offering labour to the contractor, on or off the work site, under a formal employment contract and in exchange for a salary, with responsibility to control or direct the activities of a contractor’s team, unit, division or similar, and to supervise and manage a pre-defined number of employees.

Employee

This is defined as any individual offering labour to the contractor on or off the work site, under a formal or informal employment contract or arrangement, typically but not necessarily in exchange for a salary (e.g. including unpaid interns and volunteers), with no responsibility to manage or supervise other employees.

Workers Committee

A team established by the Contractor to address GBV, VAC, child labour and other relevant issues with the work force.

3.0 CODES OF CONDUCT

This chapter presents three Codes of Conduct (CoC) for use:

1. **Contractors Code of Conduct:** Commits the contractor to addressing GBV and VAC issues;
2. **Manager’s Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,
3. **Individual Code of Conduct:** Code of Conduct for each individual working on project funded projects

3.1 Contractors Code of Conduct

Contractors are obliged to create and maintain an environment which prevents social risks. They have the responsibility to communicate clearly to all those engaged on the project the behaviours which guard

against any form of abuse and exploitation. In order to prevent Social risks, the following core principles and minimum standards of behaviour will apply to all employees without exception:

GBV or VAC constitutes acts of gross misconduct and are therefore grounds for sanctions, penalties and/or termination of employment and/or contract. All forms of Social risks including grooming are unacceptable be it on the work site, the work site surroundings, or at worker's camps of those who commit GBV or VAC will be pursued.

Treat women, children (persons under the age of 18) and people with disability with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic, cultural beliefs/practices, or other status.

Do not use language or behaviour towards men, women or children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

Sexual activity with children/learners under 18 (including through digital media) is prohibited. Mistaken belief regarding the age of a child and consent from the child is not a defence.

Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited.

Sexual interactions between contractor's employees and communities surrounding the work place that are not agreed to with full consent by all parties involved in the sexual act are prohibited (see definition of consent above). This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex.

Where an employee develops concerns or suspicions regarding acts of GBV or VAC by a fellow worker, whether in the same contracting firm or not, he or she must report such concerns in accordance with established Grievance Redress Mechanism (GRM) that protects the identities of victims and whistle-blowers.

All contractors are required to attend an induction prior to commencing work on site to ensure they are familiar with the social risks and Codes of Conduct.

All employees must attend a mandatory training once a month for the duration of the contract starting from the first induction prior to commencement of work to reinforce the understanding of the institutional social risks and Code of Conduct.

The Contractor shall ensure provision of financial resources and support compliance to occupation health and safety requirements for all workers.

1. The Contractor shall ensure that workers dress appropriately i.e. dress in a way that: -
 - Is unlikely to be viewed as offensive, revealing, or sexually provocative.
 - Does not distract, cause embarrassment or give rise to misunderstanding
 - Is absent of any political or otherwise contentious slogans
 - Is not considered to be discriminatory and is culturally sensitive

The Company shall ensure provision of financial resources and trainings to prevent spread of HIV and AIDS.

The company shall comply with all the applicable international and national legislation including giving terminal benefits to workers who have served for at least three months;

All contractors must ensure that their employees sign an individual Code of Conduct confirming their agreement to support prevention of social risks activities.

The contractor should ensure equitable access to limited natural resources (e.g. water points) to avoid conflicts with local communities

Where possible, the contractor should ensure employment of local workforces especially where unskilled labour is required to mitigate social risks

I do hereby acknowledge that I have read the foregoing Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in termination of the contract.

FOR THE CONTRACTOR

Signed by: _____

Signature: _____

Title: _____

Date: _____

3.2 Code of Conduct for Construction Site Supervisor/Managers Code of Conduct

Site Supervisors at all levels play an important role in creating and maintaining an environment, which prevents workers misconduct. They need to support and promote the implementation of the Contractors Codes of Conduct and enforce Workers Codes of Conduct. Construction site supervisor must adhere to this Code of Conduct. This commits them to develop and support systems, which maintain a safe working environment. Construction Site Supervisor responsibilities include but are not limited to:

1. Where possible, ensure employment of local workforces especially where unskilled labour is required to mitigate social risks;
2. Ensure there is zero tolerance to child labour practices;
3. Promote gender inclusion at all levels;
4. Establish a workers' committee to oversee issues of workers' misconduct including GBV and VAC;
5. Ensure compliance to occupation health and safety requirements for all workers;
6. Ensure that workers dress code is adhered to appropriately;
7. Ensure that access to construction sites is restricted to authorized persons; hoarding is provided and that there is proper signage to construction site(s);
8. Facilitate workers training and capacity building on social, environmental and health and safety;
9. Ensure that all workers are sensitized on HIV and AIDS issues, provided with condoms and HTC services;
10. Ensure that fundamental workers' rights (e.g. working hours, minimum wages, etc) are protected;
11. Ensure that possession of alcohol and illegal drugs and other controlled substances in the workplace and being under influence of these substances on the job and during workings hours should be strictly prohibited;
12. Ensure compliance to all legal requirements;
13. Supervisors failing to comply with such provision can be in turn subject to disciplinary measures including termination of employment; and
14. Ultimately, failure to effectively respond to some provisions of the code of conduct may provide grounds for legal actions by authorities.
15. Ensure that every employee under his/her supervision has been oriented on the Code of Conduct and has signed.

I do hereby acknowledge that I have read the foregoing Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to comply to all rules of this code of conduct. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in disciplinary action.

Signed by: _____
Signature: _____
Date: _____
FOR THE EMPLOYER

Signed by: _____
Signature: _____
Date: _____

3.3 Workers Code of Conduct

I, _____, acknowledge that preventing any misconduct as stipulated in this code of conduct, including gender based violence (GBV), child abuse/exploitation (CAE) are important. Any activity, which constitute acts of gross misconduct are therefore grounds for sanctions, penalties or even termination of employment. All forms of misconduct are unacceptable be it on the work site, the work site surroundings, or at worker's camps. Prosecution of those who commit any such misconduct will be pursued as appropriate.

I agree that while working on this project, I will:

1. Consent to security background check;
2. Treat women, children (persons under the age of 18) and persons with disability with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, birth or other status;
3. Not use language or behaviour towards men, women or children/learners that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
4. Not participate in sexual activity with children/learners—including grooming or through digital media. Mistaken belief regarding the age of a child and consent from the child is not a defence;
5. Not exchange money, employment, goods, or services for sex, with community members including sexual favours or other forms of humiliating, degrading or exploitative behaviour;
6. Not have sexual interactions with members of the communities surrounding the work place, worker's camps and fellow workers that are not agreed to with full consent by all parties involved in the sexual act (see definition of consent above). This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex - such sexual activity is considered "non-consensual" within the scope of this Code;
7. Attend trainings related to HIV and AIDS, GBV, CAE, occupational health and any other relevant courses on safety as requested by my employer;
8. Report to the relevant committee any situation where I may have concerns or suspicions regarding acts of misconduct by a fellow worker, whether in my company or not, or any breaches of this code of conduct provided it is done in good faith;
9. With regard to children (under the age of 18):
 - Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger.
 - Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
 - Refrain from physical punishment or discipline of children.
 - Refrain from hiring children for domestic or other labour, which is inappropriate given their age, or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
 - Comply with all relevant local legislation, including labour laws in relation to child labour.

10. Refrain from any form of theft for assets and facilities including from surrounding communities.
11. Remain in designated working area during working hours;
12. Refrain from possession of alcohol and illegal drugs and other controlled substances in the workplace and being under influence of these substances on the job and during workings hours;
13. Wear mandatory PPE at all times during work;
14. Follow prescribed environmental occupation health and safety standards;
15. Channel grievances through the established grievance redress mechanism.

I understand that the onus is on me to use common sense and avoid actions or behaviours that could be construed as misconduct or breach this code of conduct.

I acknowledge that I have read and understand this Code of Conduct, and the implications have been explained with regard to sanctions on-going employment should I not comply.

Signed by: _____

Signature: _____

Date: _____

FOR THE EMPLOYER

Signed by: _____

Signature: _____

Date: _____

ANNEX 2: SAMPLE HEALTH TRAINING AND ENVIRONMENT PLAN

S/N	Training Title	Description	Timing	Who to Deliver the Training
1	Sensitization on the HSE Manual	To train all workers on all the provisions in the HSE Manual and the company's HSE Policy (use local language as necessary) including the right use of PPEs	Upon mobilization of every worker to site	HSE Expert
			Refresher on a monthly basis	Contractor HSE Officer
2	First Aid administration/ Use of First Aid Box	To train selected officers (Contractor HSE Officer, Site Manager, Yard Manager, Team leaders, Female workers representative) on the right first aid administration for different scenarios including demonstrations	Upon mobilization to site and after every 6 months	Public Health Expert/ First Aid Care Giver
3	Protocol for construction site, staging areas, borrow pits and campsite	To ensure all workers understand the protocol to adopt at the construction site, staging areas, borrow pits and campsite	Upon mobilization to site Refresher every 3 months	Site Manager
4	General Training on site work	Right procedures for: manual handling, electrical safety, emergency procedures, work at height, confined spaces, underground construction, cofferdams etc.	Upon mobilization to site Refresher every 2 months	Site Manager/ Project Manager/ Engineer/ HSE Officer
5	Daily HSE Pep Talks	To provide daily reminder on safety precautions and acceptable environmental and social protection including do's and don'ts for all workers	Daily	Contractor HSE Officer
6	Community Health and Safety Training	To train all workers and project management on: <ul style="list-style-type: none"> • Sexual Exploitation and Abuse/ Gender-Based Violence Training • Code of Conduct Training • Sensitization on STDs/STIs • Grievance Redress Mechanism 	Upon mobilization of every worker to site Refresher every 3 months	Social Safeguard Expert
7	Drivers Training	To train all project drivers on safety and acceptable conduct	Upon employment Daily Monitoring Monthly Refresher	FRSC Expert in conjunction with project manager

ANNEX 3: WORKERS CAMPSITE MANAGEMENT FRAMEWORK

Elements for managing risks associated with the Workers Campsite under the proposed project include:

Location: The Contractor shall ensure to site workers camp at a designated location approved by the PMU. The location was determined during the preliminary design preparation in conjunction with the local communities/authorities with the following criteria:

- Be located outside the protection zone of watercourses (100 m) and wetlands;
- Be located within an acceptable distance from existing residential areas;
- Not located in areas with intact vegetation
- The contractor must first obtain the necessary licenses and consents from the local authorities or from the owner of the needed area; Although it is the contractor's decision, it is recommended that whenever possible the camps should be handed over to the administrative or community authorities for future use;
- The contractor must submit for the prior approval of the Resident Engineer, the implantation design and other project structures and specifications related to the camps and sites that are intended to be built;
- The contractor shall take all necessary measures and precautions to ensure that the execution of the works is carried out in accordance with environmental, legal and regulatory requirements, including those set out in this document; The contractor shall take all measures and precautions to avoid any disturbance in the local communities and among the users of the road, as a result of the project execution;
- The contractor shall, whenever possible, apply measures to reduce or eliminate any sources of disturbances. The contractor shall follow the provisions of this document, as well as the applicable legislation and standards, during the use, operation and maintenance of the camps and sites, in particular with regard to water supply and sanitation, solid waste management, handling and storage of dangerous substances, etc.;
- The areas occupied by the camps and sites must be recovered at the end of the project, when the contractor is demobilized, through the replacement of previously existing conditions, unless other uses are intended

Accommodation, Hygiene and Sanitation: The Contractor will ensure that all necessary sanitary facilities shall be provided for workers expected on site: separate rooms will be provided for male and female workers, all necessary sanitary facilities complying with World Health Organization (WHO) regulations will be provided for workers including:

- Separate toilets for male and female
- Portable water with well-placed overhead tanks
- Wash basins
- Concrete and covered septic tanks

On-site Social and Health Care Facilities: Provision of basic on-site social and medical facilities such as first aid, basic health care centre, recreational centre, food service, etc. in order to reduce pressure on community facility.

Campsite Safety and Security: Provision of 24 hours security stationed at the Campsite to ensure the security and safety of construction workforce and construction equipment.

Campsite Waste Management: Adequate waste management of sewage and other forms of waste within the campsite. The Campsite shall be equipped with independent toilet facilities for male and female workers respectively, in order to discourage irregular waste disposal. Furthermore, standards must be instituted for personal and public hygiene among project workers. Additionally, project workers shall be properly trained on personal hygiene.

Establishment of and Training on Workers on Code of Conduct: The Supervising Engineer and Safeguards Unit shall ensure that Contractors establish a workers' Code of Conduct (CoC). The CoC will help mitigate some of the social and environmental impacts of labour influx such as risk of social conflict, Increased risk of illicit behaviour and crime, Increased burden on and competition for public service provision, Wastewater discharges, Increased demand on freshwater resources, and Inadequate waste disposal and illegal waste disposal sites etc., will help keep workers (local/foreign) in check on the rules and regulations binding their engagement. Contractors to ensure provision of training to workforce on code of conduct and ensure strict compliance. Measures provided for in the ESMP to deter illicit behaviour and other social vices are adequately enforced.

Training programs: Conduct and ensure key staff, including contractors, receive training regarding the likelihood, significance and management of influx-related issues such as HIV/AIDS, GBV, SEA, VAC etc.

Carry out Regular Monitoring: The PMU shall monitor for change throughout the project cycle to ensure compliance and on mitigation effectiveness from projects/contractors. Ensure a documented monitoring program that tracks key social outcomes, changes and issues at regular intervals throughout the project lifecycle