



MINISTRY OF ENERGY AND
MINERALS

SOMALILAND

**ETHIOPIA-SOMALILAND
NORTHERN
INTERCONNECTOR:
SOMALILAND**

**LABOUR MANAGAMENT
PROCEDURES**

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ACRONYMS

AM	Accountability Mechanism
AoI	Area of Influence
CSO	Civil Society Organizations
DRC	Democratic Republic of Congo
EAPP	East Africa Power Pool
EEP	Ethiopia Electric Power
EHS	Environmental Health and Safety
ESCP	Environmental and Social Commitment Plan
ESF	Environment and Social Framework
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
GBV	Gender Based Violence
GIIP	Good International Industry Practice
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
HOA	Horn of Africa
HoAI	Horn of Africa Initiative
HVTL	High Voltage Transmission Line
ICP	Informed Consultation and Participation
IGAD	Intergovernmental Authority on Development
LMP	Labor Management Procedure
LMP	Labour Management Procedures
MoEM	Ministry of Environment and Minerals
OHS	Occupational Health and Safety
OHTL	Overhead Transmission Line
OIP	Other Interested Parties
PAHs	Project Affected Households
PIU	Project Implementation Unit
PPE	Personal Protective Equipment
RPSMP	Regional Power System Master Plan
SEA	Sexual Exploitation and Abuse
SEP	Somaliland Energy Project
SH	Sexual Harassment
SMEs	Small to Medium Sized Enterprises
UN	United Nations
WBG	World Bank Group

I PROJECT OVERVIEW

1.1 Introduction

The Horn of Africa (HOA) region has faced constant conflicts and instability, impeding infrastructure and social service development. Access to affordable and reliable energy is hindered by high costs and unreliable supply, impacting small businesses, entrepreneurs, and essential services like healthcare and education. The region's abundant energy resources present opportunities for power trade. Power trade in the HOA region would offer numerous benefits, including lower operating and investment costs, enhanced sector reliance, improved access to electricity, increased viability of investments, better financial standing for utilities, lowered greenhouse gases emissions, renewable energy use, and reduced strain on state budgets. The Somali energy sector is one of the most underdeveloped in the region. The electricity access rate in Somaliland is estimated at 15 percent, meaning that around 5,720,000 million Somalis lack access to electricity services. Access depends significantly on demographic variables, with urban access estimated at 33 percent, and rural access at 4 percent. With an average household size of 5.9, this translates to approximately 1.7 million un-electrified households nationwide. While most countries in the HOA including Somaliland are endowed with significant and diverse renewable energy resources, investment in the sector remains low.

The Horn of Africa countries launched the Horn of Africa Initiative (HOAI) in 2019, recognizing the need for a concerted effort to collectively augment the development trajectory. Among the selected areas of priority is investments in development of regional infrastructure networks covering upgrading of economic corridors, energy, and digital connectivity. Regional trade and integration are one of the cost-effective solutions to advance the energy access aspirations, and Somaliland score nearly zero in integrated infrastructure index.

The World Bank working closely with the government of Somaliland and other governments in the region, proposes to provide support in adopting a regional approach to build physical connectivity and expand access complementing the multitude of national initiatives through Horn of Africa Regional Integration for Sustainable Energy Supply (P174175) Project. The project is aligned with the World Bank's Country Partnership Frameworks and supports the World Bank Group (WBG) Africa Regional Integration and Cooperation Strategy and aligned with the objectives of the HOAI, the Eastern African Power Pool (EAPP) Strategic Plan, and the Inter-Governmental Authority on Development (IGAD) Regional Infrastructure Master Plan.

1.2 Project Development Objective

The Horn of Africa Regional Integration for Sustainable Energy Supply (P174175) is a World Bank financed project whose objective is to enhance regional integration of energy supply and to improve energy access in the borderlands in Horn of Africa countries.

1.3 Project Components

1.3.1 Component 1-Physical Interconnection Infrastructure.

The component will provide support to some or all of the following activities, depending on investment readiness and political buy-in from the client countries: (a) the construction of 400 kV transmission lines between Ethiopia and Somalia (Northern and Southern), (b) the reinforcement of the existing Ethiopia-Sudan 230 kV double circuit transmission line, and (c) the construction of the second Ethiopia-Sudan 500 kV transmission line.

1.3.2 Component 2-Energy Access Interventions in Borderland Areas

Component 2 targets energy access interventions in borderland areas, mostly agri-pastoralist population in Ethiopia and Somaliland. It includes the following activities: (a) electricity access to public institutions (for example, health facilities, schools, veterinary posts, community centers, street lighting, telecom towers), (b) electricity access to households, (c) electricity access for productive uses (for example, water points-which are mostly privately owned-refrigeration and cold chains, agri-processing, and so on), and (d) access to clean cooking for households and social centers in borderland communities of the HoA. Women are expected to benefit disproportionately from the interventions as they have lesser mobility whereas men tend to travel seasonally for livestock trading and are already engaged in cross-border trading activities. This component will also support a benefit-sharing program for the affected communities by Component 1. This component will prioritize the most vulnerable and underserved communities or development nodes¹ where there is lack of energy access, concentrated presence of public institutions and water points along trading routes (places of gathering for surrounding communities, including nomadic population) and markets, and existing cross-border trade.

1.3.3 Component 3-Technical Assistance and Capacity Building for Regional Power Integration.

Component 3 will provide technical assistance and capacity building to the EAPP and its member countries. This component will be informed by the Regional Power System Master Plan (2014) (RPSMP) of the EAPP² and the African Union Program Infrastructure Development for Africa (PIDA) 2020 Priority Action Plan. In addition, proposed activities will be informed by the EAPP 10-year Strategic Plan (2018–2027) and the Short-term Action Plan (2021–2023).

1.4 Project Description

The project will essentially involve the construction the Northern Interconnector³ which include 330km Debre Zeit-Hurso;140km Jigjiga-Hargeisa; 80km Hargeisa-Berbera and sub stations. The line begins at Ethiopia's in Oromia Region in Bishoftu and terminating in Hurso still in Oromia Region before connecting to a substation in Jigjiga in Somali

¹ A development node is defined as a location of strategic importance to maximize the development impact in the area. A development node can be identified by various factors, including, but not limited to, the concentrated presence of services such as water points, education and health facilities; markets (livestock or agricultural markets); communication nodes (telecommunication towers); proximity to trading routes or places of gathering for surrounding communities, nomadic population, and displaced people.

² The RPSMP is subject to update, which is expected to start in June 2021.

³ A separate LMP has been developed for the Ethiopia section of the Northern Interconnector.

Region up to Tog Wajaale at the border between Ethiopia and Somaliland. From this point, the line traverses Hargeisa from Wajaale in Somaliland and terminating in Berbera, a port city in Somaliland (Figure 1-1). The Southern Interconnection⁴ consists of about 780km of transmission line subdivided into two segments (Negele-Dolo Ado and Dolo Ado-Mogadishu), with the involvement of 3 sub-stations (Negele-Dolo Ado, Mogadishu).

Figure 1-1. Project Transmission Line Route-Tog Wajaale-Berbera



Source: EMC Consultants Limited, 2024.

1.5 LMP Justification

This Labor Management Procedure (LMP) has been developed to identify and manage risks associated with labor and working conditions during project implementation. It is designed to ensure that labour and working conditions within the HVTL project comply with applicable laws and sets out the procedures for addressing labour conditions and risks associated with the HVTL in line with the World Bank’s Environmental and Social Standards on Labour and Working Conditions (ESS2) and Community Health and Safety

⁴ A separate LMP has been developed for the Somalia section of the Southern Interconnector.

(ESS4). The World Bank requirements on labour are outlined in Environment and Social Standard ESS2, on Labour Management Procedures (LMP), as well as Occupational Health and Safety (OHS) Concerns in ESS4 of the Environment and Social Framework (ESF).⁵ The LMP makes provisions for the project that will be applied with due consideration of the requirements of national laws. The World Bank recognizes that borrowers can promote sound workers management relationships and enhance the development benefits of a project by treating workers in the project fairly, while providing safe and healthy working conditions.

1.6 LMP Objectives

The main objectives of developing the LMP are to:

- Promote safety and health at work
- Promote fair treatment, non-discrimination, and equal opportunity of project workers
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with ESS 2) and contracted workers, community workers and primary supply workers, as appropriate
- Prevent the use of all forms of forced labour and child labour
- Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national laws; and
- Provide project workers with accessible means to raise workplace concerns.
- Identify the different types of project workers that are likely to be involved in the project
- Identify, analyse and evaluate the labour-related risks and impacts of the project activities; and
- Set out procedures to meet the requirements of ESS2, ESS4 (as applicable) and relevant national legislation.

This LMP covers all workers involved in the project; it outlines potential labour risks, working conditions, occupational health and safety (OHS), and worker grievance mechanism. It ensures that all workers in the project are provided with a safe and fair working environment in line with the Somaliland legal frameworks and promotes a diverse and inclusive work environment that respects the rights and dignity of all workers. The document sets out policies and procedures governing the following:

1. Legal Compliance—ensuring all labour practices adhere to the aforementioned governing Labour Act (LR. 31/2020) of Somaliland and the World Bank’s Environmental and Social Standards. This also includes aligning practices to comply with domestic and international law and standards.
2. Risk Identification and Assessment-recognizing potential risks concerning labor conditions within the HVTL project and developing strategies to mitigate them. This involves conducting thorough risk assessments and implementing controls.
3. Labour Requirements-clearly defining the labour requirements for the

⁵See <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/esf-training>.

project, including skill levels, age of employment, working hours, safety protocols, and other necessary provisions.

4. Grievance Redress Mechanism-outlining clear procedures to respond to any issues or grievances relating to labour conditions promptly. This may involve mechanisms for reporting, investigating, and rectifying labour related challenges.
5. Contractor Management
6. Primary Supply Workers
7. Roles and responsibilities for implementing the LMP has also been documented in line with the project structure for implementing the HVTL.

1.7 LMP Implementation

The LMP will be implemented by Somaliland's PIU at the Ministry of Energy and Minerals (MoEM) to ensure that labour and working conditions are compliant with domestic legal requirements and ESS2. Regular monitoring and evaluation will be conducted to assess the effectiveness of the procedures and address any emerging labour-related issues promptly. Moreover, continuous training and capacity building programs will be provided to project staff and workers to enhance awareness of labour rights, occupational health and safety standards, and the grievance redress mechanisms.

2 OVERVIEW OF LABOR USE ON THE PROJECT

2.1 Number of Project Workers

The exact number of workers to be engaged in the project for the installation and commissioning of the overhead transmission line (OHL) is still unknown. This is because the feasibility studies, detailed design and bidding documents for the design supply, installation, and commissioning of the (OHL) are still in the process of preparation. Nevertheless, the project has reviewed past similar completed projects in the region to arrive at an estimate of the number of workers that would be required for the construction phase. The reviews show that approximately 150-200 will be utilized in the construction phase. No matter the final numbers, the project will aim to not have more than 150 persons at a time at the construction sites.

2.2 Characteristics of Project Workers

It is anticipated that the project will need a mix of local labourers from surrounding villages and labourers from other regions of Somaliland.. It is anticipated that the contractor will employ local workers where specific activities will be taking place. However, the contractor will not be limited in his hiring and might also hire workers from various regions of Somaliland. . The following categories of project workers are expected to be engaged by Project:

- **Direct Workers:** these are people employed or engaged directly by the Project (including the project proponent and the project implementing agencies) to work specifically in relation to the project. These include employees at the Project Implementation Units (at EAPP and MoEM) include project managers, engineers, safeguards team (environmental, social, gender and OHS), land economists, resettlement specialists, procurement specialists, finance specialists, legal experts totalling no more than 30 employees. Independent consultants directly employed by the project, specializing in areas like community relations and social safeguards may also serve as direct workers on a part-time basis with defined roles and responsibilities.
- **Contractors:** Contracted labour refers to workers hired by contractors or third parties for various core tasks such as design, supply, installation, and commissioning. Contractors may need to collaborate with subcontractors who will also provide workers for the project. It is estimated that around 150 to 200 contracted workers will be employed in total.
- **Community Workers:** these are people employed or engaged in providing community labour. It is not anticipated that there will be any employment related to this project for community workers.
- **Primary Suppliers:** Businesses that produce conductors and transmission towers will be the transmission line's principal providers. Firms that produce transformers, electrical switching equipment, and other large electrical equipment would be the main suppliers for the substation. The principal suppliers if fill material is required would likewise be the nearby quarries. Additionally, there are no known high hazards of forced labour or child labour in these industries. When contractors

collaborate with local suppliers including the quarries, they will be required to thoroughly ensure there are no issues related to child or forced labour and have worker safety measures in place. Similarly, when engaging foreign suppliers, contractors must assess whether the supplier has a history of involvement in these illegal activities and examine their corporate policies on child labour, forced labour, and workplace safety during the procurement process.

- When contractors collaborate with local suppliers, they will be required to thoroughly ensure there are no significant issues related to child or forced labor and workers' safety is upheld; this approach is to ensure alignment with ESS2 requirements. Clauses will be put in the contractor's agreement to verify this, and the project will periodically check that this is indeed done by the contractor. This will also apply to sub-contractors.

The main construction crews expected to be involved in the project are:

1. Transmission Line Construction Crew-This crew will be responsible for the construction, installation, and commissioning of the OHL. Their tasks will include tower foundation, tower erection, conductor stringing, insulator installation, and other line construction activities.
2. Substation Construction Crew-This crew will focus on the construction, installation, and commissioning of the substations. Responsibilities will include civil works, equipment installation, and commissioning of the substation components.
3. Rehabilitation Crew-This crew will be responsible for restoring disturbed construction area as soon as possible after the completion of the works of previous crews.
4. Supporting Staff-Additional personnel such as project managers, engineers, technicians, safety officers, quality control inspectors, and administrative staff.

It is anticipated that there will be construction crews for the project, with typically 2-3 crews overall, each responsible for specific tasks such as wayleave-clearing, foundation work, tower assembly, conductor stringing, and land restoration. The crews will be made up of teams with specialized skills to complete the specific jobs efficiently.

3 ASSESSMENT OF KEY POTENTIAL LABOR RISKS

3.1 Project Activities

Construction of this type of project will generally include the following activities:

- Clearance of Right of Way-This involves the process of clearing the designated path for the transmission line, ensuring there are no obstructions that may hinder construction.
- Cutting Trees and Vegetation-Removing trees and high vegetation along the transmission line route is necessary to maintain clearances and prevent interference with the line.
- Construction of Access Roads-Access roads are built to provide entry points for construction vehicles and equipment, especially in difficult terrains like mountainous/hilly regions.
- Land Clearing and Construction of Foundation-Clearing of land and preparing the foundation sites for tower installation re crucial steps in the construction process.
- Soil Stabilization-Ensuring the stability of the soil in the foundation areas and along the route of the transmission line is essential for long-term integrity of the structure.
- Erection of Towers-The installation of towers along the route to support the overhead transmission lines is a significant construction activity.
- Stringing Conductors-Once the towers are erected, the conductors (wires) are installed and strung between them to allow for the transmission of electricity.
- Reinstatement and Revegetation-After construction, impacted areas will need to be rehabilitated, reinstated, and revegetated to restore the environment to its original state as much as possible.

By carefully planning and executing these construction activities in a systematic coordinate manner, the successful completion of the 400kV OHL project in the challenging terrain can be achieved while adhering to safety, environmental, and quality standards.

3.2 Labour Risks Associated with the Project

Labour risks associated with the construction activities of transmission lines are crucial considerations for the health and safety of the workers involved. Below are the key occupational health and safety hazards that have been identified in the project.

- Risks associated with operation of heavy equipment and machinery.
- Trip and fall hazards-risks associated with uneven terrain and construction sites.
- Working at height: danger of working at elevated positions.
- Exposure to noise and dust: health risks from prolonged exposure to loud noise and airborne particles.
- Falling objects: hazards associated with objects falling from heights.
- Exposure to hazardous materials: Risks from handling and being in

- proximity to chemicals and materials used in construction such as paints, solvents, refrigerant oil for transformers, and switches, lubricants, and fuels.
- Chainsaws and treefalls: risks related to cutting trees.
 - Exposure to electrical hazards: risks related to the use of electrical tools and machinery.
 - Electrocutions and Arc fault burns: Risks of electrical accidents.
 - Electric and magnetic fields
 - Traffic Accidents: Risks associated with vehicle movement in construction areas.
 - Excavation Hazards: Risks related to trenching and excavation works.
 - Lifting of Heavy Structures: Risks from handling heavy components.
 - Ergonomic Hazards: Risks related to repetitive tasks and awkward postures during construction.
 - Environmental Hazards: Risks from encounters with wildlife such as snakes and insects.
 - Welding Hazards: Risks associated with welding process including fumes, burns, and radiation.
 - Steel Erection Tower Hazards: Risks associated with setting up the tower.
 - Likely incidents of child labour or forced labour.
 - Security risks dues to social and political instability
 - Gender based violence/sex exploitation and sexual harassment.
 - Labour discrimination against vulnerable and disadvantaged groups such as women, IDPs, minority clans and ethnic minorities.

3.3 Occupational Health and Safety Risks

During the construction stage, one major safety issue is the risk of electrocution during installation and maintenance works of transmission line accidents. This may result in injury and fatalities. Workers on construction sites are also highly exposed to injuries, falls, fatalities caused by machinery and/or transport, struck by falling objects, and risks from manual handling of heavy loads. In addition, working from height may lead to falls. The Project shall conduct job risk assessments and identify appropriate mitigation measures for OHS of workers during the design, construction, operational and decommissioning phases of the project components. Key mitigation measures include: regular patrolling along the power lines to identify the need for regular and immediate maintenance operation, inspection immediately after a major storm/rainfall event, regular cutting and trimming of trees around power lines, taking appropriate protective measures against accidental falls from elevated height during regular maintenance operations (use of appropriate Personal Protective equipment i.e. using body harness, waist belts, secured climbing devices, etc.), provision for shutting down of line in case of snapping of a line, and regular monitoring of power lines to prevent electricity pilferage.

Sexual Harassment, Exploitation and Abuse: there are several concerns on the potential for GBV, increased risk of abuse and exploitation for vulnerable women workers, increased risk of sexual exploitation and violence of persons involved in the labor related activities Thus, all staff and contracted workers should sign a code of

conduct outlining expected standards of behavior in this regard and attend an awareness session on the same including the consequences of such actions.

Child Labor: the need to earn an income may force underage children to seek employment at construction sites as casual laborers in digging foundation for the transmission towers as well as holes for the transmission lines. Contractors need to follow proper channels of employment of every worker, this includes the need to verify the age of the workers using the national identity card, or selection based on the contractor's previous profile, maintain ID copies at worksites, do periodic labor inspection, etc.

Forced Labor: in form of debt bondage and trafficking for little or no pay. The victims are the most vulnerable—women and girls forced into prostitution, migrants trapped in debt bondage, slavery, discrimination, low wages and abuse and sweatshop or farm workers kept there by clearly illegal tactics and paid little or nothing. The Project will not allow any form of forced, and or child labor, Contractors will be liable for the implementation of the LMP, and the PIU will have overall responsibility to monitor the implementation of the LMP.

Labor Disputes: over terms and conditions of employment. The likely cause for labor disputes includes demand for limited employment opportunities, labor wages/rates and delays of payment discrimination in labor recruitment, disagreement over working conditions (particularly overtime payments and adequate rest breaks), and health and safety concerns about the work environment. Further, there is a risk that employers may retaliate against workers for demanding legitimate working conditions, or raising concerns regarding unsafe or unhealthy work situations, unfairness at work, or any grievances raised, and such situations could lead to labor unrest and work stoppage. The PIU will ensure the contractor set up and manages an efficient workers GRM and train the workers on the channels for workers to raise the complaints.

Security Risks: the security risk for the project workers is substantial. Other security threats/issues include theft, vandalism and looting of parts, and/or unauthorized access to the construction site, in addition to other impacts from hiring security personnel. The possible mitigation measures include ensuring security at workers camp and project sites are under surveillance in collaboration with law enforcing agencies, contracting the services of a security firm to guard selected project sites, comply with the requirements in the Security Management Plan for the project. The actions of the security firm should be guided by the principles of proportionality and GIIP, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such security workers. The project will not sanction any use of force by direct or contracted workers in providing security except when used for preventive and defensive purposes in proportion to the nature and extent of the threat. Due diligence will be done to ensure the hires security firm are not implicated in past abuses; are adequately trained (or determine that they are properly trained) in the use of force (and where applicable, firearms), have appropriate conduct toward workers and affected communities; and are compliant with the applicable law.

Table 3-1. Detailed Labor Management Risk

Risk Category	Labour Risks	Impacts	Mitigation
Non-discrimination and equal opportunity	<ul style="list-style-type: none"> ■ Unfair and unclear recruitment/employment and selection practices 	<ul style="list-style-type: none"> ■ Discrimination against women, vulnerable groups, ethnicity, religion, etc. 	<ul style="list-style-type: none"> ■ The PIU should ensure that employment of project workers is based on the principle of equal opportunity and fair treatment ■ No discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.
	<ul style="list-style-type: none"> ■ Unfair and unclear deployment of government workers to work in the PIU (no contract, terms of reference, etc.) ■ Lack of competitive process of employment/deployment 	<ul style="list-style-type: none"> ■ Workers may become frustrated, lack focus or be redundant. 	<ul style="list-style-type: none"> ■ Government workers to be deployed to the PIU should have official letters of deployment, stating designation and reporting obligations. ■ Condition of service with detailed job description should be outlined in the letter of engagement of all categories of workers.
	<ul style="list-style-type: none"> ■ Payment of workers may be based on discrimination, e.g., male workers may be paid higher than women even on the same level of job schedule. ■ 	<ul style="list-style-type: none"> ■ Displeasure strife's and conflicts amongst workers. ■ Sabotage and underperformance by workers 	<ul style="list-style-type: none"> ■ PIU to safeguard the interests of workers in general but more attention should be given to, vulnerable groups, women including gender parity at the workspace PIU to ensure equal pay and equal treatment for all workers. ■ The employment of all project workers will be based on the principle of equal opportunity and fair treatment. ■ Inclusive consultations and focus groups particularly to ensure participation of women and other vulnerable groups. ■ No discrimination of all workers with respect to any aspects of the employment relationship. ■ Project management will hold sensitization meetings on resources planning and conflict resolution mechanisms. ■ The contracts with third parties will include non-exclusion requirements as part of the monitoring system.

Terms and Conditions of Employment	<ul style="list-style-type: none"> Project workers may not be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment/ deployment 	<ul style="list-style-type: none"> Speculations, wrong expectations, grievances, refusal to work etc. 	<p>The PIU should ensure fairness of employment terms and conditions against the applicable and prevailing National stipulations and requirements set out in this LMP. They should also closely supervise contractors to ensure fairness of employment terms and conditions for the workers.</p>
	<ul style="list-style-type: none"> Lack of unified rules and regulations for all workers Adequate facilities may not be provided 	<ul style="list-style-type: none"> Workers may become frustrated, lack focus or be redundant High staff turnover Workers could be overlaboured, fatigued & stressed 	<ul style="list-style-type: none"> All information and documentation must be provided by PIU, contractors to all project workers at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur. Government workers deployed to the PIU should have clearly defined terms of reference, terms and conditions of employment, entitlements amongst others, and condition of service with detailed job description shall be outlined in the letter of engagement of all categories of workers
	<ul style="list-style-type: none"> Exploitative wages: wages may not be commensurate with the level of work/services performed 	<ul style="list-style-type: none"> Legal action against the project Abuse of power and personnel 	<ul style="list-style-type: none"> Project workers should be paid on a regular basis as required by national law and labour management with a principle of “equal pay for equal work”.
	<ul style="list-style-type: none"> Over-stretched working hours: undefined cut-off time, no break periods, denial of time for religious practices etc. 	<ul style="list-style-type: none"> Under-compensation Unfair dismissal procedures Workers could be overlaboured, grievances, high turnover, poor reputation for the project, workers fatigue and stress. 	<ul style="list-style-type: none"> All project workers should abide by the national adopted hours of work, which is eight hours, five days a week, be provided with adequate periods of one-hour rest per day and one day per week, annual holiday and sick leave, as required by national law
Occupational Health and Safety.	<ul style="list-style-type: none"> Unsafe and unhealthy work environment 	<ul style="list-style-type: none"> Injuries, incidents and accidents. 	<ul style="list-style-type: none"> PMU, contractors, suppliers and all those involved in the project should conduct a risk and hazard analysis for the work under their control and ensure adequate mitigation measures are in place. The project will develop an OHS plan with measures that aim at avoidance and reducing or minimizing; and the application of the “Hierarchy of Controls” according to OHS principles– Elimination, Substitutions, Engineering Controls, Administrative Controls and use of appropriate fit for work PPEs.

			<ul style="list-style-type: none"> ■ Provide adequate and appropriate PPEs for the workers. ■ Carry out risk assessment and OHS inspection. ■ Only trained workers will be allowed to install, maintain and repair electrical equipment and build transmission lines, as per the ESRS, ■ SMPs will contain emergency preparedness and response measures. ■ Availability and access to first-aid equipment and medical supplies. ■ CoC should also enforce the Contractors should implement an OHS Plan.
	<ul style="list-style-type: none"> ■ Poor work safety culture such as lack of provision of PPEs, absence of hazard analysis and HSE training ■ Inadequate work tools 	<ul style="list-style-type: none"> ■ Increased accidents during project execution 	<ul style="list-style-type: none"> ■ Contractors to ensure workers have appropriate working conditions, sanitation facilities separate for male and female, basic amenities, appropriate signage in place, provision of adequate PPEs, first aid boxes, appropriate work tools, work permit etc. ■ Adequate monitoring of contractors' activities should be done by respective E&S officers at the PIU and supervising consultant to ensure compliance.
	<ul style="list-style-type: none"> ■ Sub-standard worker facilities and workers management 	<ul style="list-style-type: none"> ■ Lost Time Injury (LTI), ■ Medical Treatment Case (MTC), ■ Permanent disability, ■ Fatality 	<ul style="list-style-type: none"> ■ Only skilled and licensed drivers should be used under the project with continual training. ■ Project Managers, contractors and other involved groups to operate an Environmental, Social, Health and Safety System (ESHSS) that is consistent with good international industry practice while also conducting risk assessment and develop emergency preparedness and response plans for various work types. ■ Adequate monitoring by the E&S officers to ensure compliance
	<ul style="list-style-type: none"> ■ HIV/AIDS and STI 	<ul style="list-style-type: none"> ■ Lost Time Injury (LTI), ■ Medical Treatment Case 	<ul style="list-style-type: none"> ■ ESIA's and the SMPs will include measures to prevent the spread of disease ■ Carry out periodic HIV/AIDS awareness programs for workers and the beneficiary community. ■ Distribution of condoms to workers and neighbouring communities'

			<ul style="list-style-type: none"> ■ The project team should use the services of local area HIV/AIDS service providers to undertake community outreaches; and ■ Carryout voluntary HIV/AIDS testing.
Security risk/threat to workers	<ul style="list-style-type: none"> ■ Significant security risks in some parts of the country where the project will be implemented 	<ul style="list-style-type: none"> ■ Unsafe exposure to security threats from ambush, carjacking, ■ kidnaping, banditry and terrorism 	<p>The PIU to develop and implement a Security Management Plan</p> <ul style="list-style-type: none"> ■ The PIU will work closely with the Ministry of Interior to ensure worker security. ■ Project teams will seek security approval and clearances from the project coordinator. ■ Project teams will be periodically subjected to security awareness campaigns. ■ Project teams will have alternative communication devices, such as two-way radios or satellite phones in areas with limited or no cellular network coverage. ■ Use local leaders as part of the project implementation committee members. ■ Implement the requirements of a Security Management Plan specifically the requirement security escorts within determined project insecure areas
Child Labour	<ul style="list-style-type: none"> ■ Underage children (below the age of 18) could be exploited by contractors or primary suppliers or in other project related activities 	<ul style="list-style-type: none"> ■ Children could be exposed to dangerous situations causing injury, accidents and ill-health. ■ Deprive children of school attendance, which is against the law child abuse could ensue. 	<ul style="list-style-type: none"> ■ Given the nature of the project where health and occupational risks are envisaged especially during civil works, the minimum age of eighteen (18) should be enforced at recruitment and continuously during project implementation. ■ Project management will enforce all CoCs.
Forced Labour	<ul style="list-style-type: none"> ■ People could be coerced and threatened to work. ■ Involuntary or compulsory Labour, such as indentured Labour, bonded Labour, or similar Labour-contracting arrangements. 	<ul style="list-style-type: none"> ■ Reprisals ■ Exposure to injury and harm ■ Abuse of human rights and poor working conditions ■ Legal action against the project 	<ul style="list-style-type: none"> ■ PIU, contractors, suppliers to ensure that no forced labour exists in the project by gathering documents and appropriate proof ■ A consent section should be part of the employee's signed employment contract, for all workers ■ Contractors and primary suppliers should ensure that if labour is sourced from any subcontracting agency, the workers are not subject to

			<p>coercion and forced labour conditions</p> <ul style="list-style-type: none"> ■ The employment of project workers will be based on the principle of fair treatment; ■ The project management will hold sensitization meetings on forced labour and conflict resolution mechanisms; ■ The contracts with third parties will include prohibition of forced labour requirements as part of the monitoring system. ■ All contracts will have contractual provisions to comply with the non-use of forced labour requirements including penalties for non-compliance in-line with the relevant national laws.
<p>Sexual Harassment (SH), Sexual Exploitation And Abuse (SEA), Gender-Based Violence (GBV)</p>	<ul style="list-style-type: none"> ■ Workplace sexual harassment /sexual exploitation and abuse/gender-based violence. 	<ul style="list-style-type: none"> ■ Abuse of human rights ■ Injury and associated physical and mental health conditions. ■ Sexually transmitted diseases ■ Legal action against the project 	<p>PIU should ensure that:</p> <ul style="list-style-type: none"> ■ A GBV action plan is prepared ■ Provision of a reporting mechanism for all category of workers for such incidents including referral services ■ Communities are sensitized on GBV/SEA & SH and the referral pathways; ■ All project personnel should be sensitized on GBV/SEA & SH; ■ All category of workers in the project to be made aware of zero tolerance to Sexual Harassment (SH), Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV). ■ All categories of workers in the project are to sign the code of conduct forms ■ The project will undertake GBV risk assessment and mapping of GBV services. ■ Sensitization campaigns and awareness creation on GBV services. ■ Periodically update GBV assessment of potential risks that may arise in relation to primary suppliers. ■ Application of WB GBV Guidance Notes in work procedures and interactions, especially those addressing social aspects. ■ Special GRM for GBV/SEA/SH cases will be set up <p>Note:</p> <ul style="list-style-type: none"> ■ GBV Risk Assessment and Action Plan has been prepared

			and that the project will comply with the measures outlined in the GBV Action Plan.
Grievance mechanism	<ul style="list-style-type: none"> ■ Lack of grievance redress channel for workers 	<ul style="list-style-type: none"> ■ Workers may be aggrieved due to unfair treatment, ■ Poor working conditions, conflicts, poor pay, ■ Overstretched working hours ■ Reprisals, refusal to work 	<ul style="list-style-type: none"> ■ A grievance mechanism for resolution of grievance by workers has been integrated into chapter 7 of this LMP to expeditiously address concerns among workers. It employs a clear and transparent process, delivering timely feedback to individuals in a language they comprehend, with no fear of retaliation. The GRM operates independently and objectively ■ The PIU should review the effectiveness of the GRM system periodically or when there is any significant change in the project. ■ Prepare the Grievance Redress Mechanism (GRM) to address labor grievances. ■ Constitute the Grievance Redress Committees. ■ Awareness creation for the workers on their rights and obligation, and supervise of labor activities by government entities
Right of Association and Collective Bargaining	<ul style="list-style-type: none"> ■ Workers may not have the right to freely form, join or not join a trade union for the promotion and protection of the economic interest of that worker. ■ Workers may not be allowed the right to organize and collective bargaining, and representation 	<ul style="list-style-type: none"> ■ Abuse of power by employers ■ Reprisals, legal action 	<ul style="list-style-type: none"> ■ PIU, contractors to ensure that all workers are informed of their right of association and collective bargaining according to ESS2 ■ Workers should also be informed of the workers GRM and their right to utilize the system.
Contractors' management	<ul style="list-style-type: none"> ■ Contractors on the project may not be adequately managed or monitored. ■ Non-compliance to provisions of this LMP and other national labour requirements. 	<ul style="list-style-type: none"> ■ Accidents/incidents, loss time injury to workers due to negligence in adhering to OHS concerns. ■ Unruly behaviour of contractors ■ Unfair treatment of workers, conflicts ■ Legal actions and bad reputation for the project. 	<ul style="list-style-type: none"> ■ Contractors to prepare a Labour Recruitment Plan as part of Contractor's ESMPs based on the provisions of this LMP and the details of labour to be used in those contracts. These plans will be reviewed and cleared by the PIU, as appropriate. <p>Contractors to maintain records of:</p> <ul style="list-style-type: none"> ■ Workers engaged under the Project, including contracts must be kept. ■ Training attended by workers including CoC, HSE, STIS/STDS, GBV etc. ■ Accidents/ incidents and corresponding root cause analysis

			<ul style="list-style-type: none"> Sanctions, punishments and terminations with reasons and follow up actions taken. These records will be periodically reviewed by the Project's safeguard team, including consistent monitoring of contractor's performance and compliance.
Labour influx	<ul style="list-style-type: none"> Influx of workers into project communities due to project activities. 	<ul style="list-style-type: none"> Projects may face influx of labour to local communities especially where skilled labourers are not available in some project sites. This could lead to increase in potential spread of STIs/STDs, HIV/AIDs due to workers on site, increase in GBV/SEA especially for Girls that have been exposed to contractors, sexual relations between contractors and minors and resulting pregnancies, encourage presence of sex workers in the project communities 	<ul style="list-style-type: none"> Encourage hiring of labour from the host communities. Maintain labour relations with local communities through a code of conduct (CoC) The Code of Conduct must be signed by all workers. Workers must be trained on the provisions of the CoC about refraining from unacceptable conduct toward local community members, specifically women and informed of the sanctions for non-compliance. Training must be conducted for all new hires including sub-contractors. The Contractor will develop a Labour Recruitment Plan for project which will inform the process for recruitment of local labourers as well as internal and foreign migrants. The Contractor will prioritize employing locals as casuals to reduce the need for labour influx. Transporting workers from point of origin, and between labor camp (s)and site(s)
Primary suppliers	<ul style="list-style-type: none"> Primary suppliers could also be exposed to occupational risks. Worker's mismanagement 	<ul style="list-style-type: none"> Incident/accidents while performing project related functions. Workers could be treated unfairly 	<ul style="list-style-type: none"> Primary suppliers should maintain records related to occupational injuries, illness and lost time accidents, corrective action, conditions of work etc. Environmental and Social Safeguard specialist of the PIU shall monitor the performance of primary suppliers as regards workers management.
Discipline and termination of employment	<ul style="list-style-type: none"> Disciplinary process may not be fairly or equitably employed across board Conditions for termination may not be 	<ul style="list-style-type: none"> Grievances, reprisals etc. Unfair dismissal from work 	<ul style="list-style-type: none"> PIU should periodically review workers disciplinary and termination processes to ensure that they are executed fairly and without prejudice. Where unfair treatment is established,

	clearly outlined in the terms of employment	<ul style="list-style-type: none"> ■ Abuse of power and human rights ■ Legal action against the project 	<p>correction and corrective action should be implemented and monitored</p> <ul style="list-style-type: none"> ■ Termination of appointment should abide by the following principles: <ul style="list-style-type: none"> ■ Valid or reasonable ■ Clear and unambiguous ■ The employee is aware, or could reasonably be aware of the rule or standard; ■ The procedure to be applied in the event the employee contravenes any of these rules.
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4 OVERVIEW OF LABOR LEGISLATION

4.1 Constitution of the Republic of Somaliland

The Constitution of the Republic of Somaliland (2001) provides the legislative framework for labour issues. Article 20 of the Constitution covers work, trade, and welfare of workers. Article 20 states:

Article 20: - Work, Trade, and the Welfare of Employees

1. All able citizens have a right and duty to work.
2. The conditions of work of the young and women, night working and working establishments shall be regulated by the Labour Law.
3. All employees have a right to payment appropriate to the work they undertake and are free to enter into agreements with their employers on an individual or collective basis. Forced labour is prohibited.
4. The State shall endeavour to create understanding and clear rights between employees and employers and shall accordingly introduce a law (*in this respect*).
5. The State shall promote the support systems, insurance and safety of employees and shall strengthen the relevant responsible bodies.

In addition, Article 23 guarantees the rights to form a trade union as part of the freedom of movement and association. Article 23(3) states that “All citizens shall have the right to form, in accordance with law, political, educational, cultural, social, and occupational or employee’s associations.”

4.2 Private Sector Employees Law of Somaliland

The Somaliland Private Sector Employees Law of Somaliland (Labour Act Law Number 31/2020, adopted in 2010) is the specific labour law governing all aspects of labour and working conditions, which covers the contract of employment, terms and conditions, remuneration, occupational health and safety, trade unions and labour authorities. The Labour Act is applicable to all types of workforces of the project. The Labour Act is broadly consistent with the ESS2, while there is a significant gap in the enforcement aspect of the legislation. The public service or public institutions are in addition governed by the Civil Service Law (Law No.97/2022).

4.3 Somaliland Labour Act 2020

Below is the list of relevant provisions of the Labour Act 2020 with regard to terms and conditions of work:

Article 3 act 31/2020 this article declared regulated staff including exception stuffs to regulate the duties of the stuff and non-obliged staff.

Limitation of the Use of the Code

- 1) This rule applies to all communications employment-based on a collective agreement employer and employee vivilians in the JSL country such as: -
 - a) Indigenous staff of international organizations (INGOs).
 - b) Employees of NGOs.
 - c) National staff of the United Nations.

d) Employees of local companies, employees national of a foreign company and foreign workers in local companies, and private workplaces employed by a staff of three months relationship worked

2) This rule does not apply to:

- a) Civil Servants,
- b) The various national forces.
- d) Day laborers

This article clearly the scope of this act Article 4: 2020 Purpose of the Act

1) The objectives of this Act are to enforce the fundamental rights set out in Article 20 of the Constitution of the Republic of Somaliland, governed by the relationship between employer and employee in jobs civilians, in order to achieve specific objectives. The rules are: -

- a) To protect the rights of civil servants.
- b) Define the obligations of the employer and Staff.
- c) Ensure equal employment opportunities.
- d) Maintain care and safety at work.
- e) Define the structure of the association's civil servants.

Article 7 Somaliland private law: 31/2020

Oversight of Work and Enforcement of this Code Minister of Employment, Affairs
Community and Family in consultation
Appointed by the Public Employment Service
Labor Inspectors.

This article mentioned the work supervising the staff shall monitoring and advising working conditions and obligations Article 8 Somaliland private law 31/2020

The Work Supervisor will improve the situation workplaces by supervising, enforcing Civil Servants Act, by: -

- 1) Advise employer and employee
Employment rights and their employment obligations to the staff
- 2) They can conduct workplace inspections such as this rule allows.
- 3) They can investigate a complaint filed by an inspector work or staff.
- 4) To ensure the implementation of this rule in the field work in progress.
- 5) They can collect any traces or can be an example of a work ethic staff.
- 6) They can ask the employer to come submit staff reports, statistics and all information on conditions general Job or employee.
- 7) They can give the employer a warning or appropriate punishment, when they see him violate the law, and may give them time limited and he can correct his mistakes informing the Ministry officials.
- 8) Can provide information and suggestions Ministry of the Workplace without requirements.

Discrimination

The Article 10 of the act describes the labor rights. The article states that all citizens have the right to access employment opportunities, and no one can be denied access to

employment opportunities regardless of their gender, ethnic, religion, and political affiliation. The article further states that it is prohibited to discriminate or dismiss a person [from work] due to having health related illness or chronic disease or other circumstantial factors as long as a person is able to perform his/her work duties.

Article 25 states:

- When the worker is terminated while the period of his contract has not finished, the employer will pay compensation to the employer based on the period he/she was employed.
- When employee is terminated while working more than one year, s/he will be given equivalent of one-month salary each year s/he worked and other remaining remuneration like holidays, annual leave, national holidays, extra hours in accordance with article 12(4).
- If the worker dies his inheritors will be eligible to get all the above-mentioned rights after a Court decision procedure.
- There will be no compensation to the worker if their clear evidence of him/her committing serious crime of harming the equipment and reputation of the employer.
- The crimes that a worker can forfeit his/her rights should be clearly stipulated in the agreement.

Minimum Wages

Article 25 of the act describes the compensation given to employees. It describes that every employee has the right to get compensated on extra work duties performed, or dismissal from the job. In case the employee dies while he/she was in duty, the compensation has to be given to the family.

Employment Contracts (Article 27 of the Somaliland Labour Act, 31/2020)

Somaliland Labour/Employment Law stipulates that all employment contracts must include: (i) the name and address of the employee (ii) full name, address, occupation, age and sex of workers (iii) the nature and duration of the contract; (iv) the hours and place of work; (v) the remuneration payable to the worker; and (vi) the procedure for suspension or termination of contract, and (vii) job description of the worker. Furthermore, all contracts must be submitted to the competent Labour Inspector for pre-approval. Upon signing the employment contract, the employer is required to submit an original copy of signed contract to the Labour Department for approval and registration.

Article 27 of the act demonstrates the prerequisite to have contract agreements between the employee and employer before the worker starts the performance of work duties. And duties and associated terms of conditions of the job have to be clearly designated. The article further describes the key content of the contract to encompass the following terms or factors namely: Name of the person(s), address, grade of employment, salary, working hours, workstation, allowances, duties and responsibilities, probation period, holidays or leaves, conflict resolution, promotion etc.

Article 27: Employment Contracts

1) Both parties have the right to enter individual or collective agreement of this rule affecting their needs, and necessary to have a written agreement is clear at least in the following guidelines.

- a) Name and address of employer.
 - b) The name of the fourth employee and available at his address.
 - c) Staff rank.
 - d) Hours of operation.
 - e) Agreed salaries and allowances
 - f) The duties and responsibilities of the employee detailed job description.
 - g) Date of commencement and completion of work
 - h) If there is a probation period must be for the duration of this Act.
 - i) Contract, sandwich, overtime and what it takes.
 - j) Safety, security, health conditions and staff rest.
 - k) The method of sorting or mediating if self defence.
 - l) The method and condition of retirement, employment removal and renovation work.
 - m) Your promotion.
 - n) Compensation and
 - o) Employee insurance.
- 1) It must be the employer and all employees have or have an employment contract between and written.
- 2) Must have a signed copy of both side (Employer and Employees) together brought to the employment office to registration, no taxes or fees are charged can be taken when the contract is being registered.

Article 28 describes the different contracts between employee and employer including the probation, fixed term, and indefinite term contracts and associated terms and conditions.

Type of Contracts

1. Probation Agreement, this agreement it is a two-pronged probation (employer and employee) no more than two months, if both parties agree.
2. Such an agreement may be extended to two months only.
 - a) Both parties can withdraw from the agreement without notice
 - b) The person in the probationary period he is entitled to a salary for days during the week, he was not entitled to it will when he completes this task
3. Fixed Term A contract of employment and entered on both sides for a specified period of time which is at least one month.
4. Indefinite term indefinite time that will last a long time.
5. Apprenticeship Agreement This agreement is one specializing in related craftsmanship aspects of on-the-job training and administrative procedures in private workplaces apprentice, to get a professional apprentice.
6. Any compensation will be followed Article 25 of the Act.

Hours of Work

Article 11 states that: the normal working hours a day are 8 hours per day, if the person works 6 hours a week. if the person works 5 days a week, the working hours have to be 9

hours per day. A person should work 48 hours in total. Friday is considered a public holiday. The article describes that there can be shifts in working hours such as night, day or evening. The article further states that during the prayer time, the work activities have to be stopped, and resumed after prayer is performed.

Normal working hours are 8 hours per day, if the person works Six (6) days per week. If the person works during the week five (5) days a day working 9 Hours. So in total one must work 48 hours a week.

- 2) Without prejudice to paragraph 1 of this article, the employee has the most rights At least one rest every seven days. That day is Friday.
- 3) Working hours are evenly distributed working days of the week, if any work brings hours of work during the day can be divided into morning and afternoon.
- 4) Staff can be hired as nurses (shifts) working hours, but not hours. Each session may not exceed (8) hours. Immediately or 48 hours per week if the job has a support schedule.
- 5) Hours of operation if the time comes prayer is to pray and the agreement must exist.
- 6) During this month the working hours are off cuts only one hour.

Article 12; The article 12 states, the extra working hours can be considered as overtime work and must be compensated by the employer. The overtime work can be requested by the employer and agreed with the employee; and it must not exceed 4 hours in a day or 24 hours per week as indicated in the article. Female workers are not duly compelled to perform overtime work, they have the right to accept or decline the offer. The payment associated with the overtime work must be accounted for and paid with salary.

Article 15 of this act: Every year what the employee says

A total of 12 public holidays, which the employee takes his salary is one hundred percent (100%) while working rested, and if he works he will be counted as a worker more and spend more money. As enshrined in paragraph 4 of article 12 of this law,

Here is what happened:

1. Idul Fitri Two (2) days
2. Idul Adha Two (2) Days
3. The Birth of the Prophet One (1) Day
4. Awalmuxram One (1) Day
5. Micraaju Nabi One (1) Day
6. 1st May One (1) Day
7. 18 May Two (2) Days
8. 26 and June One (1) Day
9. 1 January One (1) Day

Article 16 Annual Leave of the year:

- 1) Every employee has a right to annual leave for 30 days work each year, taking him his full salary.
- 2) The employee is given leave his first year when he worked for a while eleven (11) months, followed by holidays during the year in any month.

- 3) National holidays and Fridays on or off well for the employee's holiday month does not count as his annual leave.
- 4) The employee's annual leave can exchange wages if so, approved by the employer
- 5) Employer's annual leave of absence the employee is entitled to one year can break if the employee agrees.
- 6) The employer, the circumstances caused by the job therefore, it may delay the person's leave employee, as well as the employee if the employer agrees it will be postponed can take his annual leave.
- 7) If the employee's annual leave is restored due to circumstances, it is provided next year by sending off the missed holiday and holiday next year.
- 8) Any holiday postponed in accordance with paragraph 5 of this Article, once again it cannot be postponed by one more than a year.
- 9) Every employer does vacation registration, which records are available the date everyone took a vacation annual, holiday and paid period.

OHS Standards

In regard to OHS standards, the employer is obligated to provide adequate measures for health and safety, protecting staff against related risks, including the provisions of a safe and clean work environment and of well-equipped, constructed and managed workplaces that provide sanitary facilities, water and other basic tools and appliances ensuring workers' health and safety.

Minimum Age of Employment in Certain Types of Work

The labour code further forbids work for children below the age of 15 but allows employment of children between the age of 15-18, but employment has to be compatible with proper protection, health and the morals of children.

A child over the minimum age and under the age of 18 will not be employed or engaged in connection with the project in a manner that is likely to be hazardous or interfere with the child's education, or be harmful to the child's health or physical, mental, spiritual, moral, or social development.

Terms and Conditions of Employment

The Somaliland Labour/Employment Law stipulates that remuneration must be adequate in view of the quality and quantity of the work delivered, and must be non-discriminatory in regard to age, gender and other aspects. The Somaliland Civil Servants Law stipulates that the rate of salary and condition of service shall be uniform in the whole territory.

Freedom of Association

The Employment Law also recognizes freedom of association. Employers are prohibited from engaging in any kind of discrimination or restriction of the right of freedom of association. Workers are allowed to join trade unions. The Code stipulates women's right to equal pay for the same work as men and paid maternity leave. Women are entitled to 14 weeks of maternity leave at half pay.

Article 27: The two sides [employee and employer] have the right to enter private and collective agreement that concern them in accordance with this law.

It is imperative that there should be a written agreement clearly stating the following points:

- Name and the address of the employer
- Four names of the employee [person's name, father plus names of grandfather and great grandfather]
- Rank of the employee
- Working hours
- Agreed salaries and bonuses
- Detailed work terms of references
- Start and end of the work period
- If there is probation time it should be based on the labour law.
- Agreement on Eidd bonuses
- Extra hours
- Remuneration
- Safety conditions
- Security conditions
- Health matters
- Holidays
- Conflict resolution procedures in workplace
- Promotion
- Insurance

4.4 Occupational Health and Safety

The law (NO. 31/2019) covers protection against risks to the workers, notification procedures in occupational accidents, medical requirements at site and conveyance of injured workers to the hospitals, among others. Below is the list of relevant provisions of the Labour Code with regard to OHS.

1) Protection against possible risks (Article 41 NO. 31/2019)

- All factories, workshops and other workplaces shall be built, installed, equipped and managed in such a way that the workers are properly protected against possible risks. For this purpose, the employer shall:
- Maintain a perfect state of safety and hygiene to avoid risks of accident or damage to health
- Take suitable measures to prevent contamination of work-places from toxic gases, vapours, dust, fumes, mists and other emanations;
- Provide sufficient and suitable toilet and washing facilities, separate from men and women workers;
- Provide an adequate supply of drinking water easily accessible to all workers;
- Maintain fire-fighting appliances and staff trained in their use;
- Provide the necessary safety appliance adapted machinery and plant;
- Maintain machinery, electrical and mechanical plant, instruments and tools in good condition to ensure safety;
- Provide suitable installations for the removal of refuse and drainage of residual waters;

- Take the necessary precautions in his establishment to protect the life, health and morality of the workers;
 - Ensure that his staff receive the necessary instructions for the prevention of industrial accident, occupational diseases and other risks inherent in their occupations;
 - Post in conspicuous parts of the workplace's notices explaining clearly the obligations of the workers to observe safety rules, and visual signs indicating dangerous places;
 - Supply the workers with the apparatus and instruments (personal protective equipment) to guard against the risks inherent in the work;
 - Take steps to provide the necessary first aid in urgent cases to workers involved in accidents or falling sick during work.
- 2) Notification of industrial accidents and occupational diseases (Article 45 NO. 31/2019)
- The employer shall immediately notify the competent labor inspectorate of all accidents resulting in injury of death and occupational diseases.
- 3) Medical facilities (Article 43 NO. 31/2019)
- Every undertaking normally employing more than ten workers at the single centre shall maintain a first-aid chest.
- 4) Conveyance of injured and sick workers (Article 45 NO. 31/2019)
- It shall be the duty of the employer to arrange at his own expense for the conveyance to the nearest hospital of any injured or sick worker who can be so conveyed and who cannot be treated on the spot with the means available.
- 1) Medical examination (Article 38 NO. 31/2019)
- Children and young persons shall not be employed unless the employer has arranged for their medical examination to ascertain whether they are fit to undertake all or any of the duties on which they are to be employed. Thereafter the employer shall arrange for a medical examination once a year for children and young persons until they reach the age of 18 years.
 - Officials of the health services shall carry out such medical examination and issue the appropriate certificates.
 - Where a person is found to be medically unfit to continue his job, his contract of employment shall be automatically dissolved.

OSH inspection and enforcement: OSH Labour Inspectors have the power to enter to carry out their duties, the Inspectors of Labor must have made for them identification cards to verify that:

- They are Labor Inspectors.
- This Labor Code authorizes them to inspect work premises according to the terms that the code mandated.
- Therefore, for them to become acquainted with the conditions of work and of the workers, the Inspectors of Labor can enter at any proper time, without warrant or prior notification, any premises where work is undertaken or wherever employees

are at work at the time or are receiving training/education or wherever data of any kind about employees is stored, that is not a currently inhabited house.

Labour inspectors have authority to inspect work sites in accordance with the code, advise the employers about employees' rights and the employees about their work responsibilities.

The following gaps have been identified with regard to the existing OHS legislation.

- The implementation of the requirement of the OHS provision in the Labour Code is not adhered to. (GoSL) have capacity gaps in the form of the availability of competent teams to ensure all the requirements are met. There is a glaring gap with regard to the community health and safety provisions. There is no sectoral health and safety policy to guide the implementation of the sectoral OHS.

4.5 Worker's Organizations.

Below is the list of provisions of Labour Code with regard to worker's organizations.

Organization and purpose (Trade Unions) (Article 52 NO. 31/2019)

- The organization of labor unions shall be free.
- Persons engaged in the same occupation, trade or industry, or related occupations, trades or industries may establish a trade union.
- Every person is free to join a trade union within the framework of his occupation.
- A trade union shall be established by a notarial act. It shall have a minimum of 50 members.

Freedom of association (Article 53, 54 NO. 31/2019)

- It shall not be lawful to engage in any act of discrimination or any act restricting the right of freedom of association and more particularly to
 - (a) Make the employment of a worker subject to the condition that he shall not join a labor union or shall relinquish trade union membership;
 - (b) Cause the dismissal of or prejudice a worker in any other way by reason of trade union membership or because of participation in trade union activities.
- It shall also be unlawful for any employer to engage in any act of interference, including financial interference, in the establishment or functioning of a labor union.
- Rights of trade union (Article 54 NO. 31/2019)

A trade union shall have the rights to enter into individual contracts or collective agreements respecting conditions of work, to vindicate and enforce the rights prescribed therein and to take any legal actions arising out of such contracts or based on the law.

International Best Practices

The PIU could refer to applicable International Best Practices by World Bank Group and international conventions, and directives for addressing health and safety issues, such as:

- World Bank Group Environmental, Health, and Safety Guidelines for Electric Power Transmission and Distribution, 2013
- World Bank Group. Environment and Social Framework Safeguards interim note: COVID-19 considerations in construction/civil works projects, 2020.
- World Bank Group. Environmental, Health, and Safety Guidelines. General EHS Guidelines, April 30th, 2007.
- World Bank Group. Good Practice Note – Assessing and Managing the Risks and Impacts of the Use of Security Personnel, 2018.
- ILO Occupational Safety and Health Convention, 1981 (No. 155)
- ILO Occupational Health Services Convention, 1985 (No. 161)
- ILO Safety and Health in Construction Convention, 1988 (No. 167)
- WHO International Health Regulations, 2005
- WHO Emergency Response Framework, 2017

Table 4-1. Summary of World Bank Requirements and Key Gaps with Somaliland Legal Requirements

ESS & Topic	Major WB requirements	Key requirements/gaps in (GoSL) legal framework	Principles to be followed by the Project
A. Working conditions and management of labor relations	<ul style="list-style-type: none"> ➤ Written labor management procedures ➤ Terms and conditions of employment ➤ Nondiscrimination and equal opportunity ➤ Worker's organizations ➤ Elaborate Labor Management ➤ Plans including Contractor's ESMP warranted 	<ul style="list-style-type: none"> ➤ Written employment contract required, including procedures and employment conditions ➤ No provision for Labor Management Plans. 	World bank ESF will apply specifically ESS2.
B. Grievance mechanism	<ul style="list-style-type: none"> ➤ RM should be in place for direct and contracted workers 	<ul style="list-style-type: none"> ➤ No project specific GRM is warranted. ➤ However, it is allowed to apply to: <ol style="list-style-type: none"> a) conciliation commission; b) Labor Inspection under the Ministry of Employment and Labor Relations; and c) court. 	Banks ESF will apply secpificalaly ESS2
C. Occupational Health and Safety	<ul style="list-style-type: none"> ➤ Detailed Procedure required for every project. ➤ Requirements to protect workers, train workers, document incidents, emergency preparation, addressing issues; and ➤ Monitor OSH performance 	<ul style="list-style-type: none"> ➤ No detailed procedure specific to every project. ➤ Requirements to protect workers, train workers, document incidents, emergency preparation. 	World Bank ESF will apply, specifically ESS2

D. Category of workers -	Specifies these following categories of workers: direct workers; contracted workers; community workers; and primary supply workers.	No reference to Community and Primary Supply Workers	World Bank ESF will apply and specifically ESS2
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5 RESPONSIBLE STAFF

5.1 EAPP-PIU

A Project Implementation Unit (PIU) has been established in the Eastern African Power Pool (EAPP) and is staffed by personnel (environmental and social specialist) who will be in charge of ensuring that the LMP is implemented in accordance with the World Bank ESSs. The EAPP/PIU will be responsible for the following:

- Implementing this labour management procedure to its (EAPP) direct workers
- Ensuring that Ministry of Energy and Minerals (MOEM) PIU implement the LMP to its direct workers
- Provide oversight and ensure that MOEM-PIU implements the LMP

5.2 MoEM-PIU

The PIU of the MoEM will be staffed by personnel who will be in charge of ensuring that the LMP is implemented. The MoEM-PIU will be responsible for the following:

- Implementing this LMP to its direct workers
- Ensure that contractor(s) responsible for the construction of the transmission line prepare their labor management procedure, in compliance with this LMP.
- Monitor that the Contractors are meeting obligations towards contracted and sub-contracted workers as included in the General Conditions of Contract the Bank Standard Bidding Documents, and in line with ESS2 and national labour/laws
- Ensure that the grievance mechanism for the project is implemented and functional
- Monitor implementation of contractor's labour management procedures
- Monitor training of the project workers on LMP

5.3 Supervising Consultant

The Supervision Consultant will oversee contractors' labour and safety performance daily, on the behalf of the Employer (EAPP-PIU and MoEM-PIU) and in line with the LMP. The ESMP requires the Supervision Consultant to employ specialists for such oversight and to report on performance to EAPP/PIU and MoEM-PIU monthly.

5.4 Contractors

Contractors will need to incorporate all mitigation measures mentioned in this LMP and ESIA in their employment contracts and operations. Additionally, all the bidding documents will include a condition for contractors to have capacity to manage potential ESS risks/impacts. The contractors for the project will have specific responsibilities regarding labour management and occupational safety. The contractors' responsibilities are summarized below:

- **Contractor Experts:** Contractors will employ or appoint qualified social, labor, and occupational safety experts to prepare operating procedures aimed at implementing this LMP. These experts will also manage subcontractor E&S implementation performance.
- **Supervise Subcontractors:** Contractors will supervise the implementation of this labor management procedures by their subcontractors.
- **Record Keeping:** Maintain records of the recruitment, copy of employment contract, disciplinary measures, GRM, signed code of conducts, employees

- identification cards, and employment process of contracted workers.
- **Communicate Employment Conditions:** Clearly communicate job descriptions and employment conditions to contracted workers.
 - **Grievance Mechanism:** Develop and implement a grievance mechanism for contracted and subcontracted workers. Contractors will address grievances received from these workers.
 - **Review and Reporting:** Have a system for regular review and reporting on labor, occupational safety, and health performance.
 - **Training:** Deliver regular induction (including social induction) and HSE (Health, Safety, and Environment) training to employees.
 - **Code of Conduct:** Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct before commencing work.

Additionally, all relevant E&S commitments and requirements will be incorporated into the bidding documents to ensure that all eligible contractors would have the necessary capacity to manage E&S issues.

6 POLICIES AND PROCEDURES

The employment of project workers will be based on labour laws and regulation in Somaliland and the principles of non-discrimination and equal opportunity including all aspects of hiring, pay, terms of employment, working conditions, access to training, advancement, or termination of employment, among other employment relationships to as much as they are consistent with ESS2. In case of any difference, the most stringent will be adopted.

The project-specific Code of Conduct will be signed by the direct project workers and all contractors will ensure all employees working for the project have a code of conduct explained to them and signed. In accordance with the national labor laws and this labor management procedures, contractors will develop labor management protocols. While not a comprehensive list of standards, the guidelines and practices listed below serve as a representation of the fundamental ones. To guarantee that every employee is treated fairly, the contractors will create the following policies, which MoEM-PIU, EAPP-PIU and a supervisory consultant will oversee:

- Recruitment will be straight forward, open and non-discriminatory.
- Applications for work will only be considered if submitted through official application channels set up by the contractors.
- Clear job descriptions will be provided and will clearly explain the skill sets required for each post.
- Applications for employment will only be considered if submitted via the official application procedures established by the contractors.
- Unskilled labor will be preferentially recruited from the surrounding communities, with a goal of at least 50 percent.
- All workers will sign written contracts elaborating the terms and conditions of work and will have the substance clarified to them. Specialists will sign the work contract.
- The affected communities, settlements, and municipalities will be given preference when hiring unskilled workers.
- Employees will be informed (a) not less than ten days in the case of manual workers; or (b) not less than 30 days in the case of non-manual workers before the expected release date of the coming termination.
- The contract workers will not be required to pay a hiring fee. If any hiring fees are to be incurred, these will be paid by the Employer.
- Contracts will be developed in a language that is understandable to both parties based on the employee's and employer's origins. In addition to written documentation, workers who may have questions will receive an oral explanation of the terms and conditions of employment.
- Language-related communication issues may occur. For the foreign crew, interpretation may be necessary.
- A residency permit is required for foreign workers in order to be able to work in Somaliland.
- MoEM-PIU will stipulate in contracts that all employees of contractors (and sub-contractors) must be at least eighteen years old.

- Normal working time should not exceed 40 hours per week. With a five-day working week, the duration of daily work is determined by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration; this shall prevail upon all the project workers.

A summary of **indicative procedures** to be developed and used to implement the LMP policies is provided below.

Labor influx: To minimize labor influx, the project will contractually require the contractors to preferentially recruit unskilled labor from the local communities and nearby areas. All contracted workers will be required to sign the CoC prior to the commencement of work, which includes a provision to address the risk of GBV and SESA.

Labor disputes over terms and conditions of employment: To avoid labor disputes, fair terms and conditions will be applied for project workers (guided by relevant laws). The project will also have GRMs for project workers (direct workers and contracted workers) to promptly address their workplace complaints. Further, the project will respect the workers' right of labor unions and freedom of association, as set out in the Private Sector Employees Law (Law No. 31/2004).

Discrimination and exclusion of vulnerable groups and/or persons from communities who meet the requirements of the WB ESS7: The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, terms of employment (including wages and benefits), termination and access to training. The project shall comply with the Private Sector Employees Law (Law No. 31/2004) on gender equality in the workplace, which will include provision of maternity and sick leave. There will also be enough and suitable toilet and washing facilities, separate for men and women workers, as the community cultures demand. The contracts with third parties will include these requirements which will also be part of the monitoring system.

Security risks: Some of the target project areas are located in areas with perpetual fears of insecurity. PIU will work closely with the Ministry of Interior to ensure the security of the workers', and the facilities involved in project are responsive and in line with project Security Risk Assessment and Management Plan (SRAMP).

Gender-Based Violence (GBV) and Sexual Harassment, Exploitation and Abuse (SHEA): Given the implementation context, sexual harassment, exploitation and abuse of co-workers is a likely risk. Thus, all staff and contracted workers should sign the code of conduct (CoC) outlining expected standards of behavior in this regard and attend an awareness session on the same including the consequences of such actions. PIU will identify a qualified trainer/consultant to offer training in GBV and SEA (the development partners may be approached to offer support with this training). A separate GRM will be established for addressing GBV and SEA complaints.

Child Labor: All workers will be 18 years old or above for civil works. This will be a requirement in all contracts with civil works contractors. PIU/Contractor will ensure that no construction workers between 15-18 years are employed,

Forced labor: Project will not allow any form of forced child labor, slavery, servitude, trafficking and all applicable ESS 2 provisions. It will hold all contractors liable for the implementation of the LMP, the PIU will have overall responsibility to monitor the implementation of the LMP.

6.1 Occupational Health and Safety Policies

Pursuant to the relevant provisions of the Labour Code known as Act No. 31 of 2004: Private Sector Employees Law (Law No. 31/2004), ESS2 (including WBG Environmental, Health and Safety Guidelines (EHSs), and WB standard procurement documents), the PIU will manage the project in such a way that project workers are properly protected against possible OHS risks. The contractors will also be required to produce OHS policies and procedures and plans in line with these provisions.

Key elements of OSH measures include: (i) identification of potential hazards to workers; (ii) provision of preventive and protective measures; (iii) training of workers and maintenance of training records; (iv) documentation and reporting of occupational accidents and incidents; (v) emergency preparedness; and (vi) remedies for occupational injuries and fatalities.

Direct project workers (MoEM-PIU and EAPP-PIU employees) are expected to conduct field visits and inspections in relation to the transmission line project. Thus, it is unlikely that direct project workers will engage in activities that pose a significant danger to their health and safety. When performing on-site work, MoEM-PIU and EAPP-PIU employees are required by established health and safety protocols to wear appropriate personal protective equipment (PPE). This covers safety footwear, helmets, eye protection, and high visibility vests.

The employees of the construction contractor will be exposed to the primary health and safety hazards. Contractors and primary suppliers submitting bids for the project will need to show that they can manage risks to health and safety and provide documentary proof. Following contract award, contractors must submit an occupational health and safety plan and labor management processes that comply with the ESMP. The contractors will guarantee that subcontractors comply with their occupational health and safety plans.

The contractors will create thorough plans for occupational health and safety that address the following, among other things: The contractor will set up a work permit system and conduct a risk assessment of the operations. This is necessary since the contractors will have to handle a variety of tasks with varying levels of risk. The granting of authorization will consider the worker's background, education, the activity to be done and possession of equipment. Most of the risks are associated with excavation work, tower lifting and

erection, stringing, etc. Every kind of job should be included in the work permits and risk assessment procedures.

Risk of injury during construction exists based on the particulars of the project. The ESIA analysis will determine the risks and suggest that construction contractors be obliged to put risk assessment and mitigation procedures in place. It is necessary to have trained first responders and extended emergency supplies on hand to provide emergency medical care. Contractors are required to notify the MoEM-PIU, and Supervision consultant in case of any accidents, a register of the same should also be maintained.

Any major event (labor, health and safety, or security incident, accident, or circumstance) will be reported to the Bank by EAPP-PIU as soon as practically possible, but no later than five calendar days following the event. These occurrences include work stoppages or other forms of labor unrest, significant workplace accidents or fatalities, community people hurt by project-related injuries, or property damage. Within 30 calendar days following the incident, EAPP-PIU and MoEM-PIU shall compile a report on the incident and the corrective measures and submit it to the Bank.

Fatality and serious incidents. In the event of an occupational fatality, serious injury, or a GBV-SEA/SH-related incident, the PIU shall report to the Bank as soon as it becomes aware of such incidents (within 24 hours) and inform the relevant government authorities (where applicable) under national labor requirements. If necessary, corrective actions will be implemented in response to project-related incidents or accidents. The PIU, or where relevant, the contractor, will be required to conduct a root cause analysis to design and implement further corrective actions. An environmental and social incident reporting tool (ESIRT) to be used for such reporting.

A code of conduct shall be drawn up and implemented by the construction contractor. A supervision consultant will review and approve the code of conduct before implementation. The company's core values, and overall working culture shall be reflected in the Code of Conduct. The contractor is obligated to provide periodic evaluation on their performance on labour, occupational health, and safety issues in monthly reports to the supervising consultant. The findings of any inspections or audits carried out by any governmental body will be reported to EAPP-PIU and MoEM-PIU.

6.2 Age Of Employment

The project through the PIU will forbid work for children below the age of 18. The minimum age of employment in the project will be 18 years. The project during hire of workers will demand the presentation of national identification cards or other government recognised documents that show the date of birth of all interested workers as part of the verification process to ascertain the age of project workers. The project will only engage persons with a minimum age of eighteen (18) and this will be enforced during recruitment and monitored by the contractors.

Contractors will verify identity and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card,

passport, or medical or school record. Contractors will liaise with community members to attest to the age and conduct of all local hires and maintain a list of same. Hired project workers above 18 will conduct their activities in ways that are not detrimental with respect to education or be harmful to the child's health or physical, mental, spiritual, moral or social development. The project will liaise with labor inspectors/concerned authorities, and conduct announced and unannounced inspection visits to work sites (related to the project). If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, considering the best interest of the child.

The process of age verification. Verification of the age shall be undertaken prior to the engagement of labor and be documented. Below is indicative age verification means that could be used Somaliland context where official ID system is broadly unavailable:

1) Check the birthday on official documents such as birth certificate, national ID or other credible records, where available; 2) Obtain written confirmation from the medical practitioner, parents or guardian; or 3) Inquire with the local community leader, community action group or with other credible community sources.

6.3 TERMS AND CONDITIONS

Provision of written individual contract of employment. A written individual contract of employment shall be provided to all workers that specify the following: (a) name of workers; (b) address, occupation, age and sex of workers; (c) employer's name and address; (d) nature and duration of contract; (e) hours and place of work; (f) remuneration payable to the worker; and (g) procedure for suspension or termination of contract. Depending on the origin of the employer and the employee, employment terms and conditions will be communicated in a language that is understandable to both parties. In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.

Notice for termination of contract. Either of the contracting parties may terminate a contract of employment by giving written notice as under: (a) not less than ten days in the case of manual workers; or (b) not less than 30 days in the case of non-manual workers. No notice needs to be given in case the duration of contract does not exceed one month. For other field staff who may be found in breach of confidentiality or falsifying information. Termination should be forthwith even if contractual period were more than one month.

Minimum Wages. While the mechanism to set the official minimum wage by the presidential decree (Article 20 NO. 31/2004) is not currently functioning, the market rate is available for each job type in different locality. The fair market rate will be identified and applied for project workers.

Hours of Work. The normal hour of work of a project worker shall not exceed 8 hours a day or 48 a week. Hours worked in excess of the normal hours of work shall not exceed 12 hours a week and shall entitle a worker to a proportionate increase in remuneration.

Rest per week. Every worker shall be entitled to one day's rest each week, which should normally fall on Friday. It shall consist of at least 24 consecutive hours each week. Workers shall also be entitled to a rest day on public holidays recognized as such by the State.

Annual leave. Workers shall be entitled to 15 days' leave with pay for every year of continuous service. An entitlement to leave with pay shall normally be acquired after a full year of continuous service.

Maternity leave. A female worker shall be entitled, on presentation of a medical certificate indicating the expected date of her confinement, to 14 weeks' maternity leave with half pay, of which at least six weeks shall be taken after her confinement, provided that she has been employed by the employer for at least six months without any interruption on her part except for properly certified illness.

Nursing breaks. A female worker who is nursing her own child shall be entitled, for a maximum of a year after the date of birth of the child, to two daily breaks of one hour each. The breaks shall be counted as working hours and remunerated accordingly.

Deductions from remuneration. No deductions other than those prescribed by the Code or regulations made hereunder or any other law or collective labor agreement shall be made from a worker's remuneration, except for repayment of advances received from the employer and evidenced in writing. The employer shall not demand or accept from workers any cash payments or presents of any kind in return for admitting them to employment or for any other reasons connected with the terms and conditions of employment.

Death benefit. In case of death of a worker during contract employment, the employer shall pay to the next of kin an amount not less than 15 days' remuneration as death benefit for funeral services.

Medical treatment of injured and sick workers. It shall be the duty of the employer to arrange at his own expense for the conveyance to the nearest hospital of any injured or sick worker who can be so conveyed and who cannot be treated on the spot with the means available.

Collective Agreements. A collective agreement is an agreement relating to terms and conditions of work concluded between the representatives of one or more trade unions, on the one hand, and the representatives of one or more employers, on the other hand. Where collective agreements exist between the employer and project workers, such provisions will be applied, where relevant.

7 GRIEVANCE MECHANISM

EAPP-PIU and MoEM-PIU will require contractors to develop and implement a grievance mechanism for their workforce including sub-contractors, prior to the start of the project. The construction contractors will prepare their labor management procedures before the start of civil works, which will also include detailed description of the workers grievance mechanism.

Workers GRM Workers in the project are a special category of project stakeholders who may face unique grievances during the project. A mechanism to address worker grievances, which will be referred to as the Workers GRM is developed and described below. The primary purpose of the Workers GRM shall be to provide for all workers with an avenue to raise workplace concerns.

The scope of the Workers GRM is to create a systematic approach of improving the management of risks and impacts related to labor and working conditions in the project. The Workers GRM seeks to engage project workers and their representatives on labor issues, including with representatives of workers organizations where they exist; helps inform the assessment of labor risks and impacts, by providing useful context and additional information. The detailed objectives of the workers GRM are as follows:

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

The project workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers. The Workers GRM will be run by the contractors and consultant involved in the project.

The grievance mechanism shall have a different approach to worker related cases and shall be the responsibility of the contractor. Each contractor shall nominate a dedicated officer for the handling and reporting of grievances, the GRM Focal Point, and should appoint a GRM Team, which will be drawn into identifying solutions for relevant grievances.

The project coordinator under the Consultant should be informed in a case a worker grievance is reported to them, the only information they should establish is if the incident involves, the worker (s) involved in the grievance, and the nature of the grievance. The nature of grievances for the workers can be categorized as either:

- Grievances relating to working conditions or working hours.
- Grievances relating to wages.
- Sexual harassment grievances
- Grievances amongst co-workers

The grievances by workers will be addressed by the contractor and the by the project coordinator.

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

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

The grievance process should be guided by the following principles:

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

It is important to note that the GRM for workers is not the same as the project-wide GRM defined in the ESIA for the project. The former sets out specific procedures for worker's management (labour and working conditions), while the latter sets out procedures for reporting issues related to the overall implementation of the project.

Establishing a GRM

A Grievance Redress Mechanism (GRM) will be implemented to ensure that all complaints from workers are dealt with appropriately, with corrective actions implemented, and the complainant informed of the outcome. The project recognises that various categories of workers may be deployed to work on the project and as such a uniform grievance process will be beneficial. This is described in line with the required grievance redress committees (GRC) as presented in Table 7-1. This procedure will guide the preparation of site specific GRM to be prepared as part of the Environmental and Social Management Plans (ESMPs) by contractors.

Direct Workers' GRM Structure

Direct workers will mainly be employees in the project's PIU. The GRM structure for direct workers will have three levels as presented in table 7-1 below:

Table 7-1. Grievance Redress Procedures for PMU Workers

First Level GRM	The GRC will be formed at the project level and be easily accessible to project workers. The committee will comprise of Social Safeguard Specialist, Project Coordinator and Environmental Safeguards Specialist at the PIU. The complainant shall make a complaint to the GRM through the available channels. The social safeguard person shall duly receive, register and forward it to be reviewed by the grievance redress committee (GRC). If the complainant does not accept the solution offered by the first level GRC, then the complaint is referred to the 2nd level GRC.
Second Level of GRM: GRC at the institutional level	The GRC will be more of an institutional level. This committee shall be expanded to comprise of members from the parent ministries that makes up the PIU. Only grievances that are not resolved by the first level GRM will be referred to the second level GRM. Complaints shall be duly received, registered and reviewed by the committee. Decision of the committee will be shared to the complainant within acceptable period of 10 days after the appeal.
Court process	The GRM is not designed to deny or impede anyone to access judicial or administrative services. The complainant is always at liberty to access the judicial or administrative services as and when he/ she feels like.

Please note that Table 7-1 only present a generic procedure, and the PIU may need to adapt their GRM to ensure that while they adopt the requirements of the World Bank ESS2, they do not contravene with national laws.

Contracted workers' GRM structure Contractor's level: Contractors shall develop their own GRM and required to resolve the grievances of contracted workers in accordance with requirements in this LMP as well as the ESS2. Grievance Focal Point (GFP) will be assigned by the Contractor to be the key person in relation to workers filing of their grievances and appeals. The contractor will establish a GRM committee at the workplace comprised of representatives of the different work streams (management, employees, casuals, etc.) and will be responsible to facilitate addressing the grievances. If the issue cannot be resolved at contractor's level within 7 working days, then it can be taken up at the Supervising Consultant level whereby the Social Officer of the Supervising Consultant will be engaged to coordinate the GRM functions that flow from the scheme level among other social responsibilities. If the issue isn't resolve at the scheme level, then it will be escalated to the project's PIU, and follows the procedure as described in table 7-1 above.

Roles of the GRCs

The Grievance Redress Committees will be responsible for:

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

Expectation When Grievances Arise

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

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

Typical Grievance Redress Process

The process of grievance redress will start with registration of the grievance(s) to be addressed, for reference purposes and to enable progress updates of the cases. Thus, the aggrieved worker will file a complaint/complete a grievance form with the GRC. The complaint should contain a record of the person responsible for an individual complaint and records dates for the date the complaint was reported; the date the Grievance Log was uploaded onto the project database; date information on proposed corrective action sent to the complainant (if appropriate), the date the complaint was closed out and the date response was sent to complainant. The officer receiving the complaint (part of the GRC member) will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed. The response time will depend on the issue to be addressed but it should be addressed with efficiency. The Grievance Committee will act on it within 10 working days of receipt of grievances..

How to Register a Complaint

There shall be a variety of channels to submit complaints:

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

Grievances related to Gender-Based Violence

The GRM equally applies to workers who experience GBV. However, to avoid the risk of stigmatisation, exacerbation of the mental or psychological harm and potential reprisal, the GRM shall have a different and sensitive approach to GBV related cases. Where such a case is reported to the GRM, it should immediately be referred to the appropriate GBV service providers, such as medical and psychological support, or any other necessary services. It should also be reported to the social safeguards staff of the PIU who can advise on relevant service providers. Detailed description of how the project will address GBV and SEA are included in the GBV Action Plan. In all cases, the incidents of GBV and SEA will be reported and dealt with through the GRM procedure which will have protocols to manage information sharing and confidentiality of the survivors and accused persons. However, since GBV and SEA cases are substantively different from other complaints that are typically handled through the grievance redress mechanisms, such cases will need a specific channel within the GRM for their management. The project will recruit a GBV

service provider, specifically responsible for GBV issues in the project . All information will be treated as confidential and handled by the GBV/SEA/SH Service Provider.

Manifestations of GBV

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

- Physical Violence (such as slapping, kicking, hitting, or use of weapons);
- Emotional abuse (such as systematic humiliation, controlling behaviour, degrading treatment, insults, and threats);
- Sexual violence, which includes any form of non-consensual sexual contact, including rape; Early/forced marriage, which is the marriage of an individual against her or his will often occurring before the age of 18, also referred to as child marriage.
- Economic abuse and the denial of resources, services, and opportunities (such as restricting access to financial, health, educational, or other resources with the purpose of controlling or subjugating a person);
- Trafficking and abduction for exploitation. The project is expected to comply with the provisions regarding SEA/SH/GBV by relying on developed GBV action plan. Thus, measures for how GBV/SEA are to be handled would be outlined in the GBV action plan.

Other additional measures include:

- Strengthen PIU capacity to prevent and respond to GBV in the project. To this end, the project in part time based will engage a gender and a GBV specialist
- Define and reinforce GBV requirements in procurement processes and contracts.
- A communication campaign will be implemented aiming at raising awareness and informing stakeholders on how to use the GRM and explaining the investigation and resolution sequential process, timeline, and procedures.

GBV (SEA/SH) Grievance

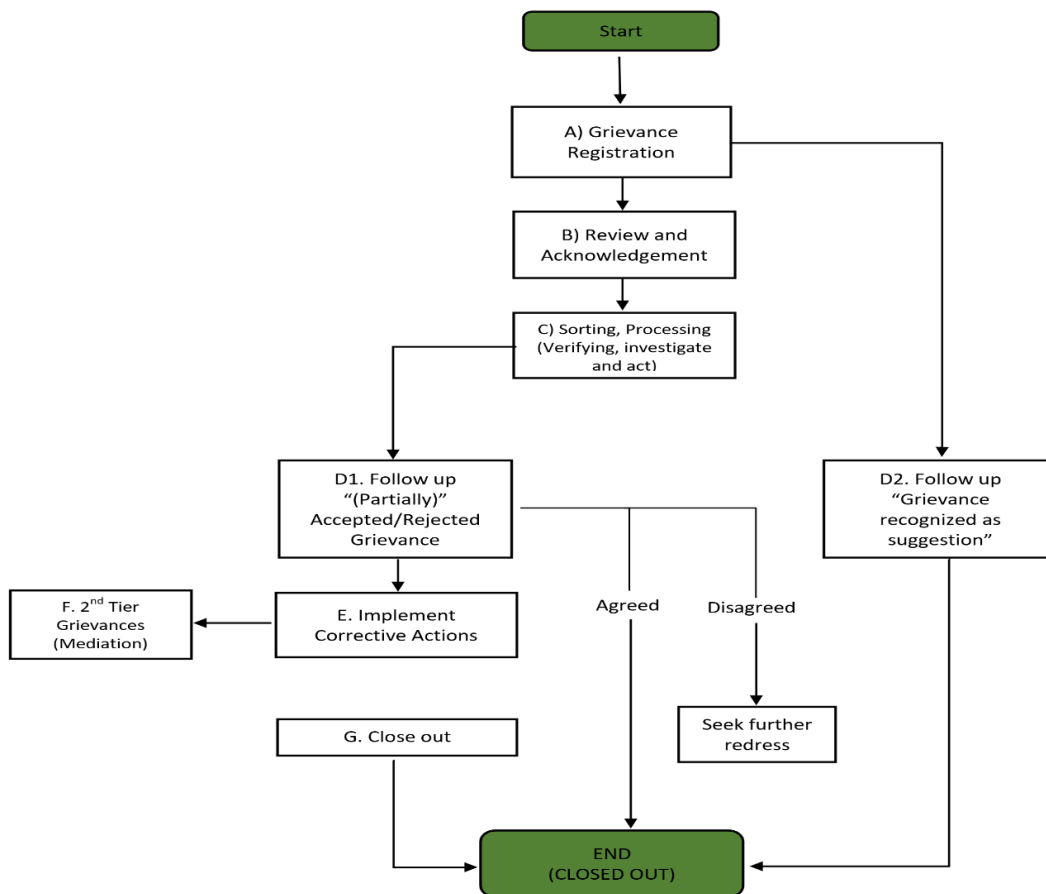
There will be a separate reporting and documentation mechanisms for GBV (SEA and SH) cases that are discrete from the standard GRM, that will be utilized by survivors or their representatives, to ensure all GBV cases are reported and handled confidentially. All workers/staff will be made aware of these mechanisms through awareness sessions and staff inductions respectively. Social/GBV experts in MoEM-PIU and EAPP-PIU supported by the social expert from the supervising consultant and contractor's end will be the focal point and will establish the system to handle these complaints that will include reference to confidentiality, safety, and survivor-centered approach. All registration of the data will be confidential and anonymized.

The supervisory consultant will oversee the contractor's grievance recording and handling, reporting any issues to MoEM-PIU and EAPP-PIU in their monthly progress reports. An EAPP-PIU and MoEM-PIU representative in charge of the project GRM, will monitor the implementation. The workers grievance mechanism will be described in staff induction

trainings, which will be provided to all project workers. The following principles shall be the basis for this mechanism:

- Employees will be able to voice their concerns and register grievances through an open and transparent process; there won't be any prejudice against those who do so, and any complaints will be handled in confidence.
- Grievances without a known origin will be handled in the same manner as those with an identifiable origin.
- All project workers, both direct and contracted, will have easy access to information about the grievance mechanism, including through notice boards, “suggestion/complaint boxes,” and other means.
- Management will take grievances seriously and respond in a timely and appropriate manner.
- The grievance mechanism for project workers will not preclude workers from utilizing the conciliation procedures outlined in Labour Code.

Figure 7-1. A typical Flowchart for Grievance Redress Mechanism



8 CONTRACTOR MANAGEMENT

8.1 Contractor Selection Process

The Bank's 2017 Standard Procurement Documents, which include labour and occupational health and safety criteria, will be used by MoEM-PIU and EAPP-PIU for tenders and contracts. MoEM-PIU and EAPP-PIU will ensure that contractual provisions they put in place relating to contractors for the management of labor issues, including occupational health and safety, are in line with ESS2, paragraph 32 and GN 32.1. Further, the procedure for managing and monitoring the performance of contractors, will be as provided for in ESS2, paragraph 32 and GN 32.1

Up-to-date records related to the various aspects of the project will be diligently kept and maintained by the contractor. The employees will be provided with documented evidence of all payments made, including pension contributions, or other entitlements, irrespective of the workers terms of engagement (fixed term contract, full-time, part-time, or temporary). Compliance with these reporting obligations is essential for complying with World Bank standards and for promoting transparency, accountability, and ethical labour practices within the project environment. The following records, among others, will be kept:

- Labour conditions: This includes records of all workers engaged under the project. Contracts, worker induction and training records including Codes of Conduct (CoC). Hours worked, remuneration details and deductions (including overtime). Collective bargaining agreements, if applicable.
- Safety records: Recordable safety incidents, including lost time incidents and medical treatment cases. The Project will also document first aid cases and high potential near misses. Details of remedial and preventative activities undertaken such as revised job safety analyses, new equipment, or additional skills training.
- Workers-Number of workers employed. Origin of workers (e.g. community workers and nonlocal nationals). Gender, age, with evidence demonstrating the absence of child labour. Skills level categorization (unskilled, skilled, supervisory, professional management).
- Training-Dates of the training sessions. Topics covered during training and numbers of trainees attending each training session.
- Security Risks-Details of any security risks the project may face during project execution. Identification of threats from external third parties that could impact project operations.
- Worker Grievances-Details of any grievances raised by workers, including the dates of the occurrence and date submitted, nature of the grievance, actions taken and corresponding dates, resolution status and date of resolution (if applicable), pending follow-up actions, listing of grievances received since the previous report and unresolved grievances from previous reports.

In the course of choosing design and build contractors who will use contract workers, the following data may be examined by EAPP-PIU and MoEM-PIU, and/or the supervisory consultant:

- Publicly available information on labour law violation by the contractor

- Labour management procedures governing the running of the business
- Proof of registration by the government and other relevant bodies or authorities
- The position of OHS on the organogram and qualification of the officers
- Incidents and accidents records maintained by the contractor
- Copies of past agreements with suppliers and contractors, demonstrating the presence of clauses and conditions that align with ESS2.

With an emphasis on contractors adhering to their contractual terms, the Supervision Consultant will oversee and monitor Contractor performance with regard to contracted labour. The oversight and monitoring of the contractors will also include their primary suppliers and ensure that they respect child labor, forced labor and worker safety and this will equally apply to sub-contractors too. This will be done through; audits, spot checks on records from the government labour department and on the worksites and the labor management records and reports created by contractors which include.

- Representative sample of employment contracts or agreements between third parties and contracted workers.
- Records of grievances received and resolved.
- Reports of safety inspections, incidents, accidents and fatalities
- Records on implementation of corrective actions.
- Records of incidents of non-compliance with national law.
- Employee training records.

Human Resources Employee Database

The PIU shall keep a database of all workers employed under the project, the database will record information on the personal details of employees (such as home address, next of kin/emergency contact); their job description, role and responsibilities, training records and training needs, etc.

Contractor Database

There shall also be comprehensive database of all primary and secondary contractors for the Project. The database will record a summary of their scope of work, business origins, and a brief profile about history of compliance to environmental and social standards.

Supply Chain Database

This will contain information of the key suppliers which will be used to monitor the primary supply chain and record results of risk assessments for incidents of child and/or forced labour and significant environmental and social safety issues.

9 REFERENCES

- a) Good Practice Note: Managing Contractors' Environmental and Social Performance. World Bank Group, 2017, Washington, DC. https://www.ifc.org/wps/wcm/connect/03ff53f4-24e2-4526-bc160bec0638b93/p_GPN_ESContractorManagement.pdf?MOD=AJPERES
- b) International Finance Corporation. 2007. Environmental, Health, and Safety Guidelines for Electric Power Transmission and Distribution.
- c) International Finance Corporation. 2007. General EHS Guidelines-Occupational Health and Safety. www.ifc.org/ehsguidelines,
- d) International Labour Organization Safe Work website. <https://www.ilo.org/safework/lang-en/index.htm> 2009. Guidelines on occupational safety and health management Edition. ILO-OSH, Geneva. https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/safework/documents/normativeinstrument/wcms_107727.pdf
- e) International Organization for Standardization. 2018. Occupational health and safety management Geneva. <https://www.iso.org/standard/63787.html>,
- f) The World Bank (2017). Working Together to Prevent Sexual Exploitation and Abuse: Recommendations for World Bank Investment Projects. The World Bank, Washington, D.C.
- g) The World Bank, Environmental & Social Framework for IPF Operations. Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works, Feb 2020.
- h) The World Bank, Environmental and Social Framework, 2018,
- i) The World Bank, ESS1: Assessment and Management of Environmental and Social Risks and Impact, Guidance Note 2 for Borrowers, June 2018.
- j) The World Bank, ESS2: labor and Working Conditions, Guidance Note 2 for Borrowers, June 2018.

10 ANNEXES

10.1 Annex I: Guideline on Code of Conduct

A satisfactory code of conduct will contain obligations on all project workers (including sub-contractors) that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to particular concerns of the ministries, the location and the project sector or to specific project requirements. The Code of Conduct should be written in plain language and signed by each worker to indicate that they have:

- Received a copy of the code.
- Had the code explained to them.
- Acknowledged that adherence to this Code of Conduct is a condition of employment; and
- Understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities

DOs

1. Wear always prescribed and appropriate personal protective equipment on site.
2. Wash hands, always sanitize and observe social distancing and follow WHO and the government SOPs and updated guidelines.
3. Seek healthcare if you experience any of the following symptoms (while at home or work): cough, fever and shortness of breath.
4. Prevent avoidable accidents and report conditions or practices that pose a safety hazard or threaten the environment.
5. Treat women, children and elderly men, vulnerable persons, persons from the minority communities and persons with disabilities with respect regardless of race, color, language, religion, or other status.
6. Report any violations of this code of conduct to workers' representative, HR or grievance redress committee. No employee who reports a violation of this code of conduct in good faith will be punished in any way, and
7. Comply with all labor legislative and regulatory requirements.

DON'Ts

1. Expose other people to the risk of infection in any form including risks of occupational health and safety.
2. Leave personal protective equipment lying within the project site.
3. Come to work if you or any of your family members has any symptoms of COVID-19 (cough, fever and shortness of breath). Report immediately to your supervisor if you or family member has any of these signs.
4. Make unwelcome sexual advances to any person in any form.
5. Have sexual interactions unless full and unequivocal consent is given and there is no form of material or other coercion, and
6. Use alcohol or narcotics during working hours.

10.2 Annex II: Suggested CoC Template on the Company Headed Paper

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, laborers and other employees at the Works Site or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as “**Contractor’s Personnel**” and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that we require from all Contractor’s Personnel. Our workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

REQUIRED CONDUCT

Contractor’s Personnel shall:

1. Carry out his/her duties competently and diligently;
2. Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor’s Personnel and any other person;
3. Maintain a safe working environment including by:
 - Ensuring that workplaces, machinery, equipment and processes under each person’s control are safe and without risk to health;
 - Using appropriate measures relating to chemical, physical and biological substances and agents;
 - Wearing required personal protective equipment; and following applicable emergency operating procedures.
4. Report works situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
5. Treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, or children;
6. Not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor’s or Employer’s Personnel;
7. Not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;
8. Not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
9. Not engage in any form of sexual activity with individuals under the age of 18, except in

case of pre-existing marriage.

10. Complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, and Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
11. Report violations of this Code of Conduct; and
12. Not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism.

RAISING CONCERNS

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

- 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
- 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): _____

10.3 Annex III: Behaviors Constituting Sexual Exploitation and Abuse (SEA) and Behaviors Constituting Sexual Harassment (SH)

Sexual exploitation - any actual or attempted abuse of a position of vulnerability, differential power, or

trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse - the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation and abuse also include sexual relations with a child, in any context, defined as:

Child - a “human being below the age of eighteen years”. Examples of acts of sexual exploitation and abuse

- Sexual assault (defined as “any unwanted or forced sexual act committed without consent”) or threat thereof. Sexual assault can occur either against a person’s will, by force or coercion, or when a person is incapable of giving consent, such as when they are under duress, under the influence of drugs or alcohol. Force includes:
 - actual physical aggression, including but not limited to: rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing);
 - threats of physical aggression;
 - emotional coercion; and/or
 - Psychological blackmailing.
- Unwanted touching of a sexual nature
- Demanding sex in any context
- Making sex a condition for assistance
- Forcing sex, forcing someone to have sex with anyone
- Forcing a person to engage in prostitution or pornography
- Refusing to use safe sex practices
- Videotaping or photographing sexual acts and posting it without permission
- Alleging or threatening to allege that anyone already has a history of prostitution on legal papers
- Name-calling with sexual epithets
- Insisting on anything sexual, including jokes that may be uncomfortable, frightening or hurtful, and
Telling someone that they or anyone else are obliged to have sex as a condition for anything.