



## GOVERNMENT OF ASSAM

**Assam Integrated River Basin Management Project (AIRBMP) – Phase I  
(Funded by the World Bank)**

Labour Management Procedures  
December' 2022



**Flood and River Erosion Management Agency of Assam (FREMAA)**  
Guwahati, Assam

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## Abbreviations and Acronyms

AIRBMP	Assam Integrated River Basin Management Project
ASDMA	Assam State Disaster Management Authority
CEO	Chief Executive Officer
C-ESMP	Contractor Environmental and Social Management Plan
CHS	Community Health and Safety
CLPRA	Child Labour (Prohibition and Regulation) Act
COVID	Corona virus Disease
CSP	Community Service Provider
DC	District Collector
DPR	Detailed Project Report
EBRD	European Bank for Reconstruction and Development
ESCP	Environmental and Social Commitment Plan
ESF	Environment and Social Framework
ESHS	Environment, Social, Health and Safety
ESIA	Environmental and Social Impact Assessment
ESS	Environment and Social Standard
FREMAA	Flood and River Erosion Management Agency
GBV	Gender Based Violence
GBV-SEAH	Gender Based Violence – Sexual Exploitation Abuse Harassment
GoA	Government of Assam
GoI	Government of India
GRM	Grievances Redress Mechanism
IFC	International Finance Corporation
LMP	Labour Management Procedure
NCRB	National Crime Records Bureau
NPSHEW	National Policy on Safety, Health and Environment at Workplace
OHS	Occupational Health and Safety
OHSMP	Occupational Health and Safety Management Plan
PIU	Project Implementation Unit
PMTC	Project Management Technical Consultancy
PMU	Project Management Unit
PPE	Personnel Protect Equipment
SDS	Social Development Specialist
SEP	Stakeholder Engagement Plan
SOP	Standard Operating Procedure
WB	The World Bank
WRD	Water Resources Department

## 1. Introduction

1. The State of Assam is strategically important as the largest and most populous State in the Northeast; it faces many of the challenges prevalent in other parts of the Northeast, but also holds tremendous potential for development through improved water resources management. Assam forms the physical and economic backbone of the region, connecting the other Northeastern States and joining them with the Siliguri corridor. Climate change is expected to exacerbate the water-related challenges in Assam. Climate modeling studies project an increase in the frequency of extreme flooding events for the period 2020-2059 due to higher monsoon precipitation over the Indus-Ganga-Brahmaputra river basins and accelerated glacial melting in the Himalayas and the Tibetan Plateau due to warmer temperatures.
2. The 2020 Brahmaputra floods that hit Assam between May and October impacted over 7 million people and forced more than 47,000 people into 564 relief camps<sup>1</sup>, raising fears of new COVID outbreak clusters. Floods can exacerbate COVID-19 transmission risks by interrupting preventive and essential health services such as water and sanitation, which already has poor coverage in this area. Disruptions in water supply due to floods make it more difficult for affected households to undertake basic hygiene practices such as hand washing. Building resilience to flooding and erosion risks and achieving water security in Assam takes on greater urgency in the current COVID-19 crisis. Given the currently weak starting base and complexities, the reality is that considerable time and a gradual approach to tackling these challenges will be needed.
3. The Government of Assam (GoA) has approached the World Bank to provide support through the proposed Assam Integrated River Basin Management Program (AIRBMP)<sup>2</sup>. The proposed program focuses on strengthening institutions, filling critical knowledge gaps, and implementing integrated solutions to tackle the current challenges of floods and erosion, amongst others, and to seize opportunities for climate-resilient growth and improved livelihoods. The proposed program is aligned with the Government of India's initiative to make more optimal use of water resources and mitigate water-related risks in the Northeast to catalyze economic growth in the region.

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<sup>1</sup> Flood report as on July 25, 2020, Assam State Disaster Management Authority website, [http://www.asdma.gov.in/pdf/flood\\_report/2020/Daily\\_Flood\\_Report\\_25.07.2020.pdf](http://www.asdma.gov.in/pdf/flood_report/2020/Daily_Flood_Report_25.07.2020.pdf), accessed on July 26, 2020.

<sup>2</sup>The **Scorpion**, Guwahati, Assam and **Center for Excellence in Management & Technology Pvt. Ltd.**, Hyderabad, Telangana supported in preparation of this LMP and this LMP is approved by FREMAA on 24 November 2022.

## 2. Project Description

4. The AIRBMP is envisioned as a three-phase Multiphase Programmatic Approach (MPA). The Project Development Objective (PDO) of phase 1 (This Project) is to “strengthen institutional capacity to improve integrated water resources planning and management and to build resilience to flood and erosion risks in Assam.” The description of the proposed project components are given below:

**Component 1: Institutional Strengthening and Strategic Studies.** This component focuses on institutional strengthening of WRD and ASDMA. Subcomponents include:

- Institutional strengthening of WRD
- Disaster Risk Management
- Project-wide Outreach and Technical Assistance

**Component 2: Water Resources Management.** This component will finance the structural and non-structural activities to reduce flood and river erosion risks in selected sub-basins and establish a foundation for IWRM. Subcomponents include:

- No-Regret Investments in Assam part of the Beki and Buridehing Sub-Basins and Emergency Works
- Integrated Water and Flood Management Planning in Selected Sub-Basins
- Flood Forecasting in Selected Sub-Basins
- Baseline Information and Levee Asset Management
- WRD Implementation Support

**Component 3: Disaster Risk Management:** This component strengthens Assam’s overall disaster risk management capacity.

- Climate Resilient Villages
- Flood Shelters
- Strengthening of Circle Disaster Management Committees
- Early Warning and Dissemination System
- ASDMA Implementation Support

**Component 4: Contingent Emergency Response Component:** This allows an immediate response to an Eligible Crisis or Emergency, as needed, from other components to partially cover emergency response and recovery costs. This component could also be used to channel additional funds should they become available because of the Emergency.

### 3. Labour Management Procedures - Purpose

5. The purpose of the Labour Management Procedure (LMP) is to identify the main labour requirements and related risks associated with the project and to determine the resources necessary to address project-related labour issues. The LMP aims to provide a clear understanding of what is required on a specific labour issue to different project-related parties, including staff of the PMU (FREMAA) and 2 PIUs (WRD and ASDMA), the Project Management and Technical Consultants (PMTTC), Consultants for Design and other Studies, the Contractors and their sub-contractors and other workers of the project, to have It sets out the approach to meet all national and state requirements as well as the World Bank's Environmental and Social Framework, specifically Environmental and Social Standard 2: Labour and Working Conditions

#### 3.1 Outline of Labour Requirements

6. AIRBMP will involve a)consultants (firms and individuals) to undertake various studies; b)contractors to undertake the construction of Anti-Erosion Works and River Bank Strengthening works such as Embankments, augmentation of existing flood shelters as well as the construction of new flood shelters and Technical Demonstration Units (TDUs)and Climate-Resilient Villages (CRVs) facilities, b) agencies for supply and installation of equipment and materials to support core-functions and various relief material for distribution to flood affected areas; and c) other implementation support partners such as line departments (PWD, PHED)for implementation. While the workers performing these activities would be mostly sourced from within the state, there would also be workers from other states in India.
7. As per ESS-2, the following categories of Project Workers will be required for the AIRBMP:
  - **Direct workers-** People engaged as staffs or consultants by the PMU (FREMAA)and PIUs (ASDMA and WRD) on its behalf to work specifically in relation to the Project; and consultancy firms contracted to conduct aforementioned studies during planning and implementation phase as well as implementation agencies such as RAP implementation NGOs, communication agencies etc. as needed during the project cycle;
  - **Contracted workers-**People employed or engaged by contractors to perform core construction activities,
  - **Primary Supply Workers-** The project will engage primary suppliers in context of ASDMA's activities. As per ASDMA, it will centrally procure relief materials (food items, medicines, drinking water etc.) and emergency equipment (life jackets, tarpaulins, ropes etc.) from these suppliers for onward distribution to the Circle Offices through the respective District Disaster Management Authorities.
  - **Community Workers-**Project shall engage community workers /volunteers for a short duration of 3-7 days, to help collect data for the preparation of the Village Disaster



Management Plan (VDMP) that would be prepared for the flood -affected villages and to be the members of Circle Disaster Management Teams (CQRTs).

### 3.2 Project Workers

8. The table below provides an estimate of project workers for the three phases of AIRBMP. These estimates are made based on the information available on likely interventions and investments.

Table1: Number of Project Workers

S. No.	Type of Project Workers	Requirement in Numbers
<b>1</b>	<b>Direct Workers with PMU and 2 PIUs</b>	
1.1	State PMU – FREEMA Staff (4+39=43) 4 Regular Staff and 39 Contract Staff	50
1.2	Implementation (WRD) (188 for Buridehing and 135 for Beki)	323
1.3	Implementation (ASDMA) 67 PIU Staff and 48 at 8 Districts involving flood shelters)	115
1.4	PWD Staff involved in the supervision of construction of flood shelters	25
1.5	Education department is involved in the maintenance of refurbished flood shelters	35
1.6	Hydro-Informatics Unit (to be established within WRD under Component 1.1)	20
<b>2</b>	<b>Contracted Workers</b>	
2.1	WRD <b>Buridehing</b> Construction Workers – 400 Persons comprising skilled, semi-skilled and unskilled workers. <b>Beki</b> Construction Workers –500Persons including skilled, semi-skilled and unskilled workers.	900
2.2	ASDMA including skilled, semi-skilled and unskilled workers	1000
2.3	Project Management and Supervision Consultants	20
2.4	Consultants for Project Preparation and other studies (e.g., DPR, ESIA, Institutional /Organization Studies, Baseline Studies, RAP implementation NGO, Communication agencies, etc.)	150
<b>3</b>	<b>Primary supply workers</b>	200
<b>4</b>	<b>Community Workers</b> Volunteers for data collection – 180 people Members of CQRT <sup>3</sup> s –832 (16 members in 52 CQRTs)	Approximately 1012
	<b>TOTAL</b>	<b>3,850</b>

<sup>3</sup> CQRTs are community members, who are paid incentives based on activities assigned to them as and when required; they are not contracted workers of ASDMA.

### 3.2.1 Characteristics

9. The Project Workers are grouped into the applicable categories as below:
1. Direct Workers
  2. Contracted Workers (Construction workers, PMTC consultants and Consultants for various studies)
  3. Primary Supply Workers
  4. Community Workers
10. **Direct Workers:** The Direct Workers will be the personnel (both regular staff and contracted staff) of PMU (FREMAA) and PIUs (WRD and ASDMA). These direct workers will be stationed at Project Management Unit (PMU) at Guwahati and at Project Implementation Units (PIUs) at the state and district level.

**Contracted Consultants:** The project requires different types of consultancy services for various stages of the project

- Preparation stage: These include preparation of DPRs, E&S surveys and studies, Institutional Strengthening Studies, Baseline studies, among others. PMU will contract different consultancy firms to undertake all such studies. The contracted consultancy firms for such studies are expected to deploy multidisciplinary consultants/professionals over the project preparation as well as implementation phase ranging between 18 to 36 months. These contracted consultants (workers) will be technically qualified with a minimum age of 18 years. The workers deployed by consultancy firms will be largely a mix of personnel from Assam and migrants from outside of Assam, meeting the work requirements.
  - Implementation stage: Project will contract a **Project Management and Technical Consultants (PMTC)** to assist PMU and PIUs preparation and supervision of civil works and other infrastructure construction supervision. These multidisciplinary consultants/professionals over the project implementation phase would be engaged initially for a period of 4 years during Phase 1. These workers will be technically qualified with a minimum age of 18 years. The workers deployed will be a mix of persons from Assam and other states. Also, PMU will contract RAP implementation NGOs to facilitate land acquisition, and R&R activities. Also communication agencies will be engaged for wide publicity of the projects;
11. **Contracted Workers:** This category comprises the following sub-categories of Contracted Workers:
- a. **Construction Workers:** The civil works under the project will require contractors to deploy contracted workers, comprising professionally qualified, multidisciplinary construction managers, skilled work supervisors and technicians, skilled and unskilled construction workers (labour). Among these, semi-skilled and unskilled workers or labour are likely to constitute nearly 90%, whereas skilled work supervisors and technicians constitute about 5% and multidisciplinary construction managers constitute less than 5%. While the majority of the unskilled workers are likely to be

from within Assam, the skilled and semi-skilled construction workers will be largely migrants, belonging to other districts from within Assam and some even outside of Assam. These workers may choose to stay at workforce camps set by the contractors. These workers will be normally sourced through registered labour contractors with a labour license as a standard operating practice. The age of the technically qualified and or skilled contract workers can range between a minimum of 18 years and maximum 60 years, whereas the age of unskilled workers can range between 18 to 50 years. Some of the managerial or supervisory level contract workers deployed by contractors, in exceptional cases, could have a maximum age of 65 years. About 5-10% of the unskilled workers are expected to be women.

12. **Primary Supply Workers:** Primary suppliers will be mostly agencies from within state of Assam with largely locally sourced workers. Tentative lists of Primary supply items sourced by ASDMA are referred to as Annexure 4.
13. **Community Workers**—These would be volunteers sourced from the local communities/villages to help collect data for the preparation of Village Disaster Management Plans (VDMPs) and participate in Circle Quick response Teams (CQRTs). These CQRTs and the related expenditure are approved by State Executive Committee’s (SEC) 44<sup>th</sup> meeting<sup>4</sup>. The CQRT members will be assigned duties for about 3 hours per day for a maximum of 25 days; thus totaling to a maximum of 75 hours per month. These volunteering services for a maximum of 75 hours are paid with a maximum incentive of Rs. 3000/- per month per volunteer. The incentive amount to be paid will be based on the activities carried out and rate earmarked for the activities, subject to a maximum of Rs. 3000 per month.

### 3.2.2 Duration and Timing of Labour requirements-

14. Most Direct Project workers would continue throughout the project implementation period, with some intermittent contracted consultants. Project execution activities under Component 2 and Component 3 (some activities on pilot-basis) and Component 4 for Phase 1 are expected to start during the first quarter of the first year of the project. The table below shows the anticipated deployment, location, and duration of project workers. Phase 1 works will be implemented over 4 to 5 years.

Table 2: Anticipated Deployment and Location of Project Workers

S. No.	Type	Number	Locations	Duration	Skill Level
1	Direct Workers	50	PMU at Guwahati	Throughout Project Period	Executive and Supervisory /Managerial level

<sup>4</sup>

[https://asdma.assam.gov.in/sites/default/files/swf\\_utility\\_folder/departments/asdma\\_revenue\\_uneecopscloud\\_com\\_oid\\_70/menu/document/44th\\_sec\\_meeting.pdf](https://asdma.assam.gov.in/sites/default/files/swf_utility_folder/departments/asdma_revenue_uneecopscloud_com_oid_70/menu/document/44th_sec_meeting.pdf)

		323 - WRD 115 – ASDMA 20 – HIU, 25- PWD, 35 – Education Dept. (Total 518)	PIU at Guwahati with offices in districts	Throughout Project Period	Executive and Supervisory /Managerial level
2	<b>Contracted Workers</b>				
a)	Construction Workers	900– WRD 1000 – ASDMA (Total 1900)	Construction locations/ and construction or upgradation of shelters across 8 districts	5-years	Varied (Executive and Supervisory/Man agerial, skilled, semi-skilled and unskilled labour)
b)	Project Management and Technical Support Consultants	20	At the district level based on locations	5-years	Executive and Supervisory / Subject specialists
c)	Consultants for Project Preparation and other studies (e.g. DPR, ESIA, Institutional Strengthening/Org anization Studies, Baseline studies, etc)	150	PMU at Guwahati, districts within State and at respective Consultants corporate office, elsewhere	5-years	Executive Supervisor / Managerial and Subject specialists
3	Primary Supply workers	200		Project Period	Executive Supervisor / Managerial and Subject specialists
4	Community Workers	1012	These CQRT members are primarily located at the respective revenue circles of the project Districts. Volunteers sourced from the local communities/villages.	About 1 week (Year 1-3) About 1 month (During flood seasons)	Volunteers  CQRT
	<b>Total Workers</b>	3,850			

### 3.3 Information on Contracted Workers

- PMU, through its PIUs will maintain information on engagement of contracted workers of all categories. The contractors will be contractually obligated to maintain updated information on all categories of contracted workers, especially migrant construction workers and periodically share the same with respective PIUs, which in turn will be available with the PMU. The format for submitting information on all contracted workers

will be finalized during mobilization phase of the contractors (**See Annexure for indicative format**).The contractor will be obligated to consider the following from COVID-19 considerations.

- **Sensitization of all contracted workers** about COVID-19, and precautions to be taken like social distance of minimum 1.5 meter during all work situations, use of face masks or cotton cloth, maintaining safe distance, use of sanitizers and frequent washing of hands, avoid spitting in public, maintain hygiene, reporting of flu like illness symptoms, avoid use of chewing gum, tobacco in all forms, and creation of isolation/quarantine rooms, for any workers showing COVID symptoms, until shifting to hospitals, among others
- **Minimize movement in and out of site:** consider extending term of existing contracts, to avoid workers returning home to affected areas, or returning to site from affected areas
- **Minimize contact with people near the site** including in certain cases prohibit from leaving the site for the duration of their contract, so that contact with local communities is avoided to extent possible. Move workers to site accommodation (subject to availability) where they would be subject to the same restrictions.

## 4. Key Potential Labour Risks Assessment

### 4.1 Project Activities

The project civil works will entail:

#### 16. For Water Resources Management (Component-2):

- Upgradation of flood embankments
- Site clearance activities include clearing and grubbing.
- Establishing of material stack yard, concrete batch mix plants, and workforce camps as per requirements.
- Development of borrow areas
- Procurement of construction materials, stacking and transportation to work sites.
- River bank protection works
- Construction of revetments, geo-bagging, stabilizing slopes, and other works.
- Launching of geobags and porcupines for erosion control
- Utility connections such as power, water, sewerage, drainage, roads, etc. for relocation sites, if required.
- Collection, transportation and disposal of all construction debris at approved locations.
- Restoration of borrow areas, campsites, material stack yard, concrete batch mix plants, workforce camps, as per agreed upon restoration plan.
- Equipment installation

#### 17. For ASMDA Disaster Risk Management (Component-3):

- Retrofitting and augmentation of flood shelters (existing schools) involving repair of schools, structural strengthening, and building of toilets and kitchens and construction of new flood shelters incorporating the disaster resilient infrastructures as well as design suitable for the vulnerable people (elderly, women, differently abled, children etc.)
- Site clearance activities including clearing and grubbing
- Procurement of construction materials, stacking and transportation to work sites.
- Plastering, whitewashing and painting.
- Collection, transportation and disposal of all construction debris at approved locations.
- Fittings and Furnishings
- Equipment installation
- Construction of swimming pool and 2 barracks for civil defence training institute (for the training of disaster-response teams).
- Installation of a sanitary vending machine with a disposal facility.
- Community based activities such as raising hand pumps and toilets and resilient housing and public infrastructure works
- TDUs and CRV facilities

## 4.2 Key Labour Risks

18. Following are the potential risks associated with workers/labours engaged in construction works.
- a) *Child and Forced Labour*. The problem of child labour is very common in the entire state of Assam. Since the state of Assam is predominantly agrarian; the children help their parents in the fields and farms and hence are mainly concentrated in agricultural activities.
  - b) *Migrant and Seasonal Labour*. The project may attract labours from the other districts of Assam.
  - c) *Hazardous Work*. The project would involve working with heavy machinery, working on the water and under water, etc.
  - d) *Occupational health and safety*. Given the nature of these works, risk relating to occupational health and safety requirements will be significant
  - e) *Sexual exploitation and abuse/sexual harassment*. Given the nature of activities involving the participation of women in works and works in proximity to habitations, there could be risk of gender-based violence, sexual abuse, ill-treatment and exploitation.
  - f) *Labour influx*- Though labour influx is likely to be moderate, these would entail the following risks:
    - 1. Unclear terms and conditions of employment (particularly for unskilled construction workers/labour)
    - 2. Denial for workers' rights to form workers organizations, etc. (particularly for unskilled construction workers/labour)
    - 3. Absence of a grievance mechanism for labour to seek redressal of their grievances/issues
    - 4. Health risks of labour relating to Covid-19, HIV/AIDS and other sexually transmitted diseases.
19. Management of labour risk risks, OHS risks and related issues arising during construction will be the contractors' responsibility.
20. The OHS and CHS requirements under AIRBMP will be specified and incorporated as special conditions and performance requirements in all bid documents of contract packages. Cost provisions for implementing OHS& CHS requirements will be built into the item rates, so that contractor can perform requirements fairly and objectively. In addition, 2% of contract amount will be earmarked as OHS& CHS performance security in the bidding documents. The section on Responsible Staff and Contractor Management provides more details.

## 4.3 COVID -19

21. In respect of Covid-19, the influx of migrant workers will require additional considerations. Migrant workers could become vectors for transmission of COVID-19 to other workers in construction project sites and nearby communities. The GoA has notified Standard Operating Procedures (SOPs)/ for COVID-19. Similarly, the Central

Public Works Department (CPWD) of the Government of India also has notified COVID-19 SOPs/ Guidelines at Construction works Sites. Also applicable is the World Bank's ESF/Safeguards Interim Note: COVID-19 considerations in construction/civil works projects dated April 7, 2020 (See Annexure) FREMAA, WRD and ASDMA will ensure the contractor strictly adhere to these GoA and Gol COVID -19

22. SOPs at all construction sites, which will cover pre-employment health checks, including testing for COVID symptoms at approved hospitals, sensitization of all migrant workers about COVID-19, precautions like maintaining social distance of a minimum 1.5 meter at work sites as well as at workforce camps, covering of face with masks/cotton cloths, use of sanitizers, frequent washing of hands, avoid spitting in public, maintain hygiene, reporting of flu-like-illness symptoms, avoid use of chewing gum, tobacco in all forms, creation of isolation/quarantine rooms for any workers reporting/showing COVID symptoms until shifting to designated COVID hospitals, controlling entry and exit from site/workplace; use of non-contact thermal scanners at entry/worker reporting points, reviewing accommodation arrangements maintain social distancing norms, providing adequate and appropriate forms of personal protective equipment (PPE) among others as part of the Contractor's ESMP. In case of any workers reporting COVID symptoms, the contractor will arrange to immediately shift such workers to temporary isolation rooms at workforce camps, until they are shifted to designated COVID care hospitals at respective district level. FREMAA and concerned Departments will ensure contractor is obligated to implement all applicable SOPs for COVID at work sites, as part of the approval process of Contractor's OHSMP and C-ESMP for works under the project.



## 5. Overview of Labour Legislation: Terms and Conditions

### 5.1 Regulatory Framework

23. India is currently in the process of consolidating all labour laws into four comprehensive Labour Codes which regulate: (i) Wages, (ii) Industrial Relations, (iii) Social Security, and (iv) Occupational Safety, Health and Working Conditions. These Codes have been passed by Parliament and have received Presidential Assent. Draft National Rules for operationalising the Codes have been circulated for comments but have not been passed yet. Since labour falls under the Concurrent list, both, the central and state governments are empowered to legislate on the subject. This means that Assam could enact Rules to operationalise the Codes, but the state is yet to frame the Rules and notify them. Thus, for implementation of these Codes, Rules under these must be notified by central as well as the GoA for enforcing these in the state; until such time, the existing labour laws will be applicable.
24. Chapter 6 summarizes the present national and state labour legislation and international conventions with reference to terms and conditions of work, compensation and benefits as applicable for this project.
25. Based on the above regulations the contracts issued to the workers by contractors should mention the following:
  1. Name of Worker, Address, Contact Details
  2. Age, Gender
  3. Category of Worker and Trade
  4. Duration of Contract
  5. Terms of the Employment
  6. Remuneration, Wages to be paid, Overtime rates, Other Allowances to be paid, Deductions
  7. Working Hours and Holidays
  8. Accommodation and other facilities
  9. Sickness and Disability provision
  10. Insurance applicable
  11. Termination, Notice Period, Compensation and Benefits
  12. Code of Conduct to be followed and Restrictive obligations
  13. GRM available, Choice of law and jurisdiction
  14. Confidentiality

## 6. Overview of Labour Legislation: Occupational Safety and Health

### 6.1 National Policy on Safety, Health and Environment at Workplace (NPSHEW), 2009

26. The GoI's National Policy seeks continuous improvement in Occupational Safety, Health and Working Conditions at workplaces. The policy objectives are to achieve: -(a) Reduction in incidence of work-related injuries, fatalities, diseases, disasters, and loss of national assets; (b) Comprehensive data base for facilitating better performance and monitoring; (c) Enhancement of community awareness regarding safety, health and environment at workplace related areas; (d) Continually increasing community expectation of workplace health and safety standards and (e) Improving safety, health and environment at the workplace by creation of "green jobs" contributing to sustainable enterprise development.

### 6.2 Code on Occupational Safety, Health and Working Conditions, 2020

27. The Government of India, through the Ministry of Labour and Employment has prepared a Code on Occupational Safety, Health and Working Conditions, 2020 by amalgamating 13 existing labour laws/acts, including The Contract Labour (Regulation and Abolition) Act, 1970, The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. The OSH Code includes provisions on safety and health and working conditions, provisions of PPEs, and protocols for reporting accidents, awareness and toolbox meetings/guidance sessions to prevent accidents at workplace, welfare provisions for employees at work sites, leave provisions and hours of work.
28. In the case of contract workers, the Code will apply to establishments or contractors employing fifty or more contract workers (on any day in the last one year) as opposed to twenty (as given in the earlier Act). In the case of interstate migrant workers, Code will apply to establishments or contractors employing ten or more inter-state migrant workers as opposed to five (as given in the earlier Act). The Code also provides certain benefits for inter-state migrant workers. These include: (i) option to avail the benefits of the public distribution system either in the native state or the state of employment, (ii) availability of benefits available under the building and other construction cess fund in the state of employment, and (iii) insurance and provident fund benefits available to other workers in the same establishment. **The Assam Rules for the Code are yet to be drafted and notified to make this Code operational.**

### 6.3 The Building and Other Construction Workers' (Regulation and Employment and Condition of Services) Rules Assam, 2007

29. The Central Building and Other Construction Workers' Act, 1996 and The Building and Other Construction Workers Rules Assam, 2007, mandate the employer to ensure safety at work sites through use of appropriate safe practices for working, provision and use of safety gear, provision of PPEs, housing accommodation with facility for bathing, washing, periodic health checks, drinking water facilities and sanitation facilities at work sites,

canteen for workers, siting criteria for establishing canteen, separate toilets for males and females, first aid facility at camps sites and work sites, day creche facilities, among others. The Contractors will register all unskilled workers under this act to access various benefits from the Government. The contractors will pay the subscription for registration of workers. PIUs will include this in the bid documents as well.

#### 6.4 Guidelines/SOPs related to Covid-19

30. In respect of COVID situation, the following SOPs/key guidelines and orders issued by Central Public Works Department, Government of India and as well as the guidelines/SOPs issued by the Government of Assam will be applicable to AIRBMP.

Table 3: Applicable Guidelines and Orders relating to COVID

S. No	Govt of India Guidelines/ SOPs of Government of Assam	Stipulations /Terms and Conditions
1	Standard Operating Procedures (SOPs) and Guidelines for Construction Sites for COVID-19 Outbreak issued by Central Public Works Department, Government of India, May 2020	Guidelines cover aspects relating to safety measures for workers, machineries, tools, and Emergency protocol in case of detection of symptoms of COVID 19 to be observed by Project Manager of Contractor
2	State Government orders	Order giving instructions relating to attendance, thermal scanning, no-deduction of wage; holding of meetings; frequent sanitation of workspaces, etc.

31. References are made to applicable international conventions and directives for addressing health and safety issues relevant to COVID-19.

#### 6.5 Enforcement Agencies

32. At state level, Commissioner, Labour Welfare will be responsible for enforcing both labour and OHS legislatives. And at district level Assistant Labour Commissioners are responsible for enforcing both labour and OHS legislations. Labour inspector from the Department of Labour Welfare may visit and the inspect site to enforce legal provisions related to conditions of work and protection of workers, and supply technical information to comply with these provisions, and to bring the same to the notice of the Competent Authority any defects or non-compliance with these provisions specifically not covered by the contractors. The contractors will submit the half yearly compliance reports to Assistant Labour Commissioner at District Labour Welfare Office.
33. Notices showing the rates of wages, hours of work, wage periods, dates of payment of wages, names and addresses of the Labour Inspectors having jurisdiction, and date of payment of unpaid wages, shall be displayed in English and in Hindi and in the local language understood by the majority of the workers in conspicuous places at the establishment and the work-site by the principal employer or the contractor, as the case may be. These will also form part of the Terms of Contract to be issued to every worker.

## **7. Responsible Staff**

Staff of the following agencies shall be responsible for the following activities-

34. 1. FREMAA- FREMAA has set up a PMU at its headquarters in Guwahati, headed by the Chief Executive Officer (CEO). The Deputy CEO PMU will hold the overall responsibility for implementation, monitoring and reporting of the LMP covering project workers, contract workers, and the primary supply workers (when applicable). The Deputy CEO will be responsible for providing guidance and advice to the key focal persons for social and environmental management in the PMU, in overseeing the implementation of the LMP and compliance with LMP provisions. The PMU will also engage a Project Management and Technical Consulting firm (PMTTC) with expertise in environmental, social, occupational health and safety issues throughout the project period.
35. The Environment and Social Experts at the PMU will hold monthly meetings to take stock of the implementation of LMP through the field staff and report on its implementation. These experts will be preparing the necessary training modules and organizing training programs for the district and field staff as well as the contractors on the implementation of the LMP. These Experts will work closely with the Environmental and Social Experts at WRD and ASDMA.
36. WRD- Water Resources Department will be responsible for implementing the LMP at the divisional level. WRD has divisional/ sub-divisional offices in the project districts. Experts from PIU will closely work with the divisional officers/ nominated E&S officers in implementing the LMP under their contracts. The divisional officers/ E&S officers at the PIU will hold the day-to-day operational responsibility for implementing the LMP through the field staff and report on its implementation.
37. ASDMA- the Environment and Social specialists at ASDMA will monitor and supervise the implementation of LMP in the project districts along with the PWD-B. The reports compiled shall be shared with the respective PMU on a monthly basis. The contractors will be supported to comply with the provisions of LMP, through the site visits, orientation and training events on a regular basis. The flood shelter design and supervision consultancy agency contracted by ASDMA will look after the LMP at the implementation level of the project districts and report to the safeguard specialist of PIU on a monthly basis.

## 8. Engagement and management of Project workers-

38. All direct workers engaged at PMU and PIUs level will be managed by and overseen by the respective heads of the PMU and PIUs with the support of environmental and social specialists in the PMU. The PMU will be responsible for the overall implementation and oversight of the LMP. The Deputy CEO will be supported by the District PIUs of WRD and ASDMA. The District Offices of WRD and ASDMA will be responsible for organizing the training of workers and workers grievance management.
39. At the district level, the PMU will be supported by the WRD and ASDMA district offices in charge of implementation. The WRD and ASDMA will be responsible for the engagement and management of contractors and sub-contractors during the construction/upgradation works under the project. The concerned Department will designate/depute personnel (Executive Engineer) responsible for tracking and resolving workers' grievances.
40. At the field level, every contractor will be mandated to depute personnel responsible for workers' health, safety and welfare at the construction site. The OHS measures will be stipulated in the site-specific ESMP and subsequently in the Contractor's ESMP (C-ESMP). The focal persons responsible for environmental and social management under the AIRBMP, along with Project Management and Technical Consultant, will coordinate and enforce effective implementation of measures approved in C-ESMP.
41. The contractor's approved C-ESMP will be reviewed periodically (but not more than every three (3) months) and updated by the contractor's personnel in charge of OHS to address changed requirements if any, during project implementation.

Table 4: Engagement and Management of Project Workers and key LMP provisions

Category of Project Workers	Project Workers by role	Responsible Staff of Department	Key actions
<b>Direct Workers</b>	Direct Workers will be the personnel (both regular staff and contracted staff) of PMU (FREMAA) and PIUs (WRD and ASDMA)	Deputy CEO, FREMAA, CEO ASDMA and Chief Engineer WRD	<ol style="list-style-type: none"> <li>1. Ensuring that all employees are above the age of 18 years.</li> <li>2. Under no circumstance children under 14 years of age will be engaged for any kind of work, which is a prohibited activity as per GOI norms.</li> <li>3. The Direct workers, engaged by Government officers, whose salary and other emoluments will be in conformity to the Assam State Civil Rules</li> <li>4. The project will also engage consultants for work related to core functions of the project. The individual consultants, if hired directly by the project, will be governed by the policies of Government of Assam/India and in the case of any firm, the consultants will be governed by the policy</li> </ol>

Category of Project Workers	Project Workers by role	Responsible Staff of Department	Key actions
			<p>of the firm.</p> <p>5. Any gap identified subsequently will be addressed in line with ESS 2.</p> <p>6. WRD and ASDMA officials will adhere to LMP requirements of OHS&amp;CHS and forced labour</p>
<p><b>Contracted Workers</b></p>	<p>Construction Workers</p>	<p>CE, WRD CEO, ASDMA DyCEO FREEMA</p>	<p>Under no circumstances the contractors (including sub-contractors) working under the project will engage in child labour and forced labour (all forms), including bonded labour (working against an impossible debt), excessive restrictions for freedom of movement, or in coordinately long notice periods. This will be ensured through</p> <p>i) inclusion of CoC (Code of Conduct) in the contract documents;</p> <p>ii) OHS&amp; CHS performance requirements on handling workers and community. Establishing grievance mechanism for workers and community</p> <p>There would be written contracts for each worker</p> <p>The wages will be paid directly and payment of wages to Labor contractors will be avoided.</p>
	<p>Design and Supervision Consultants &amp; PMTC</p>		<p>Consultants engaged exclusively for the project will be governed by the following provisions:</p>
	<p>Consultants for Project Preparation and other studies (e.g. DPR, ESIA, Institutional Strengthening/Organization Studies, Baseline studies, RAP implementation, communication etc.)</p>		<ol style="list-style-type: none"> <li>1. Ensuring that all employees are above the age of 18 years.</li> <li>2. Under no circumstances children less than 14 years of age will be engaged for any kind of work and is a prohibited activity as per GOI norms.</li> <li>3. The consultants will be governed by the policy of the firm.</li> </ol> <p>Any gap identified between the firm's policy and the requirements of ESS 2 will be addressed in line with ESS 2.</p>
<p><b>Primary Supply workers</b></p>	<p>Workers involved with primary suppliers and involved in providing goods and services for the core functions of the project</p>	<p>CEO ASDMA</p>	<ol style="list-style-type: none"> <li>1. Under no circumstances, the primary suppliers and their workers working under the project will engage child labour and forced labour (all forms) including bonded labour (working against an impossible debt), excessive restrictions for freedom of movement, inordinately long notice</li> </ol>

Category of Project Workers	Project Workers by role	Responsible Staff of Department	Key actions
			<p>periods</p> <p>2. In case there are significant risk of serious safety issues related to primary supply workers, introduce procedures and mitigation measures to address such safety issues through</p> <p>i) inclusion of CoC (Code of Conduct) in the contract documents;</p> <p>ii) OHS performance requirements on handling workers</p> <p>iii) Establishing grievance mechanism for workers</p> <p>iv) Other site-specific measures</p>
<b>Community Workers</b>	Volunteers providing services for data collection for a very short duration (4-5 days) and participate in and participate in Circle Quick response Teams	CEO ASDMA	<p>1. Under no circumstances, the project will engage child labour and forced labour (all forms) including bonded labour(working against an impossible debt),</p> <p>2. Clearly list the terms and conditions on which community labor will be engaged, including the amount and method of payment in the written agreement for each worker, in case payment is involved.</p> <p>3. Inform the OHS measures will be to address: (a) potential hazards to project workers, (b) provision of preventive and protective measures, (c) training of project workers and maintenance of training records; (e) emergency prevention and preparedness and response arrangements to emergency situations; and</p> <p>4. Specify the manner in which community workers can raise grievances in relation to the project.</p>

### 8.1 Occupational Health and Safety (OHS)

42. The current existing civil works contracts include relevant OHS& CHS provisions. These include provisions to employ competent persons for key tasks and implement Permit to Work system. The contractor's approved C-ESMP will be reviewed periodically (but not more than every three (3) months) and updated promptly to address changed requirements, if any, during project implementation.

43. The significance of OHS and CHS concern for workers and community would increase due to many factors that may be due to site conditions, workers or communities' awareness to OHS & CHS preventive/protective measures, provisions in contract, lack of supervision and monitoring and effective enforcement by implementing agency. The likely OHS& CHS challenges and scenarios during the implementation of project are provided in **Table 7** below.

Table 5: Potential OHS Risks, Sources/Causes during Project Activities

Potential OHS Risk	Sources/causes
Fall, Slips (Men and Material)	<ul style="list-style-type: none"> <li>▪ Earthwork excavation</li> <li>▪ Scaffolding</li> <li>▪ Slips (Watery/ Sandy surfaces due to rain and transportation of materials)</li> <li>▪ Material fall</li> </ul>
Health injuries	<ul style="list-style-type: none"> <li>▪ Concrete Batching Plant, Trucks, Loaders, Cranes, etc.</li> <li>▪ Inadequate/poor accommodation, waste management, basic amenities, and hygiene</li> </ul>
Bulk spillage	<ul style="list-style-type: none"> <li>▪ Hazardous substance / inflammable liquid storage</li> <li>▪ Vehicular movement</li> </ul>
Fire and explosion	<ul style="list-style-type: none"> <li>▪ Inflammable Storage Areas</li> <li>▪ Gas Cylinder Storage Areas</li> <li>▪ Electrical Circuits</li> <li>▪ Welding / Gas Cutting Activity</li> <li>▪ Inappropriate handling of Oxy Acetylene gas cylinders (LPG/DA)</li> </ul>
Electrical Shock	<ul style="list-style-type: none"> <li>▪ Electrically Operated Machines / Equipment / Hand Tools / Electrical Cables</li> </ul>
Gaseous Leakage	<ul style="list-style-type: none"> <li>▪ Gas Cylinder Storage Areas</li> <li>▪ Gas Cylinder used in Gas Cutting / Welding Purposes</li> </ul>
Accidents due to use of heavy machinery and vehicle movement Vehicles	<ul style="list-style-type: none"> <li>▪ Loader, Cranes, Trucks</li> <li>▪ Workman Transport Vehicles (cars / scooters / motorcycles / cycles)</li> <li>▪ Collapse, toppling or collision of transport equipment</li> </ul>
Drowning	<ul style="list-style-type: none"> <li>▪ Launching of geobags through boats</li> </ul>
Other Hazards	<ul style="list-style-type: none"> <li>▪ Cuts &amp; Wounds</li> <li>▪ Confined Space (under &amp; inside machinery etc.)</li> <li>▪ Hot Burns</li> </ul>
Accidents and injuries	<ul style="list-style-type: none"> <li>▪ Unprotected work sites, material storage or stockpile locations</li> </ul>



Potential OHS Risk	Sources/causes
COVID-19 Risks	<ul style="list-style-type: none"> <li>▪ Induction of a new batch of migrant workers, possibly some of them could be symptomatic or asymptomatic COVID-19 carrier(s)</li> <li>▪ Migrant workers returning to work after visiting native places and/or hometowns, possibly asymptomatic COVID-19 carriers and could have got infected either on way home or on the way back to project site</li> <li>▪ Any worker who could have got infected from the local community during visit to local market areas for purchase of some daily-needs</li> <li>▪ Contracted workers that are mobile and residing in communities with COVID-19 cases</li> <li>▪ Location of work site at COVID-19 affected area with potential for interaction between project workers and infected person(s).</li> <li>▪ Contact with contaminated objects</li> </ul>

44. The OHS of workers and related issues arising during construction works will be under direct control of contractors, who will be responsible and liable for safety of site equipment, labours and daily workers attending to the construction site, including safety of community members. The requirement for the preparation of an OHS management plan by Contractor, as part of C-ESMP will be integrated into contract documents and is one of PMU, FREMAA, and GoA (borrowers) commitment in the ESCP. Further, the Contractor shall be obligated to include COVID-19 Response and Management measures in OHS management plan that will be part of the C-ESMP submitted for PIU/ PMU approval.
45. In order to manage the OHS risks, the contractor is required to prepare an OHS management plan, Water and Waste Management Plan, Labour Influx management Plan, Workers camp management plan, CHS Plan, Transport (or road safety) management Plan, Quarry/borrow area management plan, establishment of GRM for labour and Site restoration Plan among others in accordance with the GoI and/or IFC/WB/EBRD workers Accommodation guidelines. All such plans prepared by contractor will be part of Contractor ESMP (C-Environmental and Social Management Plan) that will be reviewed and approved by the PMTC and concerned Department, PIU, prior to commencement of construction works. The approved C-ESMP will be reviewed periodically (but not more than every three (3) months) and updated in a timely manner, to address changed requirements, if any during project implementation.
46. The implementation of C-ESMP and meeting the OHS& CHS performance requirements by the contractor will be overseen and managed by the concerned PIU through the PMTC. The mandate, institutional arrangements, roles of responsibilities of PMTC are included in ESMF and will further reviewed and adopted, while establishing the district offices of PIUs by the PMU.
47. Under no circumstances, the contractors (including sub-contractors) working under AIRBMP will engage forced labour(all forms) including bonded labour (working against an impossible debt), excessive restrictions for freedom of movement, inordinately long notice periods, forceful keeping/ retaining worker's identity or any government issued documents or personal belongings, imposition of recruitment fee or commission payable

either directly or indirectly at the commencement of employment, loss or delay of wages that impede the workers' right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other bouncers to force or extract work from project workers, or other restrictions that compel a project worker to work on a non-voluntary basis. This will be ensured through a) inclusion of workers' code of conduct in the contract documents; b) OHS& CHS performance requirements, which include code of conduct on handling workers and c) regular monitoring and reporting by the PMTC under concerned PIU and overall guidance and directions of PMU. The contractor's OHS management plan (OHSMP) will have following specific content.

#### 8.1.1 Occupational Health and Safety Monitoring

48. OHSMP will define frequency of periodic monitoring for assessing its implementation effectiveness. Monitoring analysis will include calculating accident and fatality rate as well. Parameters of monitoring including health surveillance will form part of monitoring program.

#### 8.1.2 Communication and Consultation (Workers & community)

49. Awareness, consultation, and communication are very effective tool for incident prevention and panic avoidance in an emergency situation. OHSMP will define program for community consultation and communication and worker's training/awareness program. It will also list safety and health communication with key stakeholders. OHSMP will also define extent of safety signage that will be displayed at workplace and project areas.

#### 8.1.3 Training and Records

50. Training is an integrated and essential component of effective OHSMP implementation. OHSMP will define the program of overall OHS and safety induction including site specific induction, driving safety and refreshing training. All training records as well as records relating to incident analysis, OHS monitoring, emergency preparedness plan with emergency contact numbers, Mock drill/emergency preparedness exercise and Corrective preventive actions undertaken thereof will be maintained.

#### 8.1.4 Reporting

51. Contractor will share the OHSMP monthly monitoring reports with PIUs and concerned Department respective Project site. PMU will share these with WB on quarterly basis. Any fatal accident will be reported to PMU and WB with its investigation report within 48 hours of its occurrence. Reporting of fatal accident will also be made to concerned state Government authorities. Corrective and preventive action compliance will be reported in the subsequent quarterly monitoring report.

### 8.2 **Training of Workers**

52. The OHS plan C-ESMP, submitted by the contractor and approved by PIU/ PMU, prior to commencement of construction activities will have procedures and protocols for the training of workers at various stages as hereunder:
- Induction training of new workers on OHS
  - Toolbox meet/briefings by work supervisors on daily basis, sensitization of workers about safety procedures at work for the day
  - Briefing on safety at work procedures, prior to commencement of any new activity/tasks
  - Periodic tail gate sessions to review and refresh site protocols on safety procedures at work
  - Response and reporting in case of injuries and/or incidents related to safety at work
  - Periodic health check-ups and encourage to report occupational health issues
  - Create awareness and report unsafe incidents at work, injuries including minor ones
  - Awareness and mock drills about emergency response plan at worksite and reporting protocols
  - Awareness and briefing on community health and safety, while at work
  - Awareness and briefing on appropriate GRM procedures
  - Mandatory use of PPEs at work and replacement of PPEs
  - Awareness on GBV and SEAH response, and workers' code of conduct
  - Awareness on Covid-19 protocols, prevention of HIV/AIDs and other sexually transmitted diseases.
53. The contractors will be encouraged to deploy personnel responsible for workers' health, safety and welfare, who have undergone professional training or certified courses in OHS at workplaces from accredited institutions.

### 8.3 Addressing Worker's Grievances

54. Contractors of ongoing civil works have established and functioning internal HR/Admin systems that look into grievances of employees and these shall continue. Contractor of respective construction packages (each contract) will be obligated to set up/continue a GRM, especially to redress complaints relating to workers deployed for construction works. The GRM will have due representation PIU, Contractor, Workers and women (either from PMU office/contractor/workers) and function under PMU office. The mandate for PMU, Institutional arrangements, procedure for receiving complaints, time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be finalized during the approval of C-ESMP by PMU office. WRD will have an oversight of this labour GRM. The GRM for the Workers will be set up during mobilization phase of the contractor. The GRM will also be designed to address labor-related SEA/SH.

## 9. Policies and Procedures

55. Policies and Procedures are listed under the following sub-headings: i) Incidents and Accident related; ii) Labour influx and GBV/SEAH related; iii) Occupational Health and Safety related and iv) COVID-19 considerations.

### 9.1 Incidents and Accident Notifications

56. The contractor will promptly notify to the PIU within 24 hours any incident or accident related or having an impact on the Project which has, or is likely to have, a significant adverse effect on the environment, tangible cultural heritage, the affected communities, the public or workers. They will provide sufficient detail regarding the incident or accident, indicating immediate measures taken to address it, and including information provided by any contractor and supervising entity. Further, the PIU will appraise this to PMU and the World Bank.

### 9.2 Labour Influx and GBV/ SEAH

57. Project interventions related to construction/upgradation works will involve construction contracts, which will be for a medium duration (say 18 to 24 months). Thus, labor influx is expected as most of the skilled labour is expected to come from other districts of Assam. Project will be utilizing largely contracted workers who will be employed through local contractors. It is estimated that about 60% of the workers will be hired locally. For the package 1 investments at Buridehing and Beki, it is estimated that about 40 to 100 workers will be engaged in each contract work, and thus the estimated labour influx for each contract work is expected to be about 16 to 40. Hence the labour risks associated with the contract work is expected to moderate.
58. Contractors will maintain the information of all workers as per for the template provided in Annexure 1. Further, contractors will lay down a Code of Conduct (CoC) for the workers to adhere in order to maintain harmonious relations with local communities. The CoC commits all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable standards of behaviour. A model Code of Conduct has been provided in Annexes 2 and 33, respectively for workers and the contractor's firm. The CoC will include sanctions for non-compliance, including non-compliance with specific policies related to gender-based violence, sexual exploitation and sexual harassment (e.g., termination). The CoC will be written in plain language and signed by each worker to indicate that they have:
- received a copy of the CoC as part of their contract;
  - CoC has been explained to them as part of induction process;
  - acknowledged that adherence to CoC is a mandatory condition of employment;
  - understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.
59. To mitigate potential risks related to on-site safety and GBV/SEAH, the contractor will undertake actions as given in **Table 8** below:

Table 6: Actions for Contractor for On-site Safety and GBV/SEAH Risk Mitigation

S.No.	Action	Timelines
1	Separate, safe and easily accessible facilities for women and men in the place of work and the labour camps. (e.g., toilets should be located in separate areas, well-lit)	Throughout construction period
2	Display signs that the project site is an area where SEAH is prohibited.	Throughout construction period
3	Ensure Codes of Conduct are clearly understood and signed by those with a physical presence at the project site;	Upon joining
4	Train project staff, contractors, and contracted workers on the behaviour obligations under the CoCs and disseminate CoCs (including visual illustrations) and discuss with employees and local communities, and orientation and training on GBV.	Periodic; every six months
5	A GRM will be designed and established to address labor-related SEAH	Before engaging Project workers and thereafter maintain and operate throughout Project implementation

### 9.3 Hazard Identification and Risk Management

60. **Hazard Identification:** For effective prevention of incidents and safety of workers and community, it is essential first to identify all potential hazards and risks associated with construction activities, material handling, movement/use of heavy machinery, handling of hazardous substance (like fuel, oil and paints, gas cylinders use which are flammable in nature), electrical work and unforeseen events like COVID-19 pandemic.

61. Hazards like fire and exposure to dust etc., which can affect community, will be identified and measures defined for community awareness and protection.

62. **Hazard Risk Management:** Hazards identification will be followed with pre-defined measures for its effective management for the protection of workers and community. It will cover the following

- **Work Zone Classification:** Classify the work zone depending on risk intensity into low and high-risk areas. Define restriction for accessibility to high risk area. Only authorized persons will be permitted to move in the high-risk area. Provision will be made for adequate signage for notifying high risk areas with awareness signage about risk associated and preventive measures required. Responsibility will also be defined for ensuring adherence to restriction and cautions required for working in high risk areas. (Safety Officer, appointed for the project will be responsible)
- **Task Specific Hazard Prevention:** Procedure and guidelines will be defined as per best industry practices and legislative requirement if any applicable for task specific hazard prevention and safety such as precautions for working on height

requiring which will require provision of safety belts, safety harness, helmets and presence of rescuers.

- **Injury Management:** define responsibility and action sequence including availability of first aid boxes and first aid providers/attenders. Location and contents of first aid box will be defined under OSHMP.
- **PPE & Hand Tools:** detailed listing will be made under OSHMP about nature of PPE and hand tools required and ensuring its availability. Method will also be defined for ensuring use of PPE by the workers. Provision of helmet, boots, hand gloves will be made for everyone.

#### 9.4 Staff Health & Fitness on duty

63. Staff health plays major role in incident prevention. OHSMP will have provisions for medical check-ups at the time of appointment with defined periodicity for follow up check-ups. OHSMP will also list the measures for fatigue management, ergonomics, and alcohol and drugs use prevention.

#### 9.5 Hygiene and Sanitation

64. Adequate attention will be given for workplace and labour camp Hygiene. Provision will be made under OHSMP for availability of clean and hygiene eating place with availability of safe drinking water at workplace and labour camp. Similarly, adequate provision will be made for clean toilets with sewage treatment (provision of septic tanks), and segregated collection and safe disposal of domestic wastes.

#### 9.6 Incident and Emergency Management and preparedness

65. OHSMP will define procedure for incident and emergency management including investigation of any accident and its analysis to suggest appropriate corrective/preventive actions, responding and management of COVID-19 risks. Adequate provision will be made for the availability of First Aid, Ambulance, Safety and Health representative and additional resources and coordination with local authority(s) to respond to COVID-19 situation.

#### 9.7 Responsibility

66. Prime responsibility of developing and implementation of OHSMP will be of the Contractor. Contractor will also depute personnel to work at site. All applicable legislation will be identified and compiled by contractor. PMU in consultation with contractor will develop OHSMP on aspects detailed above and ensure its implementation from the contractor. Contractor will share the OHS monitoring reports with respective PIU and concerned Department on monthly basis based on the monitoring checklists given in Annexure 4. The PIU will in turn share quarterly reports on Work Progress including such plans to PMU, which in turn, will share consolidated compliance report in line with ESMP and ESCP to the World Bank on quarterly basis. Corrective and preventive actions, where required for maintaining environment quality will be reported in the subsequent quarterly monitoring report.

### 9.8 Primary Suppliers

67. The project will engage primary suppliers for procurement of emergency kits under disaster management works. The list of equipment to be procured is given in Annex 5. Where there is a significant risk of 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 safety issues. Such procedures and mitigation measures will be reviewed periodically to ascertain their effectiveness.

### 9.9 Community Workers

68. Community workers will be engaged for Component 3 works as volunteers, particularly to help collect data for the preparation of Village Disaster Management Plans (VDMPs) and participate in Circle Quick response Teams (CQRTs) as emergency responders at the community level. The total number of community workers will be 16, in which 8 are active members and 8 are reserved for an emergency. They will be trained to act as first respondents at the community level during the emergency. These workers will be provided with emergency kits for search & rescue in disaster operations. ASDMA will train and equip such CQRTs in 52 Revenue Circles of Assam which include the existing CQRTs already constituted in 11 Revenue Circles. The engagement letter of the community workers as volunteers and CQRT are given in Annexure 6 and 7, respectively.

### 9.10 COVID-19 Considerations –Actions

69. **Request details in writing from** the main Contractor of the measures being taken to address the risks. This should include SOPs that cover the following aspects:
- a. Conducting pre-employment health checks
  - b. Controlling entry and exit from site/workplace
  - c. General hygiene, cleaning, and waste disposal
  - d. Adjusting work practices
  - e. Reviewing accommodation arrangements to see if they are adequate and designed to reduce contact with the community
  - f. Reviewing contract durations to reduce the frequency of workers entering/exiting the site
  - g. Rearranging work tasks or reducing numbers on the worksite to allow social/physical distancing, or rotating workers through a 24-hour schedule
  - h. Providing appropriate forms of personal protective equipment (PPE)
  - i. Putting in place alternatives to direct contact, like tele-medicine appointments and a live stream of instructions.
  - j. Instances of spread of virus
  - k. Training and communication with workers
  - l. Communication and contact with community
70. **Request the Contractor to convene regular meetings** with the PMTC's EHS expert and medical staff (and where appropriate with local health authorities), and to take their advice in designing and implementing the agreed measures.

71. **Identify a senior person** as a focal officer with responsibility for monitoring and reporting on COVID-19 issues and liaising with competent authorities designated by the district administration or State Government authorities.
72. **Check with Contractors** on whether the workers are informed/ encouraged to use the existing project grievance mechanism to report concerns relating to COVID-19.
73. **Contractors to consider** provision of medical insurance covering treatment for COVID-19, sick pay for workers who either contract the virus or are required to self-isolate due to close contact with infected workers and compensation payment in the event of death.



## 10. Age of Employment

74. **Direct Workers:** The Direct workers will be technically qualified, with ages ranging between a minimum of 18 years and a maximum of 60 years. The direct workers drafted to AIRBMP will be GoA employees, whose credentials would be duly verified by GoA, at the time of recruitment itself.
75. **Contract Workers:** The age of the technically qualified and or skilled contract workers can range from a minimum of 18 years to a maximum of 60 years, whereas the age of unskilled workers can range between 18 to 50 years and in no case, it can be expected to exceed 60 years.
76. Age of the personnel deployed by PMTC could be verified by PMU through valid documents like AADHAR Card /Voter Card/Passport/Valid Driving License.
77. The age of the skilled and unskilled personnel deployed by Contractor could be verified by PIUs through valid documents like AADHAR Card/Voter Card/Passport/Valid Driving License. In exceptional cases, where the unskilled worker(s) are unable to produce valid age proof documents for whatsoever reason, the age could be ascertained through medical examination by competent medical authority at Government hospital at the expense of Contractor.
78. Under no circumstance, children less than 14 years of age will be engaged in any kind of work and is a prohibited activity as per Gol and state government norms, including World Bank's ESF. The same is in accordance with the Child Labour Prohibition Act, 1986 and Child Labour (Prohibition and Regulation) Amendment Rules framed there under. In case, it is detected by PIU/ Concerned Department / PMTC officials, contractor will be immediately issued show cause notice for termination of contract and matter will be duly reported to the district labour office. The contractor needs to collect Adhar Card details of each worker employed and these details need to be submitted to the PIU and Labour Commissioner on a monthly basis. Based on the Aadhar Card details, the PIU/ labour commissioner will identify persons under the age of 18. The PIU will report to labour commissioner, if there is any child labour. Under the Child Labour Tracking System of the Ministry of Labour, each Labour Commissioner has formed Flying Squads with Police, Labour Officers and NGOs as members. These Flying Squads would conduct surprise inspections to all labour licensee sites and will identify child labour, if any. The rescued children will be sent for rehabilitation. A case will be booked on the contractor for further prosecution and legal action.
79. **Primary Supply Workers:** In case of primary suppliers for construction materials, ASDMA and Supervision Consultants shall be required to carry out due diligence procedure to identify if there are significant risks that the vendors/suppliers are exploiting child or forced labour or exposing workers (14-18 years) to serious safety issues as well as to introduce provisions of relevant acts in the bid and contract documents. If there are any risks related to child and forced labour, and safety identified, the Supervision Consultants will notify PMU/PIUs and will address these risks and may avoid such suppliers, where possible. In case, any lapses in the implementation of this LMP are

detected by PIU/ Concerned Department / PMTC officials, contractor will be immediately issued show cause notice for termination of contract and matter will be duly reported to the district labour office.

80. **Community Workers:** For the community workers, the minimum age is 18 years. The community workers will be engaged by ASDMA, whose credentials would be duly verified by PIU, at the time of recruitment itself.

## 11. Terms and Conditions

### 11.1 Specific Wages

81. **Direct Workers:** The Direct workers engaged for AIRBMP are government officers, whose salary and other emoluments will be in conformity to the Rules and Regulations as issued by the Department of Human Resources Management, GoA.
82. **Contracted Workers:** The wages of consultants/personnel deployed by the PMU and PIUs, through PMTC, or other consultancy firms for various studies, are contracted services and determined through two-stage competitive bidding (technical and financial) procedure and determined by prevalent market rates and normally expected to be higher than state government wages.
83. The wages of technically qualified, skilled, unskilled workers, to be engaged by the Contractor are determined by the Department of Labour and Employment, subject to the provisions of Minimum Wages Act, 1948. There will not be any discrimination of wages paid to male and female workers and same wages will be paid for equivalent work to all workers in conformity with the provisions of the Equal Remuneration Act, 1976.
84. **Community Workers.** The community workers will be paid outcome aligned incentives. Community Workers collecting data will be doing so on voluntary basis.

### 11.2 Work Hours and Maximum Number of Work Hours

85. The Direct workers at the PMU, PIU and concerned Department will work as per State Government Rules, which will be in compliance with the relevant notification by the Department of Human Resources Management, GoA. The work hours for contracted workers will not be more than 8 hours per day 48 hours per week with 2<sup>nd</sup> and 4<sup>th</sup> Saturdays as official holiday. However, in case of ASDMA, being an emergency service provider the officials are required to be present in the Head Quarter and district offices when required. At such times, person working at the state emergency operation centre are required to work for 24 hour service in a shift-wise manner. Any contracted workers, made to work in excess of the same will be entitled to wages at double the ordinary rates of wages in accordance with Part-IV Hours of work, Welfare, Payment of Wages Registers and Records etc. Chapter XXVI Rule 234 of Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Assam Rules, 2007.

#### 11.2.1 Specific Terms and Conditions

86. The following terms and conditions will need to be added to the contracts issued by contractors to the workers.
- No contracted worker will be required or allowed to work continuously for more than five hours unless he had an interval of rest of not less than half an hour.
  - The working day of contracted workers will be so arranged that inclusive of the intervals of rest, if any will not spread over more than twelve hours on any day.

- Subject to provisions of Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Assam Rules, 2007, every worker will be allowed a day rest every week, which will ordinarily be Sunday, but the contractor will fix any other day of week as the rest day
- No worker will be made to work on any day, which has been notified by Central or State Government in the official Gazette as a Gazetted holiday or any day, which is declared as National Holiday.
- All categories of contract workers particularly unskilled workers can be directly engaged by the contractor or sourced through labour contractors. In such cases, the labour contractor shall have valid registration and licence with the competent authority in Assam.
- All wages to contracted workers, especially for unskilled workers are to be paid directly by the Contractor, even if the unskilled workers are engaged through labour contractors or any sub-contractors. All payments to the labourers will be done directly by the main contractors instead of routing through labour contractors. If not, the main Contractor confirms to the PIUs, on a periodic basis, that payments have been in time to all workers and keeps payslips for monitoring purposes.
- Any denial in and/or untimely payment of wages to workers will render the contractor liable to an action before the relevant Labour court/Industrial Tribunals under the Legislations mentioned above.
- Conditions of employment for skilled and unskilled workers will conform to Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Assam Rules, 2007.
- Under no circumstances, child labour or forced labour (in any form) shall be engaged, as these are prohibited under National and State Government Norms.
- Contractor will also be liable to be prosecuted in his personal capacity under the provisions of Indian Penal Code 1860 and other Penal legislations before criminal courts in case of gross negligence and dereliction of duty or contraventions of any such statute resulting in death or injury of the workers.
- In respect of COVID-19, project would be governed by the Guidelines and SOPs issued by GoA and GOI from time to time. The guidelines and SOPs stagger the arrival and departure of employees; lunch breaks; downloading and installation of Aarogya Setu app, etc. The contractor will strictly adhere to these COVID-19 SOPs and Guidelines of GoA and GOI at all construction sites, which specially cover migrant workers for pre-employment health checks, testing for COVID-19 symptoms at approved hospitals, sensitization of migrant workers about precautionary measures like maintaining social distance (minimum 1.5 metre) at work sites and workforce camps, covering of face with masks/cotton cloths, use of sanitizers, frequent washing of hands, avoid spitting in public, maintain self-hygiene, immediate reporting of flu-like-illness symptoms, avoiding use of chewing gum or tobacco(all-forms), creation of isolation rooms for any worker reporting/showing COVID-19 symptoms, until his/her shifting to designated COVID-19 hospitals, controlling entry and exit from site/workplace, use of non-contact temperature scanners at entry points; ensuring accommodation arrangements to maintain social distancing norms, providing adequate and appropriate forms of personal protective equipment (PPE), among others as part of the Contractor's labour management plan. The wages will

be directly paid to the workers and any payments through labour contractors will be avoided.

## 12. Grievance Mechanism

87. Typical workplace grievances include demand for employment opportunities; labor wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in the work environment. It requires establishment of a separate grievance mechanism for project workers (direct workers, and contract workers), as required in ESS-2 and which will also address labor-related SEA. Handling of grievances will be objective, prompt, and responsive to the needs and concerns of the aggrieved workers. Different ways for workers to submit their grievances will be made available, such as submissions in person, by phone, by email or by complaint registers. The grievance raised will be recorded and the timeframe for redress will depend on the nature of the grievance, health and safety concerns in work environment. The grievance mechanism for workers are as follows:

- i. **Direct Workers:** The CEOs FREMAA and ASDMA and Chief Engineer WRD, will be responsible for providing guidance and advice on all worker related grievances and their redressal, in line with the State Government, Government of India Rules and Regulations.
- ii. **Contract Workers:** The contractor of respective construction packages will be obligated to set up a GRM, especially to redress complaints relating to workers deployed for construction works under AIRBMP. The official designated by the PIU and PMTC is also responsible for overseeing the GRM. The mechanism will function under the respective PIU. The mandate for GRM, institutional arrangements, procedure for receiving complaints, time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be finalized during the approval of C-ESMP by PIUs and the concerned Department. The GRM for the workers will be set up during mobilization phase of the contractor. The contractor will also be responsible for tracking and resolving workers grievances and maintain records about grievances/complaints received, minutes of discussions, recommendations and resolutions made thereof and intimation of resolution of grievance to the complainant.

The consultancy agencies that have been contracted by AIRBMP will ensure that they have established/functioning GRMs to address respective workers' concerns.

Also for primary suppliers, the respective vendors will be furnish details of GRM that addresses workers grievances, to ASDMA/WRD and ASDMA/ WRD shall periodically seek such information/confirmation from them.

**Community Workers:** The CEOs FREMAA and ASDMA and Chief Engineer WRD, will be responsible for providing guidance and advice on all worker related grievances and their redressal, in line with the State Government, Government of India Rules and Regulations. For the community workers, the community level GRM at the field

level at the respective division will be applicable. This will be mentioned in the engagement letter as an annexure.

88. Workers will also be able to submit their grievances through the district Labour Department, whose address and contact telephone numbers will be prominently displayed by contractors for the visibility of all workers at all worksites.
89. **Dissemination of information on GRM:** Information relating to the availability of GRM without any retribution, its institutional set up, timings and procedure for receiving complaints, mechanism of handling complaints, maximum time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be disseminated to the workers on a regular basis. Some of the GRM dissemination avenues are:
- During Induction training for new workers
  - During Toolbox meet/briefings by work supervisors
  - During periodic tail gate sessions, to review and refresh site protocols on safety procedures at work
  - Through pictorial illustrations and posters in local language installed at prominent places like entry/exit points, canteen, entertainment areas, health camp sites etc
  - During awareness campaigns for safety at work and response to Emergency Response Plans
  - Awareness and briefing on community safety, while at work

### **13. Contractor Management**

#### **13.1 Contractor Selection Process**

90. Selection of a Contractor for civil works or consultancy firms for studies, etc. is done through an open competitive online bidding process (e-procurement) with a two-envelop (technical and financial) evaluation process. Procurement of goods and services shall be done following the appropriate method of selection that includes – QBS, QCBS, SSS, etc. All the technical bids will be evaluated for their past similar experience, financial standing, OHS& CHS performance in past projects, technical qualifications and experience criteria for Key persons, available inventory of equipment and machinery, among others. All the bids will be evaluated by Bid Evaluation committees set up by the respective PIUs and PMU through the pre-set evaluation
91. criteria and only the technically qualified bids will be considered for opening of financial bids and the lowest bidder will be selected in case of civil works, subjected to scrutiny of financial bids. In case of bids related to goods, evaluation considers quality of material as per prescribed specifications.

#### **13.2 Contractual Provisions for Labour Management and OHS**

92. The environmental, social risks and impacts including labour management and OHS issues arising from implementation of AIRBMP have been identified and will be managed through implementation of ESMP by the contractors. The labour management and OHS of workers and related issues arising during construction works will be under direct control of contractors and will be managed by the contractors. Therefore, ensuring effective management of OHS Management Plan (OHSMP) for contract workers by contractor(s) is core to implementation of AIRBMP.
93. The OHS (Occupational Health and Safety) and CHS (Community Health and Safety) requirements under AIRBMP will be specified and incorporated as special conditions and performance requirements in all bid documents of contract packages. Adequate cost provisions for implementation of OHS & CHS requirements will be included in the item rates, so that contractor can perform requirements in a fair and objective manner. In addition, 2% of contract amount will be earmarked as OHS& CHS performance security in the bidding documents. Thus, the potential bidders are expected to be fully aware of OHS& CHS performance requirements at the bidding stage and accordingly price at the bidding stage itself.

#### **13.3 Monitoring of Performance of Contractors**

94. The monitoring of performance of contractors including the implementation of C-ESMP and OHS & CHS performance requirements by the contractor will be overseen and managed by the PMTC, concerned Department's PIU under the overall guidance and direction of CEO, PMU, AIRBMP.

95. The compliance and documentation processes identified as critical under labour laws and ESS-2 can be viewed in three categories:
- **Establishment compliances:** These are one-time compliances required at the commencement or establishment of any process related to labour in the project; For example: Consent to Operate (CTO) for hot-mix plant, Code of Conduct with workers, health profile of workers
  - **Periodic compliances:** These are compliances which recur periodically through the life of the project, for example: labour license, labour insurance.
  - **Episodic compliances:** These are compliances which are only triggered by the occurrence of an event, e.g., accident at the worksite.
  - Usage of the monitoring checklists for labour – child, forced, etc. and reporting to the concerned PIUs periodically using the checklist provided under Annexure 4.
96. In context of COVID-19, the Contractor will be required to designate/appoint a COVID-19 focal point officer with responsibility for monitoring and reporting on COVID-19 issues, and liaising with competent authorities designated by district administration or the State Government.



### Annexure 1: List of Information to be maintained by Contractors

The information database on contracted workers to be maintained by the contractor will include not limited to the following<sup>5</sup>

- Name and Age (to be supported by AADHAR /Voter Card)
- Father's Name and Permanent Address
- Marital Status and Name of the Spouse (if married)
- Number of Children with Gender (as applicable)
- Place of Stay of Spouse and Children during work engagement
- Address and Contact Number (in case of any emergency)
- Key Skills and Years of Experience
- Work activities, Schedule, Duration of Engagement
- Duration of Contract and Rotation Arrangements
- Facilities Arranged by Contractor including health check-ups prior to engagement, accommodation (onsite workforce camps, with local community, transportation to work site and other facilities (to be specified by Contractor)
- Pre-Employment Check-ups, Fitness Tests and Health Awareness Campaign for workers

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<sup>5</sup>as per ESF/Safeguards Interim Note:COVID-19 considerations in construction/civil works projects dated April 7, 2020

## Annexure 2: Model Code of Conduct for Contractor's Personnel

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, sexual 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, labourers 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 behaviour that we require from all Contractors' Personnel.

Our workplace is an environment where unsafe, offensive, abusive or violent behaviour 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 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.
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 women, children (persons under the age of 18), and men with respect regardless of race; colour; language; religion; political or other opinion; national, ethnic or social origin; sexual orientation or gender identity; disability; birth or other status.
6. Not use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
7. Not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
8. 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;
9. 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;

10. Not participate in sexual contact or activity with children under the age of 18. Mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defense or excuse.
11. 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, Abuse and Harassment (SEAH);
12. Report violations of this Code of Conduct; and
13. 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 Redress Mechanism.

## RAISING CONCERNS

If any person observes behaviour 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. 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 at this address [ ] or by telephone at [ ] or in person at [ ]; or
2. Call [ ] to reach the Contractor's hotline (*if any*) and leave a message.

The person's identity will be kept confidential, unless reporting of allegations is mandated by the country law. 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): \_\_\_\_\_

Countersignature of authorized representative of the Contractor:

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

Date: (day month year): \_\_\_\_\_

### Annexure3: Code of Conduct for Company (Contractor)

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. *This company-level code of conduct should be **signed by the Project Manager, and shared throughout the company.***

[Company] is committed to creating and maintaining an environment in which gender-based violence (GBV) has no place, and in which it will not be tolerated by any employee, associate, or representative of the company. Therefore, in order to ensure that all employees, associates, and representatives of [Company] are aware of this commitment, and in order to prevent, identify, and respond to any allegations of GBV, the following core principles and minimum standards of behaviour will apply to all company employees, associates, and representatives without exception:

1. [Company] will 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 Personnel and any other person.
2. [Company]—and therefore all employees, associates, and representatives—commit to treating women, children (persons under the age of 18), and men with respect, regardless of race; color; language; religion; political or other opinion; national, ethnic or social origin; sexual orientation or gender identity; disability; birth or other status. GBV is in violation of this commitment.
3. In the eyes of [Company], GBV constitutes acts of gross misconduct and is therefore grounds for sanction, which may include penalties and/or termination of employment. All forms of GBV are unacceptable, regardless of whether they take place on the worksite, the worksite surroundings, at workers' camps, or off-site (i.e. involving individuals not employed by the company). In addition to the potential sanctions listed above, legal prosecution will be pursued, if appropriate, for any employees, associates, and representatives alleged to have committed GBV.
4. Demeaning, threatening, harassing, abusive, or sexually provocative language and behaviour are prohibited among all company employees, associates, and representatives.
5. Sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—are prohibited.
6. All employees, including volunteers and sub-contractors are expected to report suspected or actual GBV by a fellow worker, whether in the same company or not. Reports must be made in accordance with GBV allegation procedures.
7. All employees are required to be trained on joining work to ensure they are familiar with the GBV Code of Conduct.
8. All employees will be required to sign a code of conduct for Contractor's Personnel confirming their agreement to comply with the same.

I do hereby acknowledge that I have read the foregoing Code of Conduct, and on behalf of the company agree to comply with the standards contained therein. I understand my role and responsibilities to prevent and respond to my employees' grievances. 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.

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

Name of Project Manager: \_\_\_\_\_

Company Name: \_\_\_\_\_

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

Annexure4: Monitoring Checklist for Construction Sites (for Monthly monitoring)

Questions		Answers	
<b>General</b>			
1.	Name of the work awarded		
2.	Details of the Executing Agency – Name and Address		
3.	Time Frame of the Work		
4.	How many labour camps are set up by the contractor		
<b>Workers terms and conditions</b>			
5.	Total No. of Worker/Labourers at worksite :-	<b>Male</b>	<b>Female</b>
6.	Total number of skilled, semi-skilled and unskilled workers		
7.	Total number of local and migrant workers.		
8.	Source of workers i.e. where does the contractor source required workers?		
9.	Are the ages of workers confirmed to be at least 18 years of age or above?		
10.	If so, what is the document used for age verification (Aadhar card, driving license etc.)		
11.	Are all workers provided with written contracts?		
12.	Does the contract document clearly lay terms and conditions of work, including OHS aspects? E.g. nature of work, payment, the timeline of payment, deductions, leave and other benefits (EPF/medical), penalties, etc. <i>(please provide sample copy)</i>		
13.	Are all informal workers provided with contracts? <i>(please provide a sample copy)</i>		
14.	What is the rate paid for semi-skilled and unskilled workers?		
15.	Are these rates displayed on a notice board?		
16.	Are migrant workers treated fairly and do they benefit from conditions of work that are no less favourable than those available to locally-recruited workers?		
17.	Do females get the same wages as males for the same type of work? <i>(please provide copy of the payslip)</i>		
<b>Work location and access</b>			
18.	Can everyone reach the work area safely? (Yes/ No)		
19.	If no, give reasons, what is the constraint?		
20.	If so, what is the mode of transport?		

21.	Are all access routes throughout the site in good condition And in easily understood language	
Workplace facilities		
22.	What is the source of water for workers?	
23.	Whether Sufficient, safe drinking water and mobile toilets are available at the worksite.	
24.	How many toilets are there at camp – separately for males and females?	
25.	How frequently are these toilets cleaned?	
26.	If yes, at what locations (provide photo)	
27.	Have all the workers been explained the Code of conduct and signed it?	
28.	Are sanitizers provided to workers?	
29.	Are all workers provided with PPE (gumboots, helmet, gloves, etc.) as necessary?	
30.	Are there first aid kits available at the site?	
31.	Are there condom boxes at camp at discreet locations?	
32.	Does the contractor have a tie-up with local hospitals?	
33.	Are all workers vaccinated?	
34.	If so, how many workers have received both doses?	
35.	Is there a mechanism for workers to raise workplace grievances? If so what?	
36.	Does the camp have a grievance register?	
37.	Is the register accessible?	
38.	Is the register being used?	
39.	If so, how many grievances and what is the nature of grievances	
40.	Are there GBV awareness posters at worksites?	
41.	Does the contractor firm have an Internal Complaints Committee to deal with SEA/SH issues?	
Workplace procedures and related issues		
42.	Whether Proper tools are provided to the workers to conduct their work.	
43.	Safety equipment/gears are being used where appropriate?	
44.	Workers had been given instructions and guidance regarding their work/job tasks.	
45.	Whether community access to facilities, services, or resources hampered?	

46.	Whether construction/upgradation of embankment/revetment is hampering the business activity of locals? <i>(provide details on the number of locals, type of business, and measure adopted)</i>	
47.	If yes, then what are the measures that have been taken up by the contractor?	
48.	Whether construction activity affecting the adjoining private property?	
49.	If yes, then what are the measures that have been taken up by the contractor?	
Feedback from Workers		
50.	Workers reported contracts have been provided	
51.	Workers/labourers reported that they received the correct and timely wages	
52.	Workers reported that they have/retain their original identification documents.	
53.	Workers reported on drinking water	
54.	Workers reported clean toilet facilities	
55.	Workers reported on medical facilities	
56.	Workers reported on covid vaccination status	
57.	Workers reported on the presence/effectiveness of GRM for raising workplace grievances	
58.	Has any worker reported having been sexually harassed by anyone on the site?	
59.	If yes, how many; duly keeping the survivor identity and details confidential.	
60.	Are there any risks associated with sexual exploitation, abuse, and harassment (SEA/SH)?	
61.	Did the contractor take proper action if the incident of sexual harassment occurred?	
62.	If yes, explain	
63.	Has the contractor taken any precautions to prevent, mitigate, and respond to SEA/SH incidents?	
64.	Did workers report having been abused or experience violence by anyone on the site.	
65.	If yes, explain	
66.	Did the contractor take proper action of incidents if incidents of violence by anyone onsite?	
67.	If no, explain	
68.	Female worker reported they had been given same opportunities as men to participate in training.	

Annexure 5: Lists of items from primary supplier

Procurement of Safety Equipment			Procurement of Furniture		
Item	Ref. to	Description of Item	Item	Ref. to	Description of Item
No	GeM		No	GeM	
1	M.R	Lifebuoy 720 mm outer dia having service warranty of 5 years, 2.5kg mass of buoy attached grab line.(ring)	1	M.R	Steel Almirah 78 x 35 x 18 inches with Lock and key having 5 shelves. Outer make M.S sheet confirming to commercial quality CR-1,Grade 340 of IS 513:2008
2	M.R	Life Jacket Adult Size of overall size 680x370x100 mm capable to carry max 140kg of load.	2	M.R	Steel Rack of total 5 Platforms with paint.
3	M.R	Fluorescent Jacket Large Confirming to EN:471-2003+A1:2007 for Emergency Services.	3	M.R	Supplying Chair Plastic moulded chair with arms without cushion single piece width 345mm depth 340mm height 500
4	M.R	Class I Safety Shoes As per IS 15298 Part II.	4	M.R	Fabric Pin Notice Board,Back cover GI Sheet and Aluminium Shee Panel overall size 1200x1800mm green colour.
5	M.R	Hand Gloves For Cleaning Purpose Large.	5	M.R	Supplying Metal Bed metal of hallow sections. Single Bed (1.2-1.8m width) along with Ply wood having back rest.
6	M.R	Industrial Safety Helmet Preferably Yellow Colour and helmet confirming to IS 2925, EN 397 Certified. High Quality.	6	M.R	SS-202 top 6 seater Table of Length 2100 mm and depth 800 Height 750 mm
7	M.R	Rain Suit orange having reflectors (Emergency Service use).			
8	M.R	Emergency Aluminum Stretcher with Vinyl Coated Nylon for rescue Operation and emergency use 210x60x15cm, 2 nos Fold.			
9	M.R	Portable emergency Lighting system tower with 2 Kva Genset with 5 ltr capacity Portable light with adjustable Height. IP 66 minimum 50000 luminers			
10	M.R	Nylon 3 strand Rope 12 mm thick,(50mts )			
11	M.R	Supply of Coir Yarn 10 kg in Roll (IS 4596) (Rope)			
12	M.R	Telescopic Ladder 20-35 ft			
13	M.R	Non Powered Push Wheel Chair with fixed seat height, hand rim, fixed Back & Leg Rest, overall length 1100 mm perium Quality.			
14	M.R	Fire Extinguisher Co2 ready to use, 4.5 Kg (Aluminum) confirming to latest IS 15683:2018 Body.			
15	M.R	First Aid Box of make St John or Equivallent containing materials and manuals along with hydrocolloid dressing.			
<b>Procurement of Handheld Tools</b>			<b>Procurement of Emergency Electronic Devices</b>		



Item	Ref. to	Description of Item	Item	Ref. to	Description of Work
No	GeM		No	GeM	
1	M.R	Spade of Mild Steel With Handle (wooden) Long of length 600 mm and opening mouth 150 mm x 280 mm.	1	M.R	Solar LED (W-LED) lantern Portable lamp confirming to IEC 61215 Edition II/ BIS 14286 along with 1450mAh battery requirement and minimum 5 Year Warranty.
2	M.R	Wooden Handle Pick Axe with Chisel and point End digging of length 1500 mm and Axe blade confirming to IS 1570-1961 T60.	2	M.R	Mega wired cardioid Microphone(MIC) weight 800grams equivalent noise level(dBa) 60
3	M.R	Crow Bars Steel make confirming to CI 5 of IS 704.	3	M.R	Hand held Search Light LED 5W, Toughned front glass, battery Powered. Having 1 year Warranty Period (dia of glass 101-125).
4	M.R	Iron Blade Fireman Axe of Length 600 mm of wooden handle.	4	M.R	Siren Hand Operated (IS 6026-1985).
5	M.R	Hand Wood Saw 15 inch.	5	M.R	FM Radio with Two Speakers adjustable Frequency and volume Having Buletooth connectivity and USB port System (Multi-Use).
6	M.R	D-Grip Handle Square Nose Shovel of Wooden Handle and Steel shovel confirming to IS 274, with 2 years Warranty ( Handle length of 910 mm).			
7	M.R	Supplying Carbide Tipped Blade Chain Saw, with outout of 5.5 Hp, length of bar 20 inch, adjustable depth of cuts 8 nos, 2 stroke engine, minimum 75 cc displacement 12000-15000 rpm. Having minimum 1 year warranty.			

Annexure 6: Engagement Letter for Community Workers (as Volunteers)

Date:

**[Name & Address of Community Volunteer]**

We are pleased to inform that..... [Name of Community volunteer] with Aadhar Card No. /Voter ID. \_\_\_\_\_ is hereby engaged as..... [Designation] with .....[Name of employer (organisation/ company)]. He/ She will work as a volunteer who will collect data for VDMP.

The engagement details are as below.

Designation	
Date of joining	
Place of posting	
Brief scope of work	

During your engagement, you will be provided with the following:

- i. Personal Protection Equipment (PPE) kits
- ii. Work/ domain related training including usage of PPE kits and OHS aspects
- iii. Medical care and quarantine facility, in case tested positive for COVID-19

You are directed to follow the guidelines of Occupational Health & Safety and use PPE kits diligently.

For any queries, issues, complaints, grievances, please contact Contractor’s Supervisor or Admin/HR.

Please confirm your acceptance of this offer, by signing and returning a copy of this Engagement Letter to the undersigned.

Thanking you,

Name & Designation of employer: \_\_\_\_\_

Office Address: \_\_\_\_\_

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

*I have hereby read and understood the terms and conditions lay in this Engagement Letter, and accept the offer thereof.*

Annexure7: Enrolment Form for Community Worker (for CQRTs)

Date:

**[Name & Address of Community Worker]**

We are pleased to inform that..... [Name of Worker] with Aadhar Card No. /Voter ID. \_\_\_\_\_ is hereby engaged as..... [Designation] with [Name of employer (organisation/ company)]. The employer will pay Rs.3000/- as incentives (maximum ceiling).

The engagement details are as below.

Designation	
Date of joining	
Activity based Monthly Incentive (Max.)	
Place of posting	
Brief scope of work	

During your engagement as CQRT members, you will be provided with the following:

- i. Work/ domain related training
- ii. Personal Protection Equipment (PPE) kits
- iii. Medical care and quarantine facility, in case tested positive for COVID-19

Also, during your tenure of service you are directed to follow the guidelines of Occupational Health & Safety.

For any queries, issues, complaints, grievances, please contact Contractor's Supervisor or Admin/HR.

Please confirm your acceptance of this offer, by signing and returning a copy of this Engagement Letter to the undersigned.

Thanking you,

Name & Designation of employer: \_\_\_\_\_

Office Address: \_\_\_\_\_

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

*I have hereby read and understood the terms and conditions laid in this Engagement Letter, and accept the offer thereof.*