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MINISTRY OF AGRICULTURE AND
FORESTRY

DIRECTORATE GENERAL OF
STATE HYDRAULIC WORKS



TÜRKİYE FLOOD AND DROUGHT
MANAGEMENT PROJECT

(P179313)

LABOR MANAGEMENT PROCEDURES
(LMP)

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Table of Contents

List of Abbreviations and Acronyms	ii
Executive Summary	iii
1. Introduction	1
1.1. Description of LMP	2
2. Legislation and Requirements	3
2.1. National Legislation	3
2.2. World Bank Requirements	4
3. Overview of Labor Use in the Project	5
4. Assessment of Key Potential Labor Risks	7
4.1. Occupational Health and Safety	7
4.2. Other Key Potential Labor Risks	7
5. Responsible Staff	9
6. Policies and Procedures	11
6.1. General Project Policies for Labor	11
6.2. General Project Policies for OHS	11
6.3. General Project Policies for Sexual Exploitation and Abuse, Sexual Harassment and Gender Based Violence	12
6.4. Reporting and Monitoring.....	12
7. Age of Employment	14
8. Terms and Conditions	15
9. Workers' Grievance Mechanism	16
10. Contractor Management	19
11. Primary Supply Workers	20
Annex-1. Code of Conduct	21

List of Abbreviations and Acronyms

CoC	: Code of Conduct
COVID-19	: Coronavirus Disease 2019
DoFC	: Department of Flood Control
DSI	: Directorate General of State Hydraulic Works [Devlet Su İşleri Genel Müdürlüğü]
E&S	: Environmental and Social
EHSGs	: (The World Bank Group's) Environmental, Health and Safety Guidelines
ESCP	: Environmental and Social Commitment Plan
ESF	: (World Bank's) Environmental and Social Framework
ESIA	: Environmental and Social Impact Assessment
ESMF	: Environmental and Social Management Framework
ESMP	: Environmental and Social Management Plan
ESMS	: Environmental and Social Management System
ESMU	: Environmental and Social Management Unit
ESSs	: (World Bank's) Environmental and Social Standards
EU	: European Union
EWS	: Early Warning System
GIIP	: Good International Industry Practice
GM	: Grievance Mechanism
ILO	: International Labour Organization
LMP	: Labor Management Procedures
MoAF	: Ministry of Agriculture and Forestry
NBS	: Nature-Based Solutions
NGO	: Non-Governmental Organization
OECD	: Organisation for Economic Co-operation and Development
OHS	: Occupational Health and Safety
PDO	: Project Development Objective
PIU	: Project Implementation Unit
PPE	: Personal Protective Equipment
Project	: Türkiye Flood and Drought Management Project
RF	: Resettlement Framework
RP	: Resettlement Plan
SEA/SH	: Sexual Exploitation and Abuse / Sexual Harassment
SEP	: Stakeholder Engagement Plan
SYGM	: Directorate General of Water Management [Su Yönetimi Genel Müdürlüğü]
TATUS	: Flood Forecasting and Early Warning System [Taşkın Tahmini ve Erken Uyarı Sistemi]
TEUS	: Flood Early Warning System [Taşkın Erken Uyarı Sistemi]
ToR	: Terms of Reference
TRGM	: Directorate General of Agricultural Reform [Tarım Reformu Genel Müdürlüğü]
WB	: World Bank
WGM	: Workers' Grievance Mechanism
WHO	: World Health Organization

Executive Summary

The World Bank will be supporting Directorate General of State Hydraulic Works (DSI) and the Directorate General of Water Management (SYGM) under Ministry of Agriculture and Forestry in implementing the Türkiye Flood and Drought Management Project - P179313 (Project). **The Project Development Objective (PDO) is to increase flood protection for people living in selected areas of Türkiye, and to strengthen the Country's capacity for flood and drought risk management.** The Project will support the following activities: enhancement of flood control infrastructures to mitigate flood risks in selected river basins and improve flood risk management through an optimal combination of structures (e.g., check dams, levees, retaining walls, embankments, reservoirs, polders, etc.); piloting applications of nature-based solutions (NBS) and implementation of innovative techniques for flood and drought risk management at river basin scale; review of existing early warning systems (EWSs) to identify gaps and needs and improvement and expansion of existing EWSs; preparation of feasibility studies, designs, and technical documents for implementation of integrated flood risk management at river basin scale with consideration of impact of climate change; improvement of drought monitoring capacity of DSI by expansion of the observational networks for drought monitoring and forecasting; and development of a web portal and associated modelling focusing on agricultural drought.

The Project has four components: Component-1 “Flood Management” (*Subcomponent-1.1 “Flood Control” and Subcomponent-1.2 “Flood Monitoring, Forecasting and Warning Systems”*), Component-2 “Drought Management”, Component-3 “Capacity Development and Institutional Strengthening”, Component-4 “Project Management”. Details about the Project are presented in Section 1 of this document.

This **Labor Management Procedures (LMP)** is developed to set out the ways in which project workers will be managed in accordance with the requirements of national law and Environmental and Social Standard ESS2 of World Bank on Labor and Working Conditions.

Project Workers. The categories of project workers that will be engaged in the Project are direct workers, contracted workers, and primary supply workers, where (i) Direct workers will be the staff of DSI who are directly engaged in the activities of the Project, if externally hired, the staff of DSI-PIU, and the consultants, (ii) Contracted workers will be the workers of the contractors and their subcontractors who will be engaged on the project activity basis, (iii) Primary supply workers will be the workers of the suppliers which on ongoing basis, directly provide goods or materials essential for the core functions of the Project. Community workers are not anticipated to be engaged in the Project.

Key Labor Risks. There will be construction related OHS risks expected to occur during the construction of the flood control structures. Overtime working hours are among the other labor risks.

Mitigation Measures. Establishment of Workers’ Grievance Mechanism, preparation of this Labor Management Procedures, integration of Code of Conduct and provisions related to the requirements of ESS2 including forced labor, child labor into bidding documents of contractors/subcontractors and into contracts of contractors’ and subcontractors’ and regulations on monitoring and reporting are provided as major mitigation measures to avoid or reduce labor risks.

1. Introduction

This Labor Management Procedures (LMP) is developed to define procedures regarding the working conditions and management of worker relations, protection of the work force, workers' grievance mechanism (WGM), and occupational health and safety (OHS) throughout the entire project cycle of the Türkiye Flood and Drought Management Project - P179313 (Project) which will be financed by the World Bank. The Project Development Objective (PDO) is to increase flood protection for people living in selected areas of Türkiye, and to strengthen the Country's capacity for flood and drought risk management. The Directorate General of State Hydraulic Works (DSI) and the Directorate General of Water Management (SYGM) under the Ministry of Agriculture and Forestry will be implementing the Project activities.

The proposed Project is anticipated to have four components: (i) Flood Management; (ii) Drought Management; (iii) Capacity Development and Institutional Strengthening; and (iv) Project Management. For further information please refer to the Project Appraisal Document (PAD) of the Project.

Component 1. Flood Management: The objective of this component is to mitigate the climate change exacerbated flood risk in selected basins through improvement and expansion of the existing flood control infrastructure and flood monitoring, forecasting and warning systems in selected parts of Türkiye focusing on Areas of Potential Significant Flood Risk, incorporating future risk due to climate change, as per the implementation of the existing Flood Risk Management Plans.

Subcomponent 1.1: Flood Control: This Subcomponent will finance consultancy services, goods, and works related to construction and operation and maintenance (O&M) of flood control structures by DSI to mitigate flood risks that are projected to increase due to climate change in selected river basins and improve flood risk management through an optimal combination of structures (e.g., check dams, levees, retaining walls, embankments, reservoirs, polders, etc.). The investments will focus on development of new infrastructure but also include rehabilitation efforts, with a primary focus on directing resources toward the development of new infrastructure. The provisional 29 flood protection works are located in eight basins: East Black Sea, East Mediterranean, Büyük Menderes, Kizilirmak, North Aegean, Yesilirmak, West Black Sea, and West Mediterranean. Under this Subcomponent, applications of nature-based solutions (NBS) will be also piloted and innovative techniques for management of floods that are projected to increase due to climate change will be implemented at river basin scale.

Subcomponent 1.2: Flood Monitoring, Forecasting and Warning Systems: This subcomponent will finance (i) expansion and modernization of observation stations for DSI maintained Flood Early Warning System (TEUS) and its monitoring and flood forecasting capacity, (ii) expansion of river basins covered under Flood Forecasting and Early Warning (TATUS) and strengthening Flood Forecasting and Early Warning Center (TATUM) operated by SYGM, (iii) assessment of the status and gaps of the existing national warning systems to synchronize and optimize activities implemented by DSI and SYGM, and (iv) activities enhancing complementarity of TEUS and TATUS such that both systems provide complementary warnings and alerts at different lead times.

Component 2. Drought Management: This Component will support DSI in drought monitoring and help reduce the vulnerability of population to climate change exacerbated drought in selected basins through implementation of non-structural measures which are (i) technical study on drought monitoring in Türkiye, (ii) pilot for real-time drought monitoring and forecast in Ceyhan Basin, (iii)

scaling-up the real-time monitoring and drought forecast system and (iv) technical studies for designing larger-scale future investments for drought management.

Component 3. Capacity Development and Institutional Strengthening: This component will support (i) institutional strengthening of related DSI departments, (ii) establishment of an Environmental and Social Management System (ESMS) for DSI, (iii) trainings and study visits, and (iv) technical study on impact of climate change on water resources.

Component 4. Project Management: This component will include consulting and non-consulting services for DSI and SYGM for implementation of the Project according to World Bank policies and guidelines. This support will also include (i) preparation of site-specific E&S instruments (e.g. Environmental and Social Impact Assessment [ESIA], Environmental and Social Management Plan [ESMP], Resettlement Plan [RP], etc.), (ii) hiring individual consultants by DSI and SYGM for various aspects of project implementation including procurement and financial management aspects, technical and contract management, E&S management and Monitoring and Evaluation (M&E) system.

Implementation Arrangements

The Project will be implemented by DSI and SYGM. While DSI will be responsible for implementing Subcomponents 1.1 and 1.2 and Components 3 and 4, SYGM will implement some of the activities under Subcomponent 1.2, and Components 3 and 4. The Project will establish one Project Coordination Unit (PCU) chaired by DSI and two Project Implementation Units (PIUs) – one in DSI and the other in SYGM, governed by a project deputy Director General. The ESMS established under Component-3 will include the establishing an Environmental and Social Management Unit (ESMU) at DSI-PIU consisting of qualified environmental, social and OHS specialists to ensure effective E&S risk management in line with the national regulatory and World Bank’s Environment and Social Framework (ESF) requirement throughout the lifetime of the Project as per the Project’s Environmental and Social Commitment Plan (ESCP). The ESMU will be responsible for overseeing implementation of requirements of the project vis-à-vis ESCP, Environmental and Social Management Framework (ESMF), LMP, etc., and guide, supervise and monitor the work done by the contractors’ E&S specialists. DSI-PIU will also include regional staff located in each of the DSI regional directorates corresponding to the Project activities, i.e., each relevant DSI regional directorate will have a coordinator and an E&S focal point. These E&S focal points will be responsible for regular supervision of construction, O&M, and the E&S aspects of the activities. Details on implementation arrangements are given in Section 6.2.

1.1. Description of LMP

The Project is being prepared under the World Bank’s Environment and Social Framework (ESF). Per Environmental and Social Standard ESS2 on *Labor and Working Conditions*, the implementing agencies should develop and implement written LMP applicable to the Project to set out the ways in which project workers will be managed in accordance with the requirements of national law and ESS2.

This LMP identifies the main labor requirements and risks associated with the Project and helps the project team to determine the resources necessary to address project related labor issues. DSI and SYGM will adopt the provisions of this LMP to apply to all project workers including consultants.

This LMP should be read together with other plans and procedures prepared for the Project, including the ESCP, ESMF, RF and SEP.

This LMP will be amended or updated as necessary if national laws change. The contractors are required to fulfill the provisions of national legislation and the additional requirements of ESS2 by adopting this LMP and preparing their own Labor Management Plans (LM Plans) and OHS Plans.

2. Legislation and Requirements

2.1. National Legislation

Türkiye ratified the following ten fundamental conventions of International Labor Organization (ILO) and incorporated them into the national legislation which are briefly described in the subsequent paragraphs:

- Forced Labour Convention, 1930 (No. 29)
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Equal Remuneration Convention, 1951 (No. 100)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

Labor Law (N° 4857)

Labor Law is the fundamental law in respect to managing worker relations and the protection of the workforce. The law contains provisions regarding the principle of equal treatment, employment contract, types and termination, wages and payment of wages, wage cutting penalty, overwork, working on holidays, wages on holidays, annual paid leaves, working hours, compensation work, break rest, working age and prohibition of employing children, and work and breastfeeding leave during maternity.

Occupational Health and Safety Law (N° 6331)

It regulates the duties, powers, responsibilities, rights and obligations of employers and employees in order to ensure occupational health and safety (OHS) in workplaces and to improve existing health and safety conditions. The law contains provisions regarding the general liability of the Employer. The law contains provisions regarding the general liability of the employer, principles of protection from risks, OHS services, supporting OHS services, occupational physicians and occupational safety experts, determining the hazard class, risk assessment, control, measurement and research, emergency plans, firefighting and first aid, evacuation, the right to refrain from working, registration and notification of work accidents and occupational diseases, health surveillance, informing employees, training of employees, obtaining employees' opinions and ensuring their participation, obligations of employees, and employee representative.

Unions and Collective Bargaining Law (N° 6356)

The purpose of this Law is to provide the procedures and principles regarding the establishment, management, operation, supervision, working and organization of worker and employer unions and confederations; and to enable workers and employers to conclude collective bargaining agreements to determine their mutual economic and social situations and working conditions, to resolve disputes by peaceful means, and to resort to strikes and lockouts.

2.2. World Bank Requirements

The WB's Environmental and Social Framework (ESF)'s Environmental and Social Standard ESS2 on *Labor and Working Conditions*, recognizes sound worker-management relationships and the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. The national legislation of Türkiye on working conditions and management of worker relationships, protection of work force, and occupational health and safety satisfies the requirements of ESS2 to a great extent. Therefore, those provisions will not be duplicated in this LMP. Additional requirements of ESS2 which are covered in this LMP and will be implemented throughout the Project life cycle are:

- Categorization of the Project workers as direct, contracted, and primary supply workers, and application of the requirements of ESS2 to these different categories of workers accordingly,
- Assessment of risks that may arise from interaction between project workers and local communities and proper mitigation measures including adoption of formal Code of Conduct (CoC) to address those risks,
- Provision of documentation to Project workers at the beginning of the working relationship that is clear and understandable regarding their terms and conditions of employment regardless of the duration of their employment contracts—if there are any workers who do not read or have difficulties understanding the documentation, for example migrant workers, the terms and conditions of employment will be explained through oral communication, and this will be retained through records of meetings held or notices placed on a workers' bulletin board.
- A grievance mechanism—Workers' Grievance Mechanism (WGM)—will be provided for all direct workers and contracted workers (and, where relevant, their organizations) to raise workplace concerns. Such workers will be informed of the WGM at the time of recruitment, relevant information will be made available on noticeboards, and the measures put in place to protect them against reprisal for their use. Measures will be put in place to make the WGM easily accessible to all such project workers.
- The OHS measures will include the requirements of national legislation and ESS2 and will consider the General Environmental Health and Safety Guidelines (EHSGs) and, as appropriate, the industry specific EHSGs and other Good International Industry Practice (GIIP).

3. Overview of Labor Use in the Project

Consistent with the categorization of the project workers in ESS2, the categories of Project workers that will be engaged in the Project are “direct workers”, “contracted workers”, and “primary supply workers”, where:¹

- (i) **Direct workers** are the workers with whom the DSI has a directly contracted employment relationship and specific control over her/his work, working conditions, and treatment. These workers are employed or engaged by the DSI, paid directly by the DSI, and subject to the DSI’s day-to-day instruction and control, i.e. the staff of DSI-PIU who are engaged in the management of the technical, financial, procurement, environmental, and social related issues of the Project including design and supervision, monitoring and evaluation, or community engagement. This staff may consist of civil servants of DSI and externally hired individual consultants.
- (ii) **Contracted workers** are the workers employed or engaged by contractor/subcontractor to perform work or provide services related to the core functions of the Project, where the contractor/subcontractor exercises control over her/his work, working conditions, and treatment. In such circumstances, the employment relationship is between the contractor/subcontractor and the project worker even if the project worker is working on an ongoing basis on project activities, i.e. the workers of construction firms or information technology companies that will provide database and software related services.
- (iii) **Primary supply workers** are the workers employed or engaged by primary suppliers, providing goods and materials to the project, over whom a primary supplier exercises control over her/his work, working conditions, and treatment.

Although ESS2 applies to all Project workers regardless of their type of employment contract—full-time, part-time, temporary, or seasonal—and whether they are migrant workers or not, these three categories of Project workers reflect the differing degrees of control and influence that DSI has over their employment conditions. In addition, the requirements of ESS2 differ regarding the type of Project worker involved. Therefore, Sections 1 to 10 of this LMP set out the requirements for direct and contracted workers and Section 11 sets out the requirements for primary supply workers.²

Number of Project Workers: Since the Project consists of a series of subprojects, neither the number of direct workers nor the contracted workers that will be engaged throughout the Project life cycle are known at the time of the preparation of this LMP.

Characteristics of Project Workers: Nearly all of the direct workers will be the staff of DSI who are working as civil servants. According to national legislation, for a person to be a civil servant, s/he must be above age of 18 and citizen of Turkish Republic. The consultants that will be recruited for the Project are expected to be specialists therefore their age will be also above 18 and most of them are expected to be citizen of Turkish Republic. Direct workers will mostly carry out policy development, R&D, capacity development, forestry service and communication activities, and the management of the Project. The composition of contracted workers will change according to the type of activity. In construction activities most of the workers is expected to be male and above age of 18 and there might be some migrant workers.

¹ The “community workers” which is the fourth category of Project workers—persons employed or engaged in providing community labor as defined in ESS2—are not anticipated to be engaged in the Project.

² ESS2 does not seek to interfere in the relationship between the government and its civil service employees. The civil servants who are working in connection with the Project will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement unless there has been an effective legal transfer of their employment or engagement to the Project. However, DSI is expected to provide reasonable and necessary measures to cover the OHS requirements of ESS2—which are mostly covered by national legislation—for its civil servants.

Timing of Labor Requirements: In general, direct workers will be engaged in the Project from the beginning and will work full-time throughout the Project life cycle, and contracted workers will be recruited on activity basis. Although the duration of activities will change, the contracted workers are assumed to be employed full-time during the implementation of the respective activity.

4. Assessment of Key Potential Labor Risks

Key potential labor risks of the Project are related to the construction activities of flood control infrastructures that will be carried out under *Subcomponent 1.1. Flood Control Infrastructure*. All other activities are soft activities which are policy development, software development, capacity development, modelling, study tours, etc. In case of the identification of any other labor risks or the change in the characteristics of the activities described in this LMP during the implementation of the Project, ESMU will update this LMP accordingly.

The mitigation measures for the following labor risks are addressed in Section 6.

4.1. Occupational Health and Safety

The Occupational Health and Safety (OHS) risks of the Project will be at the construction phase which are accidents, injuries and illnesses caused by rotating and moving equipment, noise, vibration, contact with electricity (exposed conductor, defective electrical devices, etc.), solid particles and/or liquid chemical sprays, welding, industrial vehicle driving and site traffic, working environment temperature, ergonomic factors, working at heights, excavation of ditches and trenches (landslides), illumination, air quality, fire and explosions and corrosive, oxidizing, and reactive chemicals. In addition to these OHS risks, there are also risks related to general understanding and implementation of OHS requirements which are (i) lack of adopting behavior according to risk and (ii) resistance to use personal protective equipment (PPE) although it is readily available.

OHS risks at the operation phase of the Project are not anticipated due to the nature of the activities.

4.2. Other Key Potential Labor Risks

Working Hours

Excessive overtime working hours is a potential labor risk in the construction sector in Türkiye. There is a potential risk that due to limited time of the Project and seasonal restrictions of construction works, contracted workers may perform overtime time hours above the weekly limit set by the Labor Law.

Child Labor

Risks related to child labor are not expected within the Project, since in Türkiye child labor is mainly an issue related with agricultural seasonal workers since they travel together with their children.

Forced Labor

The risk of forced labor is not expected.

Migrant/Seasonal Workers

As defined in international law, a “migrant worker” is someone who engages in a remunerated activity in a country of which he or she is not a national.³ The majority of migrant workers in Türkiye are the

³ Leveraging Economic Migration for Development: A Briefing for the World Bank Board. Accessible at <https://documents1.worldbank.org/curated/en/167041564497155991/pdf/Leveraging-Economic-Migration-for-Development-A-Briefing-for-the-World-Bank-Board.pdf>

Syrians under Temporary Protection (SuTPs) and a small number of migrant workers are expected to be engaged in the construction works.

Seasonal workers will not be engaged in the Project activities.

Labor Influx

Considering the scale of the activities and the geographical scope of the Project, no risk regarding the labor influx is expected. In addition, it is anticipated that most of the workers will be locally recruited.

Sexual Exploitation and Abuse / Sexual Harassment (SEA/SH)

Since labor influx is not expected, the risk for SEA/SH is low.

Epidemic/Pandemic

At the time of the preparation of this LMP, COVID-19, which is an acute global emergency since 2020, appears to be in transition, but there will be always risks of emergence of new epidemics/pandemics.

5. Responsible Staff

As summarized in Section 1, although the Project will be implemented by DSI and SYGM, all construction activities will be carried out under the responsibility of DSI. Therefore, a social specialist and an OHS specialist will be hired for ESMU at the beginning of the Project to coordinate, manage, implement, monitor, and report the issues related to this LMP and will remain in their positions during the Project life cycle.⁴ In addition, an E&S focal point will be appointed in each of the DSI regional directorates corresponding to the Project activities to supervise the implementation of this LMP at construction works and report to ESMU. The construction contractors will also appoint social and OHS specialists to adopt and implement this LMP.

The Responsibilities of ESMU

- Ensure that the requirements of the LMP and ESMP are incorporated into the contractor's bid documents and contract.
- Establish, implement, and maintain the WGM for Project workers and make sure that all Project workers are informed about it.
- Train and support E&S Focal Points.
- Review and clear the LM Plans and OHS Plans prepared by the contractors. Ensure that construction works start after these plans are cleared.
- Conduct periodic site visits for monitoring of LMP compliance at subproject sites. Ensure and monitor the implementation of the LMP, inter alia trainings on OHS and other issues, fulfillment of OHS standards at workplaces, Code of Conduct (CoC), the potential risks of child labor, forced labor and serious safety issues in primary supply workers,
- Notify the World Bank about any serious incident⁵ in 48 hours of becoming aware of such incident. Review the incident investigation report prepared by the Contractor in coordination with the E&S focal points and send the report together with the root cause analysis and corrective action plan in 15 days to the World Bank.
- Compile the non-compliance reports prepared by E&S Focal points and include them in the quarterly Environmental and Social Monitoring Reports (ESMRs) to be sent to WB. Include WGM related indicators in these reports.

The Responsibilities of the E&S Focal Point in the Regional Directorates

E&S Focal Points in the Regional Directorates will be responsible for the supervision of the construction activities of the subprojects under their geographic jurisdiction and for overall compliance with ESS2 requirements on labor and working conditions and OHS outlined in this LMP. E&S Focal Points will:

- Conduct periodic weekly site visits.
- Supervise the compliance of contractors with the LMP,
- Supervise whether contractors' WGM is working effectively in compliance with ESS2,
- Review the contractors' monthly labor, working conditions and OHS performance reports,
- Prepare non-compliance reports and send to ESMU monthly,
- Notify the ESMU about any serious incident within 24 hours of the occurrence of the incident and support ESMU to review the incident investigation report.

⁴ The social and the OHS specialists of the ESMU will support the adoption of this LMP to not only to construction workers but to all Project workers of DSI and SYGM.

⁵ A fatality is automatically classified as a serious incident, as are lost time injury (3 or more days), incidents of forced or child labor or abuses of community members by project workers (including gender-based violence incidents).

The Responsibilities of the Construction Contractor

Construction contractors will be responsible for contracting and managing their labor force with respect to the terms and conditions described in this LMP. Therefore, in addition to the national legislative requirements, they are required to:

- Adopt this LMP to cover their contracted workers⁶ and prepare and implement their own LM Plans—including CoC—and OHS Plans,
- Submit LM Plans and OHS Plans to ESMU for review and approval at pre-construction stage. (construction works will not start until these plans are approved by the ESMU),
- Employ or appoint qualified social and OHS specialists to prepare and implement the LM Plans, OHS plans and manage the performance of subcontractors,
- Supervise the compliance of subcontractors with the LM Plans and the OHS Plans,
- Maintain records of the recruitment and employment processes of the contracted workers,
- Supervise the employment process of the workers of the subcontractors' and make sure that it is executed in compliance with this LMP and the national labor legislation,
- Clearly declare the terms of reference and working conditions to the contracted workers,
- Make sure that the contracted workers understand and sign the CoC before they start job,
- Establish, implement and maintain the WGM for contracted workers and make sure that all contracted workers are informed about it,
- Provide OHS and regular on-the-job training to workers,
- Have a system in place to regularly review and monthly report the labor, working conditions and OHS performance including WGM to E&S Focal Points (the reporting system will also include a procedure to document specific incidents such as occupational injuries, illnesses and lost time accidents relating to the Project. The contractor will keep such records and require all its subcontractors to maintain these records),
- Notify the ESMU and the E&S Focal Points in the Regional Directorates of DSI about any serious incident within 24 hours of the occurrence of the incident. Prepare an incident investigation report together with the root cause analysis and corrective action plan in 10 days and send the report to ESMU.

⁶ As described in Section 3, the term “contracted workers” covers both the workers of the contractor and—in case there are subcontractors—the workers of its subcontractors’.

6. Policies and Procedures

Contracts with contractors will contain provisions on the obligation to comply with the national labor and OHS legislation, this LMP, ESS2 and general and sector specific EHSs. Contractors who will carry out construction projects will adopt this LMP for their activities and prepare their own LM Plans and OHS Plans. These plans will be reviewed and cleared by ESMU in advance of the start date of the civil works. The LM Plans will include the Code of Conduct (Coc) included in Annex-1 of this LMP. The Contractor will be responsible for raising awareness and training of all workers on the principles and the procedures of this LMP, the CoC and the Workers' Grievance Mechanism (WGM). All contracted workers will have access to WGM, as described in Section 9. In case the contractors engage subcontractors, contractors will be obliged to put these provisions in their subcontracts.

All contracted workers' rights will be protected by employment contracts in accordance with Labor Law N° 4857 and contractors and subcontractors will make sure that all workers are registered in the Social Security Institution.

6.1. General Project Policies for Labor

Non-Discrimination and Equal Opportunity: As specified in the Labor Law N° 4857, 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.

Forced Labor: According to Article 18 of the Constitution of the Republic of Türkiye, "No one shall be forced to work. Forced labor is prohibited", and forced labor is not an anticipated risk in Turkish employment sector. However, awareness of workers on this issue will be raised through training to be provided and the WGM to be established will be used to report such incidents.

Working Hours: Excessive overtime working hours in the construction activities will be audited by the interviews carried out with the workers during the periodic site visits. Clauses will be added to the construction contractor's contract, stating that the contract will be terminated if the contractor shows persistent non-compliance. WGM to be established will be also used to report such incidents.

6.2. General Project Policies for OHS

An overview of the requirements of ESS2 and the national legislation is presented in Section 2. With the ratification of conventions of ILO on OHS and the incorporation of these conventions into the national legislation, OHS legislation of Türkiye fully meets the requirements of ESS2. However, the embracement of OHS measures by the workers and the field audits are not at the required level. Therefore, E&S focal points of the regional directorates will conduct weekly site visits to observe the implementation of OHS measures at sites and ensure that they are in line with the national OHS legislation and ESS2. In addition, all the contracts with the construction contractors—and the contracts between the contractors and subcontractors—will have a provision which clearly states that continuous violation of OHS measures will lead to cancellation of contract (See Section 10). The contractors/subcontractors will also add such provisions to their employment contracts with their workers stating that continuous violation of OHS measures will lead to cancellation of the employment contract.

The contractors/subcontractors will also consider the General Environmental Health and Safety Guidelines (EHSGs) and, as appropriate, the industry specific EHSGs and other Good International Industry Practices (GIIPs).

Pandemic/Epidemic: The Contractors/Subcontractors will follow the national measures for any pandemic or epidemic which might be effective at the time of the ongoing activity.

6.3. General Project Policies for Sexual Exploitation and Abuse, Sexual Harassment and Gender Based Violence

Although the risk for SEA/SH and GBV is low for the Project activities, the Project workers will be required to follow the CoC presented in Annex 1 and the contractors/subcontractors will be required to adhere the principles below:

- Principle 1: Foster a culture of respect and high standards of ethical behavior.
- Principle 2: Establish and maintain standards aimed at preventing SEA/SH, GBV and other forms of misconduct.
- Principle 3: Provide a safe and trusted environment for those affected by SEA/SH and GBV to step forward to report incidents and concerns, with the assurance that they will be treated respectfully and consistently.
- Principle 4: Provide protection for those affected, as well as whistle-blowers and/or witnesses, and to take appropriate measures against any form of retaliation.
- Principle 5: Maintain robust policy frameworks and clear institutional mechanisms that address how incidents and allegations will be handled should they arise.
- Principle 6: Provide effective training programs so all project workers understand the requirements and standards of behavior expected of them.

Whenever necessary, training will be given to contractors/subcontractors and Project workers by social specialist of the ESMU to support them in adapting and applying the CoC and the principles stated above.

The CoC should be signed by each worker to indicate that they have:

- received a copy of the CoC as part of their contract,
- had the CoC explained to them as part of induction process,
- acknowledged that adherence to this CoC is a mandatory condition of employment, and
- understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

6.4. Reporting and Monitoring

General Reporting Requirements

The construction contractors will prepare and send monthly implementation reports to E&S Focal Points. These monthly implementation reports will include data and statistics related to labor and working conditions and OHS, i.e. number of workers engaged in the Project activities, trainings provided, statistics about Workers' Grievance Mechanism, OHS incidents including near-misses. The reports will also cover the activities and workers of subcontractors. The level of detail to be included in these reports will be further provided in the Project Operations Manual to be prepared by DSI-PIU. These reports will be reviewed by E&S Focal Points and will be sent back to contractors in case there is missing information or inconsistency with the observations of E&S Focal Points.

The E&S Focal Points will prepare and send monthly non-compliance reports to ESMU. The contractors' monthly implementation reports will be annexed to these reports.

ESMU will consolidate the monthly non-compliance reports prepared by E&S Focal Points and incorporate them into the Environmental and Social Monitoring Reports (ESMRs) to be sent to the World Bank quarterly.

Incident Reporting Requirements

According to Article 14 "Registration and notification of work accidents and occupational diseases" of Law N° 6331, the employer reports the occupational accidents to the Social Security Institution within three workdays after the accident, and the occupational diseases reported to her/him by the health service providers or the workplace doctor, within three workdays from the date of learning. In addition, within the scope of the Project, the contractor will also notify the ESMU and E&S Focal Points within 24 hours of the occurrence of the OHS related incident and the ESMU will notify the World Bank within 48 hours of becoming aware of such incident. In case the incident happened at the worksite of the subcontractor, the subcontractor will notify the contractor promptly, contractor will notify the ESMU promptly and the ESMU will notify the World Bank within 48 hours of becoming aware of such incident.

The contractor/subcontractor is also responsible for preparing a root-cause report together with the corrective action plan and sending it to the ESMU within 10 days of the accident. The ESMU will revise this report in coordination with E&S Focal Points and if necessary, will ask for revisions and will send it to the World Bank within 15 days of the accident.

The World Bank or the ESMU might further request corrective action plans for any other incidents other than OHS accidents when they deemed necessary. In this case the time-schedule for root-cause reports will be applied.

7. Age of Employment

All workers who will be engaged in the Project will be formally employed and registered with the Social Security Institution. Therefore, the workers must present their working permissions or national identification card through which contractors can verify the age of workers.

The minimum age for employment for the Project will be eighteen.

Any violation of the Regulation on Working Procedures and Principles of Child and Youth Workers will lead to the cancellation of contract with the contractor or subcontractor.

8. Terms and Conditions

The direct and contracted workers will be subject to the provisions of Labor Law N° 4857. Accordingly, wages, working hours, maximum working hours, annual leaves and all other rights and benefits provided by Law N° 4857 will apply. Other issues that the employers should pay attention are:

- Recruitment procedures will be transparent, public, and nondiscriminatory with respect to ethnicity, religion, sexual orientation, disability, gender, and other grounds included in Law N° 4857.
- The application procedure, which will be applied during the recruitment process, will be developed before the beginning of the recruitment.
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.
- All Project workers (whether they are hired for a month or less) will have written contracts describing terms and conditions of work and will have the contents explained to them. All workers will sign the employment contract—including the Code of Conduct (CoC) (see Section 7.3)—before starting the job. In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulties with understanding the documentation.
- Terms and conditions of employment will be available at work sites.
- Unskilled labor will be preferentially recruited from the affected communities, and nearby settlements.
- Project workers will be informed at least one month before the termination of their employment contract.
- The contracted workers will not pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the contractors or subcontractors.
- All migrant workers will have the same working conditions and terms of employment (i.e., remuneration, overtime, hours of work, weekly rest, holidays with pay, safety, health, termination of the employment relationship, and any other relevant conditions of work) of non-migrant project workers performing the same type of work.

Contractor firms will fully comply with the national labor legislation in payment of wages.

9. Workers' Grievance Mechanism

As defined in the EBRD's Guidance Note on Employee Grievance Mechanisms, "a grievance is a problem or issue an employee experiences over the course of their employment. Grievances can cover a broad range of concerns, from potentially illegal actions such as unethical recruitment, workplace discrimination, sexual harassment or other forms of gender-based violence, to concerns about wages, how a poor relationship between two employees has been managed, a complaint about the quality of food in the canteen or a disagreement over holiday arrangements".⁷

ESS2 requires the establishment of Workers' Grievance Mechanism (WGM) for the Project workers to convey their concerns and suggestions about working conditions and workplaces in addition to the Project's Grievance Mechanism (GM) which is designed to uptake grievances from the stakeholders (for details of the Project GM please refer to the Stakeholder Engagement Plan [SEP] of this Project). Therefore, construction contractors are required to establish their own WGMs.

All Project workers will be informed about these WGMs at the time of their recruitment, and their employment contracts will involve detailed information of these WGMs including the ways they can convey their grievances and how these grievances will be recorded, handled, and monitored. The contractors will also ensure that the workers of their subcontractors are aware and can utilize the established WGM. The following principles on which the contractors will base their WGM will also be written in the relevant section of employment contracts:

- **Awareness.** WGM will be introduced to the workers at the workplace, through on-the-job training and other communication tools and participation methods. This introduction will explain the procedure, including the steps to be followed to convey complaints and requests, the channels of reception to be used, etc.
- **Accessibility.** The WGM will be established such that it can be accessed by workers easily.
- **Anonymity.** Workers will be allowed to submit their requests anonymously and these anonymous grievances will be treated equally with other complaints such as those of known origin.
- **Traceability.** The applications received from different channels of reception will be subject to a standard grievance mechanism operation procedure to be developed by the ESMU.
- **Confidentiality.** The identities of complainants (if they do not prefer to be anonymous) will not be disclosed without obtaining their consent and their communication details will not be shared with third persons.
- **Archiving.** All complaints sent from application channels (written, verbal, etc.) will be recorded together with their supporting documents and will not be used for purposes other than the project implementation purposes, nor shall they be shared with third persons.

The WGM will be established according to below procedure:⁸

- **Step 1: Informal discussion:** Managers and workers are encouraged to use informal methods of resolving disagreements or disputes. If employees have a reasonable grievance or complaint regarding their work or the people they work with they should, wherever possible, start by talking it over with their manager. If discussions with line managers fail to resolve the issue, it

⁷ Guidance Note on Employee Grievance Mechanisms, March 2023. The original document is available at <https://www.ebrd.com/documents/admin/employee-grievance-mechanism.pdf?blobnocache=true#:~:text=A%20grievance%20mechanism%20is%20a,and%20management%20response%20and%20feedback.>

⁸ Ibid.

is still possible to pursue an informal approach without triggering a formal procedure, i.e., a human resources (HR) manager could host an informal meeting or discussion.

- **Step 2: Formal grievance:** If the matter is serious and/or the employee wishes to raise the matter formally, they should set out the grievance in writing to their manager. Where the grievance is against the employee's manager and the employee feels unable to approach them, the employee should address the grievance to another manager or the HR department. If there is a trade union at the workplace, the employee may wish to ask a union representative for advice and support.

The construction contractor will provide appropriate channels to uptake formal grievances for the worker, i.e., e-mail, telephone, suggestion boxes. Especially, suggestion boxes should be placed so that anonymous grievances can be made.

- **Step 3: Grievance hearing:** A designated manager (normally from the HR department, hereafter the "grievance manager") will call the employee to a meeting, within a determined period after receiving the complaint, to discuss the employee's grievance. The employee should have the right, upon request, to be accompanied by a colleague or trade union representative at this meeting. After the meeting, the grievance manager will give the employee a decision in writing, within a determined period.
- **Step 4: Appeal:** If the employee is unhappy with the grievance decision and wishes to appeal, then the employee will be invited to an appeal meeting within a defined period and the appeal will be heard by a more senior manager, ombudsman or a grievance committee. The employee will normally have the right, upon request, to be accompanied by a colleague or trade union representative at this meeting. Every effort should be made to secure a resolution in the best interests of the worker(s) and the company. After the meeting, the senior manager, ombudsman or grievance committee will give the employee a decision. This decision is final within the terms of the company's internal grievance mechanism. If the worker is not satisfied, he or she will have the right to judicial or administrative channels.

If the construction contractors have an already established WGM, they can utilize that WGM provided that it is in line with the principles and procedures described in this section and records regarding the Project are kept separately. The requirements for contractor to establish WGM before the mobilization phase and to operate and maintain throughout the subproject activities will be incorporated in the bid documents.

For any complaint that has been forwarded or directly submitted—given that the contact details of the complainant are provided—the complainant will be informed, within two days that the complaint has been received. If the complaint is conveyed through suggestion boxes—provided that suggestion boxes at workplaces will be opened on a weekly basis—the complainant will be informed within two days after the suggestion box is opened. The social specialist of the Contractor and the relevant staff will investigate within two weeks and try to resolve the complaint. After two weeks, the aggrieved complainant would be given the status of resolution of his grievance.

Contractors will keep the written copies and a written list of complaints submitted to them. Contractors will submit their lists to the E&S Focal Points once a month, within the framework of standard reporting. The social specialist of the ESMU will maintain a master list of all complaints during the Project.

Sexual Exploitation and Abuse / Sexual Harassment

Project WGM will have a dedicated section for grievances related to Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) in case a worker prefers to raise this grievance through WGM as described at the Raising Concerns section of the CoC presented in Annex-1. The process for filing a grievance must be simple and easy to understand and clearly prohibit any kind of reprisal against

workers who file grievances, including those relating to sexual harassment. Without adequate safeguards in place, there are risks of stigmatisation and reprisals against workers who make allegations of sexual harassment.

The grievance receiving party will ensure that the case is dealt with through a survivor-centric approach respecting confidentiality and anonymity of the person and survivors are referred to service providers. Opinions of experts and consultants can be obtained in the solution to these problems in accordance with the national legislation and World Bank standards.

The protocols and procedures should be based on the following principles:

- All complaints received will be filed and kept confidential. For statistical purposes, cases will be anonymized and bundled to avoid identification of persons involved.
- Criminal cases will be referred to the public prosecutor.

Handling grievances that are sensitive will be treated in full confidentiality. To enable female work force to safely access the WGM, labor trainings will include information on the various channels of the raising grievances and confidentiality of doing so. The social specialist of the ESMU will ensure that contractors provide such training to workers, and to train contractors on how to collect grievances confidentially.

Türkiye already has a national referral system for SEA/SH, and workplace related harassment, bullying, and violence, and there are provisions in both the Labor Law and the Penal Code for this type of behavior that is deemed unacceptable. In addition, psycho-social support is also provided and available for survivors. When necessary, the social expert will refer the survivors to the Ministry of Family and Social Services call center (ALO 183) for SEA/SH, and to the Ministry of Labor and Social Security call center (ALO 170) for workplace-based psychological harassment-mobbing, violence, and bullying, etc. and will have in place mechanisms for confidential reporting with safe and ethical documenting of issues.

10. Contractor Management

DSI will use the World Bank's 2021 Standard Procurement Documents (SPD) for solicitations and contracts, which includes inter alia labor and OHS requirements. As part of the selection process, DSI may review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor and OHS legislation, including reports from labor inspectorates and other enforcement bodies,
- Business licenses, registrations, permits, and approvals,
- Documents relating to labor management system, including OHS issues, i.e., labor management procedures,
- Identification of labor management, safety, and health personnel, their qualifications, and certifications,
- Workers' certifications/permits/training to perform required work,
- Records of safety and health violations, and responses
- Accident and fatality records and notifications to authorities,
- Records of legally required worker benefits and proof of workers' enrolment in the related programs (training records, vocational certificates, risk assessments),
- Worker payroll records, including hours worked and pay received,
- Identification of safety committee members and records of meetings, and
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

The contracts with contractors will include provisions related to labor and OHS as provided in the World Bank SPD. The contracts will include sanctions for non-compliances with the requirements of ESS2 (labor, working conditions, OHS) such as withholding payment, termination of the contract, and forfeiture of all or part of an E&S and OHS performance security.

ESMU will manage and monitor the performance of Contractor in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties). This may include periodic audits, inspections, and/or spot checks of project locations for the subprojects or work sites and/or of labor management records and reports compiled by contractor.

Contractor's labor management records and reports will include:

- A representative sample of employment contracts or arrangements between third parties and contracted workers,
- Records relating to grievances received and their resolution,
- Reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions,
- Records relating to incidents of non-compliance with national legislation, ESS2 and EHSs, and
- Records of training provided for contracted workers to explain labor and working conditions and OHS for the project.

11. Primary Supply Workers

Contractors will be required to carry out due diligence procedures to identify if there are significant risks that their primary suppliers are exploiting child or forced labor or exposing workers to serious safety issues. In instances where foreign suppliers are likely to be contracted, the Contractor will be required to inquire during his/her procurement process whether the supplier has been accused or sanctioned for any of these issues and their corporate requirements related to child labor, forced labor, and safety. If there are any risks related to child and forced labor, and safety identified, the Contractor will notify the ESMU and will address these risks and may avoid such suppliers, where possible.

Specific requirements on child labor, forced labor and work safety issues will be included in all purchasing orders and contracts with suppliers. Considering that most of the primary supply workers will be local, necessary audits and controls will be made to ensure that suppliers provide safe working conditions in accordance with local legislation and ESS2.

Annex-1. Code of Conduct

CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL⁹

Note to the Bidder:

The minimum content of the Code of Conduct form as set out by the DSI shall not be substantially modified. However, the Bidder may add requirements as appropriate, including to take into account Contract-specific issues/risks.

The Bidder shall initial and submit the Code of Conduct form as part of its bid.

We are the Contractor, *[enter name of Contractor]*. We have signed a contract with *[enter name of Employer]* for *[enter description of the Works]*. These Works will be carried out at *[enter the Site and other locations where the Works will be carried out]*. Our contract requires us to implement measures to address environmental and social risks related to the Works, including the risks of sexual exploitation and abuse and sexual harassment.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, laborers and other employees at the Works Site or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as "Contractor's Personnel" and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that we require from all Contractor's Personnel.

Our workplace is an environment where unsafe, offensive, abusive, or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

Required Conduct

Contractor's Personnel shall:

- 1) carry out his/her duties competently and diligently,
- 2) comply with this Code of Conduct and all applicable laws, regulations, and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person,
- 3) maintain a safe working environment including by:
 - a. ensuring that workplaces, machinery, equipment, and processes under each person's control are safe and without risk to health,
 - b. wearing required personal protective equipment,
 - c. using appropriate measures relating to chemical, physical and biological substances, and agents, and
 - d. following applicable emergency operating procedures,

⁹ This Code of Conduct (CoC) is adopted from the World Bank Standard Procurement Document, Request for Bids Small Works, March 2021. This CoC will be included by the bidder to the bidding documents and the awarded Construction Contractor will use the version she or he presented in the bidding document and will include this CoC to contracts with its subcontractors.

- 4) report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health,
- 5) treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children,
- 6) not engage in Sexual Harassment which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel,
- 7) not engage in Sexual Exploitation which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
- 8) not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions .
- 9) not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage,
- 10) complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, and Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH),
- 11) report violations of this Code of Conduct, and
- 12) not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Mechanism.

Raising Concerns

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

- 1) Contractor level:
 - a) Contact *[enter name of the Contractor's Social Expert with relevant experience in handling gender-based violence, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters]* in writing or in person at this address *[enter the address]* or by telephone at *[enter the phone number]* or by e-mail at *[enter e-mail]*; or
 - b) Drop grievance form/letter to suggestion/complaint boxes at the Work Sites; or
 - c) *[delete if there is not any hotline]* Call *[enter hotline]* to reach the Contractor's hotline and leave a message.
- 2) ESMU level:
 - a) Contact *[enter name of the ESMU's Social Expert]* in writing or in person at this address *[enter the address]* or by telephone at *[enter the phone number]* or by e-mail at *[enter e-mail]*; or
- 3) National level
 - a) For issues regarding Sexual Exploitation, Assault / Sexual Harassment: Call 183 or send a WhatsApp message to +90 501 183 0183 to reach the Ministry of Family and Social Service.
 - b) For issues regarding terms and conditions and occupational health and safety: Call 170 or send a WhatsApp message to +90 850 222 7170 to reach the Ministry of Labor and Social Security.

The person's identity will be kept confidential, unless reporting of allegations is mandated by the legislation of Türkiye. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take appropriate action. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

Consequences of Violating the Code of Conduct

Any violation of this Code of Conduct by Contractor’s Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.

For Contractor’s Personnel

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact *[enter name of Contractor’s contact person with relevant experience]* requesting an explanation.

Name of Contractor’s Personnel: *[insert name]*

Signature : _____

Date : *[day/month/year]* _____

Name of authorized representative of the Contractor for countersignature: *[insert name]*

Signature : _____

Date : *[day/month/year]* _____

ATTACHMENT 1: Behaviors constituting Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)

ATTACHMENT 1 TO THE CODE OF CONDUCT FORM

Behaviors Constituting Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)

The following non-exhaustive list is intended to illustrate types of prohibited behaviors:

- 1) Examples of sexual exploitation and abuse include, but are not limited to:
 - A Contractor's Personnel tells a member of the community that he/she can get them jobs related to the work site (e.g. cooking and cleaning) in exchange for sex.
 - A Contractor's Personnel that is connecting electricity input to households says that he can connect women headed households to the grid in exchange for sex.
 - A Contractor's Personnel rapes, or otherwise sexually assaults a member of the community.
 - A Contractor's Personnel denies a person access to the Site unless he/she performs a sexual favor.
 - A Contractor's Personnel tells a person applying for employment under the Contract that he/she will only hire him/her if he/she has sex with him/her.

- 2) Examples of sexual harassment in a work context
 - Contractor's Personnel comment on the appearance of another Contractor's Personnel (either positive or negative) and sexual desirability.
 - When a Contractor's Personnel complains about comments made by another Contractor's Personnel on his/her appearance, the other Contractor's Personnel comment that he/she is "asking for it" because of how he/she dresses.
 - Unwelcome touching of a Contractor's or Employer's Personnel by another Contractor's Personnel.
 - A Contractor's Personnel tells another Contractor's Personnel that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself.