



THE REPUBLIC OF MOZAMBIQUE

Ministry of Public Works, Housing and Water Resources



URBAN WATER SECURITY PROJECT (IPF)-Nº. P509890

LABOUR MANAGEMENT PROCEDURES (LMP)

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PREPARED FOR

The Water Supply Asset Holding and
Investment Fund (FIPAG)
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ACRONYMS

AdRMM	Maputo Metropolitan Area Water Company (<i>Águas da Região Metropolitana de Maputo</i>)
AdRS	South Region Water Company (<i>Águas da Região Sul</i>)
AIAS	Water Supply and Sanitation Infrastructure Administration (<i>Administração de Infra-estruturas de Água e Saneamento</i>)
ARA-Sul	South Region Regional Waters Administration (<i>Administração Regional de Águas do Sul</i>)
ARVs	Anti-Retrivals
AURA	Water Regulatory Authority (<i>Autoridade Reguladora de Água</i>), former CRA <i>Conselho de Regulação de Águas</i> .
CoC	Code of Conduct
COVID-19	Coronavirus disease
DMF	Delegated Management Framework
DNAAS	National Directorate of Water Supply and Sanitation (<i>Direcção Nacional de Abastecimento de Água e Saneamento</i>)
ENASU	Urban Water and Sanitation National Strategy (<i>Estratégia Nacional de Água e Saneamento Urbano</i>)
ESS	Environmental and Social Standard
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FIDIC	International Federation of Consulting Engineers (<i>Fédération Internationale des Ingénieurs-Conseils</i>)
FIPAG	Water Supply Asset Holding and Investment Fund (<i>Fundo de Investimento e Património do Abastecimento de Água</i>)
GBV	Gender-Based Violence
GIIP	Good International Industrial Practice
GHG	Greenhouse gases
GMMA	Greater Maputo Metropolitan Area
GoM	Government of Mozambique
GRM	Grievance Redress Mechanism
GRS	Bank's Grievance Redress Service
ILO	International Labor Organization
IMP	Influx Management Plan
INGD	National Institute for Disaster Management and Risk Reduction
IOM	International Organization for Migration
IPF	Investment Project Financing
LMP	Labor Management Procedures/Plan
MCC	Managing Contractor Certification
MoLSS	Ministry of Labor and Social Security
MoPHRH	Ministry of Public Works, Housing, and Water Resources (<i>Ministério das Obras Públicas, Habitação e Recursos Hídricos</i>)
NACC	National Aids Control Council
NGOs	Non-Government Organizations
NWRP	National Plan for Water Resources Management
OHSAS	Occupational Health and Safety Assessment Series

PPEs	Personal Protective Equipment
PAD	Project Appraisal Document
PCU	Project Coordination Unit
PforR	Program for Results
POM	Project Operation Management
PSP	Private Sector Participation
PWDs	People-With-Disabilities
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
SOPs	Standard Operating Procedures
STIs/STDs	Sexually Transmitted Infections/Sexually Transmitted Diseases
TPM	Third Party Monitoring
UN	United Nations
UNICEF	United Nations Children's Fund
UWSIP	Urban Water Supply Investment Program
VA	Verification Agent
VAC	Violence Against Children
VCT	Voluntary Counselling and Treatment
WTP	Water Treatment Plant
WRM	Water Resources Management

1 INTRODUCTION

1.1 BACKGROUND

The Government of Mozambique (GoM), through the Ministry of Economy and Finance and Ministry of Public Works, Housing, and Water Resources (MOPHRH) will implement the Mozambique Urban Water Security Project (UWSP) (the Project), with the involvement of the Water Supply Asset Holdings and Investment Fund (FIPAG), Directorate of Water Supply and Sanitation (DNAAS) Water Regulatory Authority (AURA), and South Regional Water Administration Structure (ARA-Sul) who will be responsible for implementing various components, consistent with their respective mandates, as set out in the Financing Agreement (the Agreement). The project aims to enhance access to improved water supply services and improve service delivery capacity in selected cities. The program will also support the ongoing sector reforms, which aim to engage the private sector in efforts to improve the performance of services and sustainability of operations with Private Sector Participation (PSP). The Program will provide extended support to develop the capacity of Water Resources Management (WRM) institutions to monitor water availability (quality and quantity) and its revenue generation capacity to be able to cover the maintenance cost of key storage infrastructure.

The proposed project interventions under the UWSP are part of the Investment Program for Sustainable, Inclusive, and Resilient Urban Water Services (Urban Water Supply Investment Program, UWSIP) in Mozambique 2022–2032 presented by the GoM in September 2021 during the Investment Conference, focusing on the expansion of access and performance improvement of water supply services. The UWSIP consolidates the water sector's medium-term investment plan outlined in the PASA, 2015–2030 for the achievement of SDGs, that are aligned with the Urban Water and Sanitation National Strategy (*Estratégia Nacional de Água e Saneamento Urbano*) (ENASU 2011–2025), and the NWRP.

The project was originally prepared under a Program-for-Results (PforR) P178653 funding modality and now being transitioned to an Investment Project Financing (IPF) mechanism under P509890. This transition requires full compliance with the World Bank's Environmental and Social Framework (ESF) and GoM E&S requirements, necessitating the preparation of key Environmental and Social (E&S) instruments to address the environmental and social risks associated with the planned infrastructure investments and institutional reforms. One of the Instruments required is the Labour Management Procedures (LMP), being the subject of this report.

1.2 THE MOZAMBIQUE URBAN WATER SECURITY PROJECT

The project is an Investment Project Financing (IPF) of a proposed amount of US\$ 146 million, with Performance-Based Conditions (PBC). The project is expected to last for five years. The project will focus on the Greater Maputo Region, complementing past investments from two WB-financed projects to increase water storage (the NWRDP) and production to meet the demand (the GMWSP) in this area. This operation will also support priority investments in WSS serving the Southern Region to improve their climate resilience (reducing their vulnerability to droughts) and improve their efficiency and sustainability. In addition, this operation will also support the completion of ongoing WSS investments in Tete city currently financed by two urban operations that are closing in 2025, specifically WASIS II and MUSP.

1.2.1 PROJECT COMPONENTS AND ACTIVITIES

The Project's four components are: (i) Access to sustainable and climate resilient water and sanitation services (US\$70 million); (ii) Improvement of performance and efficiency of services (US\$60 million); (iii) Water sector development support to improving the enabling environment for private sector participation (PSP) (US\$10 million); (iv) Project Management support (US\$6 million). In addition, the Project includes a cross-cutting area aiming at human capital strengthening. The scope of each component is described below:

1.2.1.1 COMPONENT 1 (C1): ACCESS TO SUSTAINABLE AND CLIMATE RESILIENT WATER AND SANITATION SERVICES

Component 1 will support a combination of interventions from source to tap to strengthen the climate resilience and sustainability of urban water supply and sanitation services that are regularly affected by climate-change-exacerbated droughts and floods events, contributing to the implementation of priority climate adaptation investments enacted in the country's Nationally Determined Contribution (NDC), specifically under the water resources and resilient water supply and sanitation systems strategic area. C1 is structured in five sub-components, specifically:

- (a) **Reducing climate hazards impacting water supply infrastructure and services through Integrated Water Resources Management (IWRM) and watershed management**, including providing strategic support to ARA-Sul to fulfill its mandate, covering investments that will contribute to strengthening of climate-informed water planning and allocation, the enhancement of water quality through improved watershed management that reduces climate-change-exacerbated water source contamination, assurance of water availability to meet urban demand via source diversification and demand conservation.
- (b) **Expansion of access to climate-resilient water supply services**, including investments for the expansion of water treatment and transport capacity, as well as downstream investments to expand the distribution network following the key principles for climate-resilient water infrastructure design, with key water treatment plant (WTP), pumping stations, and bridge crossings for main pipes designed to withstand and be installed above historic flood levels, following the protocol for climate-proofing of water supply infrastructure and service.¹
- (c) **Output-based payments for low-income household connections**, building on the successful experience of output-based payments implemented in WASIS II (P149377) and aims at increasing access to piped water connections for low-income households in the main urban centers. Under this component, output-based grant payments are to be provided to regional utilities to cover the costs of connecting low-income households.
- (d) **Improvement of the quality of services provided by Private Water Providers (PWP)** through grants for upgrading PWP water supply infrastructure to comply with technical standards, with best practices for climate-proofing of operations and service, and to enable them to distribute bulk water supply purchased from the regional utilities.

¹ WBG. 2020. Resilient Water Infrastructure Design Brief. Link: <http://hdl.handle.net/10986/34448>

- (e) **Access to safely managed sanitation** financing the completion of the ongoing Fecal Sludge Treatment Plant in Tete currently supported by the MUSP (P161777) that is closing in September 2025.

1.2.1.2 COMPONENT 2 (C2): IMPROVEMENT OF PERFORMANCE AND EFFICIENCY OF SERVICES

Component 2 will support the improvement of performance and efficiency of water supply services in the Greater Maputo Metropolitan Area (GMMA) and Southern Region provided by Maputo Metropolitan Area Water Company (AdRMM) and South Region Water Company (AdRS) respectively, allocating one-third of the project investments to finance activities, through a grant mechanism for water utilities, that will contribute to lower energy consumption and greenhouse gas (GHG) emissions, specifically Non-Revenue Water (NRW) reduction and energy efficiency. C2 is structured in four sub-components, specifically:

- (a) **Performance improvement for the service area of the GMMA.** Carrying out a performance-based program of activities defined under a Performance Improvement Action Plan (PIAP) for the GMMA, which include investments for: (i) NRW reduction led by the utility not covered by the NRW Performance-Based Contract (PBc) (2.c); (ii) improving energy efficiency; (iii) improving the collection ratio and the operational cost coverage ratio; (iv) digitalization of operations; (v) training and capacity building in key areas for the utilities; (vi) women empowerment within; (vii) improving utility's governance and accountability; (viii) establishment of communications platforms for information sharing on water quality and services and timely resolution of complaints; and (ix) implementation of the turn-around plans derived from the Utilities of the Future (UoF) assessment.
- (b) **Performance improvement for the Southern Region service area.** Carrying out a performance-based program of activities defined under a PIAP for the Southern Region, which include investments for: (i) co-management contract for NRW reduction; (ii) improving energy efficiency; (iii) improving the collection ratio and the operational cost coverage ratio; (iv) digitalization of operations; (v) training and capacity building; (vi) women empowerment; (vii) improving utility's governance and accountability; (viii) establishing of communications platforms for information sharing on water quality and services and timely resolution of complaints; and (ix) implementation of the turn-around plans derived from the Utilities of the Future (UoF) assessment.
- (c) **NRW PBc for GMMA.** PBc for NRW reduction to be signed between FIPAG and a contractor to be selected on a competitive basis to implement investments to reduce NRW, including investments to reduce both physical and commercial losses, management technologies, and capacity-building programs, in the service areas of GMMA and the Southern Region.
- (d) **Revolving fund for a prepaid meter program.** Supporting the acquisition of pre-paid meters to be installed for consumer segments with high water bill and low billing collection ratios to support the desired increasing in operational costs coverage based on receivables.

1.2.1.3 COMPONENT 3 (C3): WATER SECTOR DEVELOPMENT SUPPORT TO IMPROVING THE ENABLING ENVIRONMENT FOR PSP

Component 3 will support several critical actions underpinning the operationalization of a sector reform effort led by the Government of Mozambique (GoM) to improve the enabling environment for PSP and to achieve universal and equitable access to safe and affordable drinking water. This component will be divided into three sub-components, specifically:

- (a) **Improvement of the enabling environment for Private Sector Participation**, which will support the development of the legal framework for the integration of PWP services into the regulated service provision (the development of technical standards, including best practices for climate-proofing of operations and service, and bulk water supply models), including the licensing and monitoring of their water quality and services, and the dissemination and training of licensing authorities.
- (b) **Strengthening the regulatory role of AURA** to promote efficiency and inclusiveness in the provision of services by extending them to the poorest segments of the population and reducing the risk of investment in the sector through economic regulation that guarantees tariffs that fully cover operating costs, debt service, a return on private investment and ensure service to poor segments of the population.
- (c) **Strengthen ARA-Sul capacity to manage water resources** including licensing of water users, strengthening of management and ARA-Sul's financial sustainability, capacity building, including in climate-risk prevention, management and response, institutional development support, and the implementation of a women empowerment program.
- (d) **Institutional development support for FIPAG**. This sub-component will support FIPAG in managing the process of restructuring the urban water supply sector, including strengthening it to be an institution focused on mobilizing funds for investment in the sector, migrating from its previous focus on operations, and to strengthen private sector participation and private capital mobilization for urban water supply.
- (e) **Preparatory studies for the next generation of WSS investments** will allocate resources to support the preparation of the future generation of priority investments in WSS.

1.2.1.4 COMPONENT 4 (C4): PROJECT MANAGEMENT SUPPORT

Component 4 will support technical assistances and incremental project operation costs for the two Project Implementation Units (PIU) based on FIPAG and DNAAS, and the Project Technical Units (PTU) based on ARA-Sul and AURAS. It will also provide additional support for the environmental and social compliance.

Project management support comprises technical assistance and incremental operating costs to ensure fiduciary compliance including financial management (FM), procurement and environmental and social safeguards, monitoring and evaluation (M&E). This component will support necessary equipment (e.g. computers, software and other goods), capacity building (training), and incremental staff to allow the project implementing unit to carry out their responsibilities.

- (a) **Technical Assistance and Project Management Support for FIPAG** to ensure technical and fiduciary compliance, including financial management (FM) and procurement, monitoring and evaluation (M&E). This component will support necessary equipment (e.g. computers, software and other goods), capacity building (training), travel, logistics and incremental staff to allow the PIU to carry out their responsibilities related to the project.
- (b) **Technical Assistances and Project management support for DNAAS** to ensure technical and fiduciary compliance, including financial management (FM) and procurement, monitoring and evaluation (M&E). This component will support necessary equipment (e.g. computers, software and other goods), capacity building (training), travel, logistics and incremental staff to allow the PIU to carry out their responsibilities related to the project. It will also support technical assistances and incremental operating costs for the implementation two PTUs based on ARA-Sul and AURAS.
- (c) **Support for the Environmental and Social Compliance** to ensure compliance with the Environmental and Social Commitment Plan, the satisfactory implementation of the Stakeholders Engagement Plan (SEP), and the Environmental and Social Management Framework, the Resettlement Policy Framework, including the compensation of people affected by the project (PAP) interventions.

1.3 PROJECT LOCATION

The investments of the Project will be implemented in areas of GMMA and Southern Region. The GMMA covers Maputo and Matola cities, and the service areas of AdRMM in Boane, Marracuene, and Moamba districts. In the Southern Region, the Program investments in infrastructures will cover the four operational areas of AdRS, specifically: Xai-Xai and Chibuto in Gaza province, and Inhambane and Maxixe cities in Inhambane province (Figure 1-1). The geographical focus on the Southern Region and GMMA is justified by the fact of this is the area of the country most affected by droughts, with increased intensity and frequency through to climate change, causing water restriction that has been impacting the sustainability of the utilities and services.

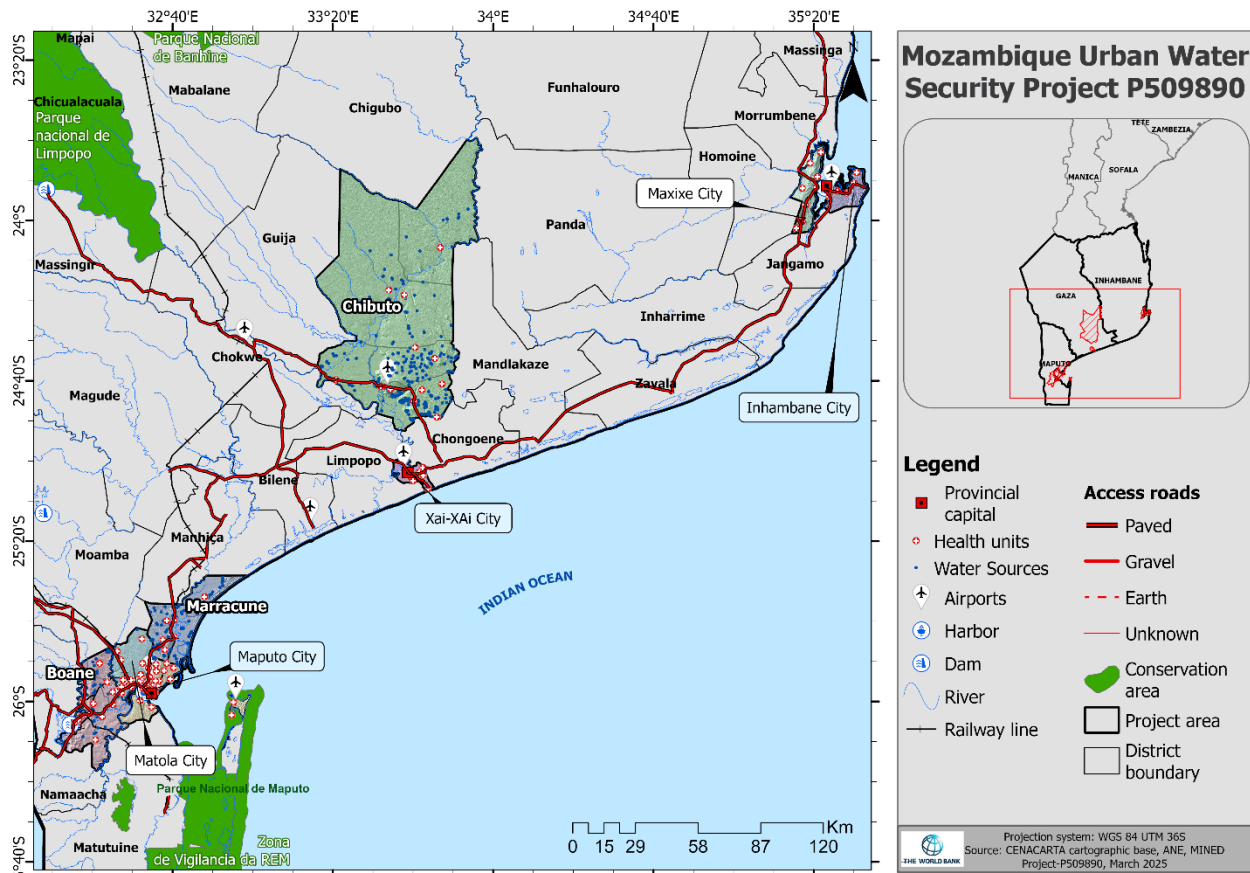


Figure 1-1: Cities where the project is to be implemented (Source: JBN/E.A JV Team 2025).

1.3.1 PROJECT BENEFICIARIES

The primary beneficiaries of the project are urban households and communities in the Greater Maputo Metropolitan Area (GMMA), and other main urban areas along the country who will gain improved and more reliable access to water supply services. The project will directly benefit both unserved populations through expanded access, and currently served populations through improved service continuity, quality, and climate resilience, particularly in areas prone to droughts and floods. Indirect beneficiaries include micro, small, and medium enterprises (MSMEs) in the water sector, especially private water providers (PWP), who will benefit from technical and financial support to upgrade their infrastructure and integrate into regulated service provision. Institutional beneficiaries include FIPAG and its utilities (AdRMM, AdRS, AdRC and AdRN), DNAAS, AURAS, and ARA-Sul, which will receive support to strengthen operational efficiency, regulatory capacity, and climate resilience, as well as improve gender diversity and inclusion in their workforce. The project will promote women's empowerment through targeted capacity building and support for greater female participation in technical and leadership roles within utilities, addressing gender gaps identified in the sector. The project also contributes to improved health, education, and economic outcomes for vulnerable households, particularly women and girls, by reducing time spent fetching water, exposure to waterborne diseases, and risks associated with lack of on-premises water access, including gender-based violence.

1.4 LABOR MARKET SCENARIO IN MOZAMBIQUE

It is estimated that, Mozambique's labor force participation rate is at over three-quarters (79%), with the bulk of these workers being in agriculture (82%), service (20%), and industry (8%) while the majority remain underemployed or conducting income generating activities in the informal economy, which dominates the landscape in the country. In addition, the employment rate in Mozambique is 78.4% for individuals aged 15–64 years and of this, the employment rate of women is lower (76.1%) than the employment rate of men (81.1%). The sectors that account for most women's employment, in terms of percentage of wage employment, are wholesale and retail trade, education, public administration and defense, and activities of households as employers. Other estimates put the figure to about 80% of the workforce as engaged in subsistence agriculture and informal activities, which increases vulnerabilities and precarious working conditions. Unemployment in the country is characterized by multiple challenges: poor literacy rate (47%; 60% for males, 28% for females), poor education, a predominantly subsistence agriculture-based system with low productivity rates, regular climate crises that force communities to slide back in their growth, and poor infrastructure².

Therefore, high underemployment and inequality are significant barriers to economic inclusion, while the informal sector, which encompasses over 80% of the labor force, dominates the labor market, leaving many workers without social protection. With a human capital index of 0.36, the extremely low levels of human capital constitute a structural constraint to rapid, inclusive, and sustainable growth in Mozambique³.

1.5 OBJECTIVES OF LABOUR MANAGEMENT PROCEDURES

As stated above, the planned transitioning of the Mozambique Urban Water Security Project from a Program-for-Results (PforR) under P178653 to an Investment Project Financing (IPF) (P509890) requires full compliance with the World Bank's Environmental and Social Framework (ESF) and GoM E&S Laws and Regulations which necessitate the preparation of key Environmental and Social (E&S) instruments amongst them is the Labor Management Procedures (LMP). Therefore, as per the ESF, Environmental and Social Standard (ESS) 2 on Labor and Working Conditions are to be promoted by the borrowers for sound worker management relationships and enhanced development of the benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions.

Therefore, by and large, the objectives of this LMP in the project are:

- a. To promote the safety and health at work;
- b. To promote the fair treatment, non-discrimination, and equal opportunity of the project workers;
- c. To protect the project workers including vulnerable workers such as women, persons with disabilities, children (of working age, following ESS2), migrant workers, workers from fragile environments, contracted workers, and primary supply workers as appropriate;
- d. To prevent the use of all forms of forced and child labor;
- e. To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law; and

² USAID. 2021. Education in Mozambique. Available at: www.usaid.gov/mozambique/education

³ UN Women: Gender Pay Gap and Labor-Market Inequalities in Mozambique Policy Brief of 2021

- f. To provide project workers with accessible means to raise workplace concerns.

1.5.1 RATIONALE OF LMP

The Mozambique Urban Water Security Project to be financed under the IPF is to be financed by the World Bank and as such, it needs to comply with the Bank's ESF of 2016) comprising, *inter alia*, the Environmental and Social Standards (ESS)⁴. In response to the commitment of the GoM to comply with the ESF, the FIPAG and its sister implementing Agencies i.e., DNAAS, AURA and ARA-Sul has developed this Labor Management Procedures (LMP) which lays out the Project's approach to meeting the objectives of World Bank *ESS 2: Labor and Working Conditions*. It sets out the terms and conditions for employment or engagement of workers on the project, specifies the requirements and standards to be met and the policies and procedures to be followed, assesses risks and proposes the implementation of compliance measures which among others promote fair treatment, non-discrimination, and equal opportunity of project workers. The LMP is developed to help avoid, mitigate, and manage risks and impacts in relation to project workers and set out the way in which project workers will be managed, in accordance with the requirements of national law and the ESS2. Its procedures address the way in which both standards will apply to different categories of project workers including direct workers, and the way in which third parties will manage their workers compliant to this document.

In addition, the LMP defines different types of project workers, including national, Regional and Local government staff, and consultants to be engaged in the project activities. The minimum age for employment by the GoM Labor Law 13/2023 of 1st August establishes 15 years⁵ as the minimum age for work which shall be minimum age for this project. However, employment under the Project will be in compliance with the age limits and employment age limitations defined in ESS2. In ESS2, Paragraph 18: "A child over the minimum age and under the age of 18 may be employed or engaged in connection with the project only under the following specific conditions: (a) the work does not fall within paragraph 19 below; (b) an appropriate risk assessment is conducted prior to the work commencing; and (c) the Borrower conducts regular monitoring of health, working conditions, hours of work and the other requirement of this ESS.

Its Paragraph 19, further defines conditions of employing a child over minimum age and under the age of 18 years as: 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.⁶

The LMP identifies some of the main labor requirements and risks associated with the proposed Urban Water Security project which will help the implementing agencies to determine the resources

⁴ In August 2016, the World Bank's Board of Executive Directors approved the Environmental and Social Framework (ESF), which have come into effect in August 2018

⁵ The Law establishes 15 as the minimum age for work, but education is compulsory only until age 13, leaving children ages 13 and 14 vulnerable to child labor.

<https://search.yahoo.com/search?fr=mcafee&type=E211US714G0&p=Minumun+employment+age+in+Mozambique>

⁶ <https://thedocs.worldbank.org/en/doc/837721522762050108-0290022018/original/ESFFramework.pdf#page=45&zoom=80>

necessary to address project labor issues. The LMP is a living document, which is initiated early in project preparation, and is reviewed and updated throughout development and implementation of the project. Accordingly, this document details the type of workers likely to be deployed by the project and their management.

1.5.2 APPLICATION - SCOPE AND STRUCTURE OF LMP

This LMP will apply to project workers including fulltime, part-time, temporary, seasonal and migrant workers. Although international consultants may be recruited to offer specific services, their conditions of engagement will be as contained in their contracts and terms of reference (ToRs), consistent with ESS2.

1.5.2.1 SCOPE OF THE LMP

The LMP applies to project workers as defined by ESS2⁷. The focus of this LMP is on workers engaged by potential construction contractors and service providers (**contracted workers**) and consultants engaged directly by FIPAG and its sister implementing Agencies i.e., DNAAS, AURA and ARA-Sul as well as the Project Implementation Unit (PIU) to perform project related tasks (**direct workers**). The labor for community workers is not foreseen and therefore not expected.

The extent to which primary supply workers will contribute in the projects pool of workers, including the assessment whether supply of goods and/or materials will be on an ongoing basis. It will be a core function of the project to qualify the primary suppliers and best estimate the required numbers of suppliers and their workers considering the type of supply needs for construction works. The labor management procedures set out the actions how potential risks of child labor, forced labor and serious safety issues, which may arise in relation to primary suppliers will be identified and assessed including roles and responsibilities for monitoring primary suppliers. The legal framework of Mozambique guiding Labor and Working Conditions is, with a few minor shortcomings, strongly compliant with the ESS2 as Mozambique is signatory to the International Labor Organization (ILO) and United Nations (UN) Conventions informing the ESS2⁸).

1.5.2.2 STRUCTURE OF THE LMP

Scope of the Labour Management Procedures (LMP) is outlined in the World Bank's Environmental and Social Standard 2 (ESS2) – Labour and Working Conditions. The stakeholder engagement was planned as an integral part of the project's environmental and social assessment and project design and implementation. As such the LMP is informed by the stakeholder engagement undertaken during the preparation of the all the environmental and social instruments of the project.

⁷ The term "Project Worker" refers to: (a) people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers); people employed or engaged through third parties to perform work related to core functions of the project, regardless of location (contracted workers); (c) people employed or engaged by the Borrower's primary suppliers (primary supply workers); and (d) people employed or engaged in providing community labor (community workers). ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers.

⁸ These include: ILO Convention 87 on Freedom of Association and Protection of the Right to Organize, ILO Convention 98 on the Right to Organize and Collective Bargaining, ILO Convention 29 on Forced Labor, ILO Convention 105 on the Abolition of Forced Labor 2 Guidance Note – ESS2: Labor and Working Conditions • ILO Convention 138 on Minimum Age (of Employment) • ILO Convention 182 on the Worst Forms of Child Labor • ILO Convention 100 on Equal Remuneration • ILO Convention 111 on Discrimination (Employment and Occupation).

This document is presented under 14 chapters as follows:

- a. Chapter 1 served as Introduction;
- b. Chapter 2 - An overview of labor use in the project;
- c. Chapter 3 – Assessment of Key potential labor risks;
- d. Chapter 4 This Chapter presents overview of Labour legislation including Terms and Conditions & Occupational Health and Safety looking at both national and international;
- e. Chapters 5 – Presents the Staff Responsibility - defining Implementation Arrangements;
- f. Chapter 6 – Has Policies and Procedures relevant for the labour management in the project;
- g. Chapter 7 –Discusses the Age Requirement/eligibility for employment under this project;
- h. Chapter 8 – Discusses Terms and Conditions of Employment;
- i. Chapter 9 – Presents Grievance Redress Mechanism in the project;
- j. Chapter 10 - Contractor Management;
- k. Chapter 11 – Discussion of Community and Primary Suppliers;
- l. Chapter 12 –Budget estimate for Implementation of the LMP; and
- m. Annexes

2 OVERVIEW OF LABOR USE ON THE PROJECT

2.1 PROJECT WORKERS

The implementation of the project will attract varied levels of workers, skilled and unskilled. These shall be a combination of male and female workers, with a balance of local and international experts, all of whom will be over the age of 18 years, and in line with labour laws of GoM, are able to sign employment consents without need for parental or legal guardian consent. The exact numbers of the potential identified categories of workers are not known at the preparation of the LMP. The actual numbers will be determined at project implementation stage. It is expected that, the Project will engage the following categories of project workers as defined by ESS2:

2.1.1 DIRECT WORKERS

Direct workers will be independent consultants hired specifically to work in relation to the project management and coordination under the PIU to be established in FIPAG. The FIPAG-PIU Team will be engaged through the standard form of Contracts for Consultancy services provided by the World Bank with standard wording and will have managerial, administrative and coordination roles. The core number of PIU personnel and their job descriptions will comprise the following; Project Management/Coordination, Environmental and Social Specialists, Monitoring and Evaluation Specialist, Financial Management Specialist, Procurement Specialists, and administrative and logistics support services team (communication officers, secretary, drivers, and office attendants). FIPAG is expected to mobilize an *estimated 15-30 persons E&S Team* of direct workers at its PIU head offices in Maputo, including the teams who will be designated at AURA, ARA-Sul, and DNAAS.

The proposed PIU staff will include:

- a. One (01) Environmental Specialist, competent in OHS management;
- b. One (1) Environmental Advisor
- c. One (1) Water and Sanitation Engineer
- d. One (1) Social/Resettlement Specialist;
- e. One (1) GBV/SEA/SH/VAC Expert;
- f. One (1) Procurement Specialist; and
- g. One (1) Monitoring and Evaluation Specialist; amongst others.

It also expected that, MoPHRH's directorates and implementing entities for the project will each be expected to designate, hire and train the following category of staff to build their in-house capacities in the areas of E&S risk management:

- i. One (01) Environmental Specialist;
- ii. One (01) Water and Sanitation Engineer;
- iii. One (01) Occupational Health and Safety (OHS) Officer preferably with experience in ISO45001:2018 or OHSAS 18001:2007 certification; and
- iv. One (01) Social/Resettlement Specialists.

In some instances, some government civil servants will be working in connection with the project, whether full-time or part-time and under such circumstance such staff will remain serving and subject to their existing public sector employment terms and conditions for the period of the project which

are governed by Constitution of the Republic of Mozambique of 2004, the Labor Law No. 13/2023 and existing Public Service Regulations. There will be no legal transfer of their employment or engagement to the project unless staff decide to do so.

2.1.2 CONTRACTED WORKERS

Contracted workers will be engaged or employed by third parties' i.e., contractors, sub-contractors⁹ and service providers needed for project implementation and these imply professionals and support staff provided by the contractor or consultants or by any sub-contractor or sub-consultants assigned to perform the services or any part thereof. The contractual and legal relationship between the third parties and the Implementing Agencies FIPAG, DNAAS, AURA and ARA-Sul, will be established through contracts awarded in line with the standard procurement procedures and bidding documents in accordance with FIDIC Standard Contracts requirements. Each sub-project will be subject to a competitive open tendering procedure both for works and supervision services (although the scope of one supervision service contract may cover multiple construction contracts). An estimated 300–700 direct contracted workers are expected to be hired over the period of implementation under the implementing entities.

2.1.3 PRIMARY SUPPLY WORKERS

This category will be engaged on the project as certain supply of materials (i.e., stone aggregate and crushed stone, geotextile, cement, gravel, sand etc.) will be required within the project. Where the contractor will source such materials directly from primary suppliers on an on-going basis, the workers engaged by such primary suppliers are deemed “primary supply workers,” as defined in ESS2.

As part of the environmental and social assessment, the project will identify potential risks of child labor, forced labor and serious safety issues which may arise in relation to primary suppliers. However, these impacts are not subject to ESS2 but will be looked through the “lens” of ESS1 and ESS4 and the area covered by relevant management plans (i.e., sub-project specific ESMPs and the contractors environmental and social management plan in line with the ESMF).

All primary suppliers are formal businesses who are required to procure and produce materials subject to high standards, compliant with the provincial by-laws and national legislations. Any new supplier will be vetted in regard to compliance with taxes, certification, licensing, and any public liability certifications. Only primary suppliers that meet the relevant requirements of this LMP will be engaged.

The number and type of primary suppliers will be determined at project implementation stage. However, it is estimated that about 30-80 primary supply workers will be engaged over the implementation period. The timing of labor use of primary supply workers will cover the construction stage of the project.

2.1.4 COMMUNITY WORKERS

⁹ Sub-Consultant/Contractor means any person or entity to whom/which the Contractor or Consultant subcontracts any part of the Works or Services.

Owing to the nature of project activities, no community workers are anticipated to be engaged under the project as per the ESS2 definition. All community members to be engaged will be categorized and managed as “contract workers.”

Migrant workforce is expected to predominantly consist of personnel recruited from various regions within the country and internationally. Furthermore, the Project contractors may have some international personnel among them for respective jobs. The project will ensure, through the engineering consultant, that international workers will be employed or engaged by contractors of their own free will with valid work permits or documentation supporting their work status in the Country. Migrant workers are estimated to be in the range of 30-80.

2.2 KEY PROJECT ACTIVITIES

From the project descriptions in its PAD, some of its activities will amongst others include:

- a. Support FIPAG in managing the process of reforming the urban water supply sector, including strengthening it to be an institution focused on investment and asset management;
- b. Support the development of the legal framework for the integration of PWP services (technical standards with best practices for climate-proofing of operations and service, and bulk water supply models), including the licensing and monitoring of water quality and services;
- c. Promote efficiency and inclusion in the provision of water services by extending water supply to the poorest segments of the population;
- d. Support activities for climate-proofing of operations, including the approval of guidelines for development of water safety plans in times of floods and droughts as well as put in place, standard instructions for utilities to guide the provision of water services under climate change exacerbated risks (droughts and floods);
- e. Support the inclusion of PWPs into water services through setting and enforcing minimal requirements for disability inclusive billing systems, customer service policies and procedures, as well as promoting the recruitment of people with disabilities into water services and works;
- f. Expansion of access to climate resilient water supply through investments in water treatment and transport capacities and downstream investments to expand the distribution network to deliver services in line with the key principles for climate resilience water infrastructure designs, key water treatment plants (WTPs), pumping stations, bridge crossings for main pipes all designed and installed above the historic flood levels with objective of withstanding climate changes;
- g. Investments to support studies and designs aimed at improving their readiness for interventions in the future such as an additional volume of treated water of up to 60,000m³/day thereby increasing access and reducing household consumption of biomass energy for boiling water thereby improving the climate resilience;
- h. Improvement of quality of water services to the PWPs through grant support for upgrading water supply infrastructure to PWPs to comply with the technical standards and best practices for climate- proofing of operations and service delivery;
- i. Upgrading of existing infrastructure including the construction of flooding barriers to protect the boreholes, the installation of durable pipes to withstand the drop in water pressure in the network commonly experienced during the droughts and sometimes made worse due to heavy rainfall events;

- j. Providing strategic support to strengthen ARA-Sul climate informed water planning and allocation thereby enhancing water quality through improved watershed management to reduce climate change-exacerbated water source contamination;
- k. Put in place, sustained water availability measure through diversification of water supply sources and water demand management conservation; and
- l. Put in place measures for performance improvement for the service area of the Southern Region through a series of performance-based program of activities as well as implementation of the turn-around plans derived from the Utilities of the Future assessment.

To implement the above-listed sub-projects investments, the specific implementation activities will entail one or a combination of the following:

- i. Hiring of project workers.
- ii. Conduct of feasibility studies and preparation of designs.
- iii. Acquiring or securing project implementation land and areas.
- iv. Acquisition or procurement of construction equipment and materials such as sand, gravel, stone aggregates, etc.
- v. Establishment of supporting facilities, including but not limited to camps, accommodation and offices, materials and equipment storage yard, gravel borrow areas, soil spoil disposal areas, etc.
- vi. Clearing of vegetation in project areas of implementation and/or right of way.
- vii. Excavation, trenching and drilling works, fabrication and laying of pipes.
- viii. Restoration, reinstatement and decommissioning of construction areas.
- ix. Demobilization of workers.

2.3 NUMBER OF PROJECT WORKERS

As stated earlier, Program activities will be implemented by MOPHRH's directorates and implementing agencies i.e., DNAAS which will focus on activities related to the improvement of policies and regulatory environment while FIPAG will be implementing activities related mainly to the expansion of access to climate resilient water supply and improvement of performance and resilience of services. On the other hand, AURA will implement the Program activities related to the strengthening the regulatory role. ARA-Sul will implement the Program activities related to reducing climate hazards impacting water supply infrastructure and services through IWRM and watershed management.

However, at this stage, the exact numbers of workers that are to be engaged in the project cannot be stated with certainty, based on typical estimates of workers on water supply projects, the number of workers can be in the range of 300-700 who will be involved in a number activities relating to the project. Summary of the potential categories of workers can be as on Table below:

TABLE 2-1: ESTIMATED NUMBER OF PROJECT WORKERS

Nº.	Type of project workers	Characteristics of project workers	Timing of requirements	Labor	Estimated numbers
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1	Direct Workers • PMU/PIU Staff	<ul style="list-style-type: none"> • National staff • Foreign Workers 	<ul style="list-style-type: none"> • From project preparation until project end. • Prior to the construction stage. 	15-30
2	Contracted Workers: • Construction & Supervision Consultants • Independent Monitoring Consultants • Skilled workers engaged by the contractors • Skilled workers engaged by the sub-contractors • Unskilled workers	<ul style="list-style-type: none"> • International and national experts; • National experts; • Mostly national technical permanent staff; • National/local host community members, male and female workers and persons with disabilities that are able to work. 	<ul style="list-style-type: none"> • From the early stage of project implementation until project completion • Timing of labor requirement will fluctuate, dependent on the construction stages, which will be determined by individual contractors at the contract award 	300 -700
3.	Migrant workers	<ul style="list-style-type: none"> • Local • Foreign 	<ul style="list-style-type: none"> • From the early stage of project implementation until project completion. 	40 - 100
4.	Primary suppliers: Workers engaged by primary suppliers at quarry sites (construction materials)	They are most likely local workers	The construction stage of the project.	30 - 80
5.	Community Workers	Not applicable	Not applicable	

Note the following:

- a. Workers will be hired in compliance with the conditions defined in ESS2. While the national law defines the workers minimum age as 15 years, compliance with the required conditions for the fulfillment ESS2 conditions under paragraph 18 and 19, the project will not employ workers under the age of 18 years in the implementation of the project.
- b. Details of likely female workers to be hired under the project are not known at this stage.
- c. Actual project workers will be defined prior to implementation.

2.4 TIMING OF LABOR REQUIREMENTS

The various workers who will be required at its various scheduled times of the project process will be recruited and deployed at its effectiveness and they shall be maintained as required throughout the project implementation period. Contractors, supervision engineers, Consultants and workers will all be recruited at the beginning of the respective sub-project activities, as applicable/required. The sub-projects will provide job opportunities for skilled and unskilled workers as well. However, unskilled

workers (including their numbers) will be hired when required according to the nature of the works.

The number of workers needed for each activity will be determined prior to implementation. It is anticipated that fewer workers, mostly the Key staff will be required during the mobilization phase whereas most of the workers, including non-skilled labour will be required during the construction phase. Like the mobilization phase, fewer workers will be retained during the defects' liability period, while the rest will be demobilized. However, more workers will be deployed during the Mobilization phase than the defects liability period given the need to undertake site preparation activities. For each category of worker, a contract will be issued with a Code of Conduct prior commencement of any assignment and the implementing agency will ensure that workers are required to comply with the CoC for the project.

3 ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The range of project investments and likely activities are listed under Section 2.2. The nature, magnitude and extent of key potential risks will depend on project investment activities. Potential risks are those related to labor and working conditions, such as work-related discrimination, gender-based violence (GBV) and sexual exploitation and abuse (SEA) and occupational health and safety (OHS). The FIPAG PIU will assess and address these risks by developing recruitment guidelines, procedures and appropriate OHS measures and applying relevant provisions of the Labour Law No. 13/2023, public service regulations and applicable manual provisions on human resources management under Ministry of Labour and Social Security (MoLSS) and the ESS2 and ESS4.

Key labour risks anticipated during Project implementation include, but are not limited to, the following:

- i. **Occupational Health and Safety Risks:** Increased risk of worker injuries due to inadequate OHS practices and procedures during project implementation leading to worker injury. Workers may be exposed to physical, chemical, biological, and other hazards, including working at heights, in confined spaces, night work, improper ventilation, poor lighting, faulty electrical systems, trenches and excavations, tools, machinery, equipment, stress, road travel, noise, vibration, trips, slips, falls, heat, paints, cement, hazardous materials, viruses, infections, moving objects, inadequate provisions of welfare facilities such as drinking water, rest shades, and more.
- ii. **Discrimination/non-inclusion of certain groups:** Potential discrimination; deprivation of equal opportunity based on gender, religion, political affiliation, physical ability/disability, inappropriate treatment; or harassment of Project workers based on background or status. This may include workers being subjected to poor working conditions, workers having unclear terms of employment, delays in payment of workers' salaries, equal limited opportunities for promotion and training, and other practices that do not align with ESS2 and national labour laws. Further, discrimination could arise during the recruitment processes and project workers may also be deprived of the right to establish worker organizations for collective bargaining.
- iii. **Gender based violence (GBV), Sexual exploitation and abuse and Sexual Harassment (SEA/SH).** Women workers might be exposed and experience GBV and SEA/SH from the project male workers for instance during hiring and employment process, at work sites or outside worksites during field work in Project areas and surrounding areas. This risk may be experienced by workers across all labour categories. Further, inappropriate interactions between workers and surrounding communities may also result in increased incidences of GBV/SEA/SH.
- iv. **Risks of labour influx** as the project may attract migrant or seasonal workers due to the nature of the construction jobs. There is also a risk of increase in commercial sex transactions around project sites and surrounding areas, which may pose additional challenges; and
- v. **Child Labor/ Forced Labor:** Likely incidents of child labour or forced labour may occur on the project. The risk of forced labour may arise among contracted workers who may be coerced to work against their will.
- vi. **There are extensive Community Health and Safety (CHS) risks** associated with the project. These risks include,

- Traffic and road safety risks due to increased construction and vehicular traffic.
- Spread of diseases caused by virus and infections to local communities due to the influx of workers into project areas.
- Inappropriate disposal of wastewater, solid waste, and hazardous waste, leading to the spread of infectious diseases and pollution of local water resources and air.
- Storage of bulk fuel, which can result in fuel leakage or fire incidents that could impact nearby communities and water resources.
- Lack of emergency response coordination at project sites, leading to uncontrolled spread of contaminants and fire incidents.
- Inappropriate storage of hazardous materials, resulting in community exposure through water and air pollution.
- Operational hazards at specific subprojects, where careless usage of harmful materials can lead to serious accidents.
- Infrastructure may create a dangerous environment to the community members especially vulnerable groups of Project sites and surrounding areas for example the dust from the construction site may be a health hazard and construction equipment may cause harm to the community.

A summary of the anticipated labor related risks in the planned project are provided in the Table below alongside proposed mitigation measures.

Table 3-1: Potential labor related risks and their proposed mitigation Measures

Nº.	Risk identified	Mitigation Measures proposed
01.	<p>Occupational Health and Safety Risks: The main labor risk associated with the Project is the risk of accidents involving workers, because of the potentially hazardous work environment. The more serious risks include suffocation in confined spaces such as manholes and reservoir tanks, the collapse of excavations like deep trenching. Other OHS risks include:</p> <ul style="list-style-type: none"> ➤ Inadequate OHS practices and procedures/ plans; ➤ Working in confined spaces, excavations and trenches, including in reservoir tanks and manholes; 	<ul style="list-style-type: none"> • The project will develop an OSH Management Plan and enforce its implementation to avoid/minimize occupational health and safety risks; • Prepare method statements for hazardous task, which will include job risk assessments and application of permit to work system; • Have in the project, a qualified OHS Supervisor to ensure implementation of OHS plan; • Procure and supply workers with appropriate PPEs; • Prepare and implement waste management plan, focus on: <ul style="list-style-type: none"> ✓ Reducing waste. ✓ Recycle and reuse waste. ✓ Hazardous chemical. ✓ Safe storage and disposal of wastes. • Preparation and implementing a workers Employment Contracts and Code of Conduct, providing appropriate labour management provisions in accordance with the National Labour Law; • Provide a modesty and accessible First Aid kits under the management and operations of trained nurse of First Aiders on various project work/activity sites; • Provide basic First Aid and emergency response training to all workers;

	<ul style="list-style-type: none"> ➤ Exposure poor labour working conditions such as noise and dust, falling objects, and exposure to electrical hazards from the use of tools, lack of PPE; ➤ Working at height; ➤ Handling solid waste and sludge; ➤ Exposure to wastewater; ➤ Exposure to chemicals such as paints, solvents, lubricants, and fuels; ➤ Traffic accidents; ➤ Lifting of heavy structures; ➤ Environmental hazards (snakes, wasps, bees, etc.; and ➤ Welding hazards (fumes, burns and radiation); ➤ Poor management of incidents; and ➤ Inadequate welfare facilities such as toilets (including mobile toilets at mobile work-fronts), drinking water, rest shades, etc. 	<ul style="list-style-type: none"> • Deploying appropriate traffic management signs in all active sites alongside flag-person who should have been inducted on traffic control; • Working and collaborating with Traffic police in the management of worksites and necessary diversions; • Ensuring implantation of good housekeeping practices, including keeping clean sites devoid of bushes, littering and wastes; • Handle incidents and accidents in line with World Bank Incident Reporting Guidelines as well as the national laws; • Where working at night be necessary, secure the necessary permits and authorizations. • Provide adequate and appropriate welfare facilities such as gender segregated sanitations facilities (including mobile toilets for mobile work-fronts), drinking water, rest shades, etc.
02.	<p><i>Discrimination/non-inclusion of certain groups:</i> This can occur in the workplace in various ways:</p> <ul style="list-style-type: none"> ➤ Employers may impose requirements that are not necessary for a job but may result in excluding a specific group; ➤ Female workers might be paid less; ➤ Selection criteria for training and 	<ul style="list-style-type: none"> • Implement a deliberate policy for equality where all genders in the project and accord equal opportunities and promote zero tolerance to discrimination. This will require Project management to employ “blind resume/application” screening to enhance objectivity in evaluating job applicants; • The projects workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment; • It is also important that, engagement contracts and Code of Conduct be understood by the parties before they are signed to avoid such occurrences in the project; • Project workers will be provided with regular anti-discrimination trainings to educate them against discrimination, unconscious

	<p>development may be discriminatory;</p> <ul style="list-style-type: none"> ➤ Termination of employment may disproportionately target older or female workers; and ➤ Project workers may be inappropriately treated or harassed based on their gender, age, disability, ethnicity, or religion. 	<p>bias, and the importance of creating an all-inclusive work environment;</p> <ul style="list-style-type: none"> • The project will develop and operationalize a GRM which is to be made known, understood and accessible to all workers; • All complaints on discrimination and harassment be investigated thoroughly in a fair and impartial manner and provide reports on such findings; • Where discrimination is established to have occurred, project management will take appropriate disciplinary action in accordance with the policy of the employer and laws of the GoM and best practices; • Encourage open communication and feedback by creating a safe space for the workers to freely voice their concerns and offer constructive feedback; • The information and documentation setting out employees' rights under the national labor and employment law should their rights; to collective agreements/bargains, hours of work, wages, over-time, compensation and benefits, as well as those arising from the requirements of ESS2. This information and documentation is to be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur; • In addition, all employment will be voluntary and to mitigate the risk of employees or consultants being forced to work overtime, the workers will be provided with accessible means to raise workplace concerns. This will be done through the project grievance redress mechanism (GRM) as well as formation and joining of collective bargaining bodies. This could happen with suppliers of goods and consultants; • The project will develop deliberate mechanisms to monitor participation of vulnerable groups in all activities; and • The project to the extent possible is to be implemented in keeping with both World Bank ESS2 and GoM labor laws and procedures in as well as ILO best practices.
03.	<p>Sexual Harassment (SH): is unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH differs from SEA in that, it is focuses on personnel/staff working on the project, and not between staff and project beneficiaries or communities.</p>	<ul style="list-style-type: none"> • Outright and the on-set of project works, sensitize project workers about sexual harassment is, its forms and categorically stating that, it will not be acceptable in the project; • Letting project workers aware that, sexual harassment is a criminal offense in Mozambique and is punishable by imprisonment and a fine, as defined in Article 205 of the Penal Code which also criminalizes abusing authority or taking advantage of hierarchical positions to obtain sexual favors; • Working with Mozambique Police Family protection unit to manage and prevent SH; • Training workers on how to recognize and understand sexual harassment in a workplace;

		<ul style="list-style-type: none"> • training managers on how to assess and manage risks of sexual harassment at the work place; and • Training workers on mechanisms and avenues of reporting sexual harassment complaints.
04.	<p>Workplace related Sexual Exploitation and Abuse (SEA): is any actual or attempted abuse of a 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.</p> <p>It can further be the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Women, girls, boys and men can experience SEA. In the context of World Bank supported projects, project beneficiaries or members of project-affected communities may experience SEA.</p>	<p>Some of the measures to address issues of SEA in the project will include:</p> <ul style="list-style-type: none"> • Raising awareness through information, training, briefings and other tools to equip staff members with the knowledge and skills necessary to understand and respond to SEA; • Strictly prohibit exchange of items for sex/sexual favors including exchange of money, employment, goods or services for sex or other such sexual favors or humiliating, degrading or exploitative behavior to be prohibited in the project; • Ensuring that, if an allegation of SEA is reported or an incident discovered, it undergoes a prompt and thorough investigation; • Taking appropriate administrative and/or disciplinary action in all cases within the project's scope of authority, reporting on such cases and, where appropriate, pursuing legal action. This could include cancelling work permit/repatriation or pursuing criminal prosecution for the offender or perpetrator; • Prohibit engage in verbal or physical conduct, including gestures of a sexual nature that might cause offence or humiliation to another in the project setting; and • In all, to effectively manage workplace-related sexual exploitation and abuse (SEA), the project will establish a zero-tolerance policy to SEA, develop clear reporting mechanisms, provide comprehensive training, and ensure swift and fair investigations and sanctions, while prioritizing a victim-centered approach.
05.	<p>Gender Based Violence (GBV): refers to any harmful act that occurs against a person's will and where their gender is a contributing factor.</p> <p>GBV covers a range of abuses, including physical, sexual, psychological, and economic violence, and can happen anywhere.</p>	<ul style="list-style-type: none"> • Create awareness and inform project affected communities/persons about GBV as part of stakeholder consultations during project mobilization; • Implementing community mobilization, awareness campaigns, and education on the causes of GBV, promoting gender equality, and strengthening the involvement of community leaders in the prevention and referral to services; • Carry out sensitization for girls and expand joint campaigns and sensitization with schools in project's surrounding areas; • Fostering strong partnerships between government, NGOs, and the community to ensure effective and coordinated GBV prevention and response through getting to know existing GBV players in the areas of the project; • Continue training of the workers and project management on GBV workplace policies, ethics and culture through training sessions and implement strict and inclusive anti-GBV harassment measures in the project;

		<ul style="list-style-type: none"> • Adopt a coordinated approach which integrates formal, mobile, and informal services will be essential in the prevention and management of GBV and this should focus on community involvement and feedback, being sensitive to the unique challenges of each of the project sites; • Consider having a GBV Specialist as part of the project staff; • Offer counseling and support services for survivors of GBV by addressing fears and trauma associated with their experiences; • Develop GBV Referral Pathways; • Prepare, adopt and implement workers Code of Conduct (<i>Annex 1 – Code of Conduct Guideline</i>); • Make certain, the availability of an effective grievance redress mechanism (GRM), which is responsive, with multiple channels to initiate a complaint; • Evaluate the contractor's GBV response proposal in the Contractors, the contractor's ability to meet the project's GBV requirements; • Develop a GBV Action plan including an Accountability and Response Framework, as part of project ESMP; and • Consider oversight through an independent Third-Party Monitor (TPM) with experienced GBV staff.
06.	<p>Child Labor/ Forced Labor: As indicated by UNICEF¹⁰, the consequences of child labor are staggering. It can result in extreme bodily and mental harm, and even death. It can lead to slavery and sexual or economic exploitation. And in nearly every case, it cuts children off from schooling and health care, restricting their fundamental rights and threatening their futures.</p>	<ul style="list-style-type: none"> • Develop and implement HR and Employment Policy as part of the Contractor's LMP (Code of Conduct), with Zero Tolerance to Child Labour and Forced Labour, sexual/exploitation, among others; • During project launch and its mobilization phase, there will be engagements with the local communities to raise awareness about risks of child labor and its negative impacts, and to involve them in the dissemination of information on prevention strategies; • Employ people that are aged 18 year and above (with evidence of national identification cards and birth certificates); <i>Children at minimum age of 15 years must only be accommodated without breaching the labor conditions of children to avoid non-compliance</i>; • Create awareness and inform project affected communities/persons about issues of Child Labor as part of stakeholder consultations during project mobilization; • Raise awareness and sensitize surrounding communities on issues of prohibition and negative impacts of child and forced labor; • Restrict workers from buying merchandise from children within the vicinity of the project environment;

¹⁰ <https://www.unicef.org/protection/child-labour>

		<ul style="list-style-type: none"> • Enforcement of the laws on child labor, sexual harassment, exploitation, and abuse in the water supply projects; and • Develop a Child Labor prevention Action plan including an Accountability and Response Framework, as part of project ESMP.
07.	<p>Labor conflict and conditions of employment: Conflict situations could arise when, within a work team, personalities clash or there is disagreement about certain core values. Conflict, when compared to workplace disputes, is usually more of a long-term situation. Conflict at workplace may involve only two individuals, it may likely escalate, with team members choosing sides. Eventually the whole office could be involved, and an extremely volatile atmosphere could be the result.</p>	<p>To effectively manage labor conflicts and employment conditions, the project is to establish clear communication channels, implement fair grievance procedures, foster a culture of respect, and utilize conflict resolution methods like mediation and arbitration, while ensuring compliance with labor laws. Other details include:</p> <ul style="list-style-type: none"> • Establish open and transparent communication channels between project management and employees, encouraging feedback and addressing concerns promptly; • Ensure all employment policies, including those related to wages, working conditions, and disciplinary procedures, are clearly defined, consistently applied, and accessible to all project employees; • Provide training opportunities on conflict resolution skills, active listening, and empathy to both managers and employees to foster a culture of understanding and cooperation; • Implement a robust performance management system that focuses on constructive feedback, goal-setting, and continuous development, addressing performance issues early on; • Encourage employee participation in decision-making processes through getting their input in a transparent and non-reprisal means such as use of suggestion boxes, employee forums, or other such means to foster a sense of confidence and reduce potential conflicts; • Establish clear and accessible grievance procedures that allow employees to raise concerns and seek resolution in a fair and timely manner; • Consider using mediation as a non-binding process to facilitate communication and help parties reach a mutually agreeable solution; • If mediation fails, explore the possibility of arbitration, a binding process where a neutral third party makes a decision based on the facts and applicable laws; • When necessary, implement corrective action procedures that are fair, consistent, and documented, ensuring that employees understand the reasons for any disciplinary actions; • Project managers to have an open-door policy where employees freely approach them directly with their concerns or questions; and • Maintain thorough documentation of all employment-related matters, including performance evaluations, disciplinary actions, and grievance resolutions.

08.	<p>Risks of transmission of communicable diseases such as HIV/AIDS & STDs: Globally, Mozambique is ranked as the 3rd highest in the world in terms of number of people living with HIV (PLHIV), it has estimated 2.4 million people living with HIV and of these, about 2 million are on HIV ARTs. Furthermore, about 220 new infections occur daily with about 120 HIV related death occur per day¹¹.</p>	<p>To prevent HIV/AIDS and STDs in the project, management should focus on education, promoting safe practices like condom use, and ensuring access to testing and treatment. Other measures include:</p> <ul style="list-style-type: none"> • Develop a comprehensive HIV/AIDS awareness and educational program covering HIV/AIDS and STDs are transmission, prevention methods, and the importance of testing and treatment; • Sensitize workers and surrounding communities on risks of HIV and AIDS and other STIs; • Protect one-self during sex, to reduce risk of contracting HIV through use of correct use of condoms during sex; • The project will put in place measures for voluntary counselling, and testing (VCT) and distribution of ARVs; • Provide resources and support for workers living with HIV/AIDS, including mental health support and access to social services; • Establish a dedicated health clinic for the workers' attention and facilitate referrals to the national health units; and • The contractors to retain the services of, and other communicable diseases' Service Provider(s) to facilitate access to timely, safe, and confidential services for the affected.
09.	<p>Risk of exposure to extreme weather conditions: Mozambique, a country with a tropical climate, is highly vulnerable to extreme weather events, particularly floods, droughts, and cyclones, which are becoming more frequent and intense due to climate change.</p>	<ul style="list-style-type: none"> • To support project workers in extreme weather, employers should prioritize safety by providing adequate hydration, frequent rest breaks in shaded or air-conditioned areas, and adjusting workloads to avoid the hottest/coldest hours, while also ensuring workers are trained to recognize heat/cold-related illnesses; • In extreme weather conditions, it may be necessary to adjust work methods to ensure the safety of workers. This may include modifying work schedules, taking more frequent breaks, or using different tools and equipment; • Taking frequent breaks is essential in extreme weather conditions, as it allows workers to rest, hydrate, and avoid heat exhaustion or hypothermia; • Provide easy access to cool, clean drinking water and encourage frequent hydration, even if workers aren't thirsty. Dehydration can have a significant impact on construction workers and measures such as installing drinking water points easily accessible to the workers serves as one of the measures to address this risk; • Ensure workers have access to lightweight, breathable personal protective equipment (PPE) that minimizes heat retention; • Develop a plan for responding to heat-related emergencies, including procedures for identifying and treating heatstroke and heat exhaustion;

¹¹ https://www.unaids.org/sites/default/files/20250218_PEPFAR-Mozambique_en.pdf

		<ul style="list-style-type: none"> • Develop a plan for responding to cold-related emergencies, including procedures for identifying and treating hypothermia and frostbite; • Collaborate with the National Meteorological Agency (INAM – Instituto Nacional de Meteorología) and follow the emergency requirements/guidance both at Provincial and District levels; • Consider the safe working seasons and times; and • Observe and follow national/provincial/District emergency response guidelines and plans on extreme weather events and seasons/ warnings.
10.	<p><i>Risks related to labor influx/migrant workers</i> as the project may attract migrant or seasonal workers due to the nature of the construction jobs. There is also a risk of increase in commercial sex transactions around project sites and surrounding areas.</p>	<p>The most effective mitigation measure to manage the impacts of labor influx is to avoid or reduce it. Managing labor influx and migrant workers in projects requires proactive planning, including assessing potential impacts, developing Influx Management Plans (IMPs), ensuring fair labor practices, and engaging with local communities. Other considerations towards good practices in Labor Influx Management include:</p> <ul style="list-style-type: none"> • Develop an Influx Management Plan (IMP) which outlines strategies to mitigate negative impacts and maximize positive opportunities related to labor influx; • Engage with local communities, government agencies, and other relevant stakeholders to understand their concerns and needs with respect to labor influx implications; • Consider optimizing use of local workforce: explore opportunities to utilize the local workforce, potentially through training and skill development programs. To the extent possible, engage non-skilled labor force from within the communities to minimize migrant workers and its potential associated negative impacts; • Plan and provide adequate accommodation and infrastructure: Provide adequate and safe accommodation for migrant workers, including access to essential services like sanitation, water, and healthcare; • Facilitate safe and reliable transportation for workers, both to and from the project site and to access essential services; • Ensure compliance with all relevant labor laws and regulations especially acquisition of work permits amongst others and having close work relationship with Immigration Department; • Specify contractor obligations and commitments related to labor influx mitigation, worker management, and compliance reporting; and • Where labor is sought beyond the surrounding community, migrant workers both local and foreign will be sensitized on project requirements including Code of Conduct (CoC).
11.	<p><i>Kidnappings and human trafficking risks:</i> Overall, due to the current volatile security situation and the</p>	<p>Some of the measures the project is to adopt for its workers on how to survive abduction/kidnappings include:</p> <ol style="list-style-type: none"> a. Provide training to all staff on aspects of kidnapping and trafficking to equip them on how to identify, react and survive

	<p>threat of terrorism, violent crime and kidnappings have reportedly occurred in Maputo, Beira, Sofala and in Cabo Delgado province. Kidnapping for ransom is a serious concern, particularly in larger cities. While most victims are perceived as wealthy locals, foreigners have also been targeted. In most cases abductions are targets of opportunity wherein criminals abduct someone based on availability and chance of success.</p> <p>Furthermore, it is reported that persons with albinism are extremely stigmatized in Mozambique and it is a common belief that the possession of a part of their body will bring good luck to the owner. This superstition has turned persons with albinism into a target for traffickers and, according to data from 2017, the value of a person with albinism can reach from \$4,000 to \$75,000¹².</p>	<p>if abducted. Sometimes such trainings are pre-requisite for one to be engaged in a project;</p> <ol style="list-style-type: none"> Project workers should avoid voluntarily revealing unnecessary and unsolicited information about themselves on media. They must be careful about posting too much personal information online about themselves and should not trust "friendly" strangers on social media that know too much about you or say just the right thing; Due to nature and the forms of abductions, it is important, workers in the project/s are given a number of skills to help avoid being abducted and if abducted how to survive and possibly escape from abductors; Stay vigilant and don't "look" like easy prey because traffickers go after those they perceive as vulnerable and meek. Therefore, individuals who walk around appearing sad, lonely, or lost or post things online that indicate low self-esteem come across as "easy pickings" for their criminal intentions; When one senses danger, carefully call an emergency police/rescue line: Though you may feel tempted to dial a friend when feeling threatened, it's wiser to dial a police/rescue contact and within few seconds communicate all necessary details and very clearly; If accosted in a public place, make a full-blown scene by possibly start to loudly yell to draw attention of the public and cause intervention and can call the police. Such commotion is sometimes enough to scare away the predator; After weighing the risk, it is sometimes necessary to stand up for oneself and this can discourage an attacker as he would much rather his kidnapping not involve resistance. People who fight back don't make easy-to-control victims and traffickers tend to avoid such individuals; and Developing networks and partnerships through possible collaboration with local, national and international anti-trafficking organizations and law enforcement agencies to enhance training and awareness efforts.
12.	<p>Political protests and unrest: There is on-going political unrest and protests across Mozambique which can be violent and occur and they tend to occur at short notice. The protests are disruptive on many fronts in service delivery.</p>	<ul style="list-style-type: none"> The project management is to keep in close touch with national and international agencies on regular security advice on the situation in the country and especially in Maputo; Workers should avoid large gatherings or demonstrations; Sensitize project workers to avoid crowded places; Be aware of one's surroundings i.e., staying alert and learn to act swiftly once situation change; Workers to stay alert and in close touch with security establishments such that, in the event of call for evacuation, one should only carry only what is essential;

¹² Child Protection Risks and Needs in Mozambique <https://cpaor.net/sites/default/files/2020-04/Mozambique%20SDR%20April%202019.pdf>

	Police may respond to protests with force, including the use of tear gas, rubber bullets, and live ammunition.	<ul style="list-style-type: none"> • Monitor local media for security updates before and during at work; and • Workers to pay attention to their surroundings and avoid travelling after dark to the extent possible.
13.	<p>Risks from natural disasters: Mozambique's vulnerability to natural disasters, including floods, droughts, and cyclones, stems from its coastal location, variable climate patterns, and high levels of poverty and inadequate infrastructure. Its extensive coastline along the Mozambique channel makes it highly susceptible to tropical cyclones and storm surges. In addition, the country is situated downstream from many of Africa's largest rivers, increasing the risk of severe flooding, particularly during the rainy season.</p>	<ul style="list-style-type: none"> • The project to get access to the robust Mozambique Early Warning System which combines new technology, infrastructure, and community action to alert communities and persons operating in disaster-prone areas; • The project to have a staff who liaises closely with the https://www.ingd.gov.mz/ for timely access to disaster alerts through its network of 70 community radios and trained community brigades that warn at-risk communities, leading them to safety before an extreme weather occurrence; • To keep the workers alert in the event of a natural disaster, will require the project to prioritize preparedness safety tips to help prevent injuries and losses in an emergency by: <ul style="list-style-type: none"> ➤ Staying informed and closely tuned in to local authorities for information about evacuations and safety tips; ➤ Know where project workers can go during a natural disaster and how they will get there quickly and safely; ➤ Stock kits with flashlights, batteries, first aid supplies, and important identification information; ➤ Workers to leave where they stay only under such instructions from authorized project sources to the extent possible; ➤ In the event of flood/s, workers should try to go to a higher floors in buildings or, in case of a tornado they should go to a basement or inner room on the bottom floor in an emergency area. • The contractor/s to have operational Emergency Preparedness and Response Plans; and • The project to have its ambulance services on 24/7 standby alongside functional clinics including back-up services from medical facilities in project proximity.
14.	<p>Non-compliance with Labour Laws by contractors and workers including (but not limited to):</p> <ul style="list-style-type: none"> ✓ Employment of child labour. ✓ Sexual harassment of locals and staff by the contractor. ✓ Working without PPEs 	<ul style="list-style-type: none"> • All/both contractors and workers should be issued with Employment Contracts/ Job Cards and sign a Code of Conduct (CoC) before commencement of construction works, which provides among others issues of labor related laws and regulations; • Sensitize workers on labor related issues and regulations to ensure that they comply; • Observance of the national labor laws and World Bank ESS2 and overall ESSs; and • Enforce and monitor the implementation of the national labor laws and World Bank ESS2 and overall ESSs; as well as the contractual obligations.

	<ul style="list-style-type: none"> ✓ Under payment/late payment. ✓ Lack of worker's contracts. ✓ unclear benefits due to workers by contractors. ✓ Abuse by contractors. 	
15.	<p><i>Risks of COVID-19 and communicable diseases transmission at worksites:</i></p> <p>workplace risks for COVID-19 and other communicable disease transmission include close proximity, crowded conditions, and contact with potentially infected individuals, especially in indoor settings. The closer people are to each other and the more crowded the workplace is, the higher the risk of transmission, particularly for respiratory illnesses like COVID-19.</p>	<p>The project to have its Standard Operating Procedures (SOPS) for the management and control of COVID-19 transmission in the project as follows:</p> <ul style="list-style-type: none"> ➤ Wash hands often with soap and water for at least 20 seconds or using alcohol-based hand sanitizers; ➤ Use of Face Mask is mandatory at all work sites; ➤ Avoid touching eyes, nose and mouth with unwashed hands; ➤ The body temperature to be monitored before entering the work sites and keep record of the workers with body temperature exceeding the threshold limit and the worker should not be allowed to go to the work front and this should be immediately reported to the focal person for further necessary action; ➤ Clean and disinfect frequently touched objects and surfaces, including all reusable personal protective equipment (PPE); ➤ Do not share the PPEs and in addition, workers should remove PPEs with care, being mindful of which surfaces may be contaminated; ➤ Food should be consumed at designated areas only ensuring physical social distancing; ➤ Housekeeping team should be provided with necessary PPE and equipment; ➤ There will be a total ban or restrictions on non-essential visitors at work sites; ➤ Appropriate signage at construction sites spelling out the safety practices in the language which is understood by all; and ➤ For any confusion, clarification and update, everyone should approach designated authority or rely only on an authentic source.
17.	<p><i>Street crime in Mozambique:</i> Street crime, sometimes involving knives and firearms, is getting common in Maputo and is increasing in other cities and tourist destinations. There are some areas in cities which are more</p>	<p>Workers can reduce this risk by:</p> <ul style="list-style-type: none"> ➤ Avoiding carrying credit cards, travel tickets and excess money as they move about, valuable items should be deposited at safe custody as shall be advised by the project. For emphasis, avoid showing large sums of money in public and don't use ATMs after dark, especially if you are alone. Check no one has followed you after conducting your business at the ATM; ➤ Not ex-changing large sums of money in busy public areas and don't give personal or financial account information details to people you don't know including at Bureau de Change points;

	dangerous such as beaches and off-shore islands which are not policed.	<ul style="list-style-type: none"> ➤ Restrain to the extent possible, from carrying along one's passport as one goes about unless absolutely necessary in any case, one should carry a copy of it but the original be deposited as advised by security personnel in the project; ➤ Keep a close eye on your personal belongings and hold on to them in public places such as internet cafes, taxi and bus stations; ➤ Use only recognised hire car companies or official taxis. If you book a taxi or car to meet you at the airport, ask in advance for the driver's name for confirmation. ➤ Before entering a hired taxi/special hired taxi, check occupants and seek to know the details of the driver including car details and even share such details with the family or a friend; ➤ Avoid dark and unlit streets and stairways, arrange to be picked up or dropped off as close to your hotel or apartment entrance as possible; ➤ Ensure you have emergency contacts for the project safety/security team or police rescue services: For emergency situations in Mozambique, including police, medical, and fire services, one can call: <ul style="list-style-type: none"> ✓ Emergency Green Line at Work; ✓ 119 for police, ✓ 117 for medical emergencies, and ✓ 198 for fire and rescue services.
18.	Difficult to manage contractors.	<ul style="list-style-type: none"> • The Project Management should consider hiring project Managers who are certified i.e., those who hold Managing Contractor Certification (MCC) which is a professional certification training run in Matoola in Maputo and has been developed to validate a person's competencies in ensuring and overseeing construction project delivery; • Enforce and monitor the implementation of the national labor laws and World Bank ESS2 and overall ESSs; as well as the contractual obligations; • Strengthen the contractual management in both the contractor's and consultant's teams; • Require Supervising Consultants to develop and maintain a Compliance Tracker to track implementation of corrective measures for Non-Conformities and ensure timely follow-up for resolution, including evoking of applicable remedial contract penalties.

4 BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS & OCCUPATIONAL HEALTH AND SAFETY

4.1 MOZAMBIQUE NATIONAL LEGISLATION

The Labor Legislations relating to terms and conditions as well as Occupational Health and safety are so interrelated that it was found relevant to be described under the same chapter rather than separate it to avoid repetitions. Therefore, this chapter covers both overview of labor legislation on terms and Conditions of Employment, & Occupational Health and Safety as a requirement of the LMP in accordance to ESS2.

The country's social, economic and political development has necessitated a re-structuring of the legal framework governing labor, employment and social security in pursuant to article 179 (1) of the Constitution of the Republic of Mozambique. The sources of Labor Law are the Constitution of the Republic, normative instruments enacted by the Assembly of the Republic and the Government, international treaties and conventions, as well as collective labor regulation instruments. This law shall apply to the legal employment relationships between employers and employees, both national and foreign, in all fields of activity, who carry out their activity in Mozambique.

4.1.1 RELEVANT/APPLICABLE LABOUR LEGISLATIONS

4.1.1.1 THE CONSTITUTION OF THE REPUBLIC OF MOZAMBIQUE OF 2004 WITH 2007 AMENDMENTS

This makes provisions for the right to retribution and safety in the workplace as well as the right to healthcare. It recognizes to strike except in essential services and prohibits lockouts. The Constitution also guarantees the right to work, fair remuneration, health and safety at work, equal pay for equal work. It prohibits forced and child labor.

Article 85 (2) stipulates that all workers shall have a right to protection, health and safety at work, and Article 89 stipulates that all citizens shall have the right to health and medical care and shall have the duty of promoting and protecting public health.

4.1.1.2 DECREE N^o. 5/2002

This is a Legislation to protect workers with HIV/AIDS from discrimination based on their health status. It establishes the general principles aimed at ensuring that all employees and applicants for employment should not be discriminated against in the workplace or when applying for jobs because of suspicion or infection of HIV/AIDS Article 8 states that the worker who becomes infected with HIV/AIDS in the workplace, in connection with his professional occupation, in addition to the compensation they are entitled, have to be ensured of adequate medical assistance to alleviate their state of health, pursuant to the Labor Law and other applicable law, at the expense of the employer.

4.1.1.3 LABOR LAW Nº. 13/2023 OF 25 AUGUST

The Labour Act No. 13/2023 sets general principles and regulates individual employment relations, such as for hiring, firing, working hours, remuneration, occupational safety and health, vocational training, social security and labour inspection. The law also regulates collective labour relations, by regulating and establishing rights of trade unions and employers' organizations. Minimum Wages Law is also regulated under this Act. In addition, this Act allows the central body of the labour administration 45 days within which to register a workers' (or employers') organization. This Act allows a strike to be ended by a decision of the mediation and arbitration body, which can be interpreted as an undue interference by authorities or employers during the course of a strike.

This law presents distinct provisions for women workers, child labor, and health, safety, and hygiene in the workplace. The Mozambique legal framework is quite comprehensive and transcends the Labor Law and covers the Constitution of 2004, the ILO Conventions related to the matter and other regulations such as the Judicial Regime on Work Related Accidents and Work-Related Illnesses. *It is important to note that the new Labor Law 13/2023 of 25 August was passed, repealing the Law no. 23/2007 (of August 1st)—“old” Labor Law. It should also be noted that the Law Nº. 13/2023 of 25 August, has a vacation legis of 180 days. So, it come into force on 2 February 2024. Employers and employees should pay attention to the transitional rules in order to ensure compliance with its provisions.*

The following terms and conditions shall apply:

- i. All employed workers shall be remunerated in accordance with the task or activity that they have been assigned. Salaries shall be established by collective agreement or by professional category. The minimum wage shall be determined on an hourly or monthly basis;
- ii. No deductions from remuneration shall be done other than those prescribed in labour laws, except for the repayment of advances received from the employer and evidenced in writing;
- iii. The maximum number of working hours shall be eight hours a day (08hrs to 17hrs), whilst contracted workers will have varied hours depending on the arrangement of shift works and Project activities;
- iv. Workers shall be entitled to rest on National public holidays, and also be entitled to other rest that may be prescribed in their conditions of appointment;
- v. All contractors or subcontractors shall be entitled to leave (maternity, paternity, annual, compassionate etc.) as required and as prescribed in the Employment Act;
- vi. At a minimum, contractors/sub-contractors must ensure that their workers have access to medical care / medical facilities.

4.1.1.4 CHILD LABOUR ACT Nº.7/2008

This Act protects children and their rights, which are entitled in the Constitution. The Act establishes the fundamental opportunities and facilitates that guaranties their development. However, Mozambique's legal framework still leaves gaps in preventing child labor and its worst forms. For example, there is no list of hazardous activities prohibited to children, and education is only compulsory until age 13.

Although Mozambique has ratified all key international conventions concerning child labour, child labour is still prevalent in Mozambique. In 2008, child labour was estimated to be around 22%, which is lower than the 25% average for sub-Saharan Africa. Child labour is higher in rural areas (25%) than urban (15%).

4.1.1.5 SOCIAL SECURITY ACT N^o.4/2017

This Act defines the bases for social protection and organizes the respective system, i.e., organized in three levels: non-contributory basic, compulsory, and complementary social security. In 2014 the trade union movement called for a revision of article 30 of the Mandatory Social Security Regulation, that determines an inappropriate value of the pension.

4.1.1.6 THE HIV AND AIDS (ANTI-DISCRIMINATION) ACT, 2014

The Act establishes the rights and obligations of persons living with HIV/AIDS. It outlines the means for prevention, protection and treatment in Mozambique. This Act also makes a framework for monitoring and enforcing workplace legislation implementation. There have been amendments to strengthen the legislation defending HIV-positive people. Two new legislations outlines that nobody can be sacked or otherwise discriminated against because of their HIV-status. In addition, nobody can be obliged to inform their employers whether they are HIV-positive, and job offers can never be made dependent on taking an HIV test.

4.1.1.7 DECREE 45/2009 OF 14 AUGUST

The role of labor inspectors includes: ensuring that the rights of workers representatives within the workplace are guaranteed; ensuring that companies comply not only with the law but with their internal regulations and collective bargaining agreements; overseeing health and safety in the workplace; ensuring appropriate first aid facilities and capacity; ensuring consultation and availability of information and instructions, and training for workers and their representatives; overseeing the legal requirement for professional training and transfer of knowledge by foreign employees to local staff; ensuring compliance with INSS; intervention in labor conflicts.

4.1.1.8 DECREE 5/2016

This legislation provides for procedures for contracting of contractors for public civil works, goods and service provider to the management of such contracts, to claims and appeals. Article 160 on Safety and Discipline on Site is specifically very important and relevant; stipulating that the contracting party should demand a Health and Safety Plan from the contractor; that the contractor is obliged to guarantee safety in the construction site and places of work and should abide by the legislation on health, hygiene and safety in the workplace; the contractor should maintain a reliable signpost signaling system in the construction site and especially where works are being carried out on public roads; and the contractor should ensure discipline and order in the site location and areas of work.

4.1.1.9 DECREE N^o. 37/2016 OF 31ST AUGUST

The Decree approves the Regulation governing the Mechanisms and Procedures for Employment of Foreign Nationals (could be international migrants), with a view to adjust it to current market

development challenges, in the light of article 269 of Law N°. 13/2023 of 25 August of the Labor Law.

4.2 OCCUPATIONAL HEALTH AND SAFETY: DECREE N°. 62/2013

This Decree approves the regulation establishing the Legal Regime for Accidents at Work and Occupational Diseases and repeals Legislative Diploma N°. 1706 of 19 October 1957. The health and safety of both the public is recognized in this law as of prime concern for all parties involved in water supply construction activities. Some of the Labor law provisions embedded into Mozambican OHS Decree include:

- a. **Identification of Hazards:** Risks associated with water supply project works include earthworks and excavation, quarrying, filling, compacting, use of heavy machinery and vehicles, hot works, use of hazardous materials such as asphalt, etc. The OSH places emphasis on the need to identify and avoid hazards in work environment to avoid injury and loss of life.
- b. **Training:** The workers employed, will be given opportunity to grow careful focus of employers on training and its related development of capacities and the acquisition of knowledge and facilitating access to employment and to higher occupational levels, with a view to furthering personal achievement and promoting the economic, social and technological development of the country (Article 238).
- c. **Reporting of incidents:** The employee or another person shall report the occurrence of any work accident or occupational illness, as well as its consequences to the employer and that, health institutions have an obligation to report the death of any injured employee to the employment courts, and to the person whose care the injured employee was in (Article 227).
- d. **Remedies for injuries and death:** All employees shall have a right to reparation in the event of a work accident or occupational illness, except when it results from drunkenness, a drugged state or voluntary intoxication of the victim. The right to reparation by virtue of a work accident or occupational illness presupposes that the employer will endeavor to place the injured employee in a job that is compatible with his or her residual capacity (Article 229 of Labor Law). According to Article 233, when a work accident or occupational illness results in a loss of capacity to work, the employee shall be entitled to:
 - a pension, in the event of permanent total or partial disability; and
 - compensation, in the event of temporary total or partial disability.
- e. **Insurance coverage of all workers:** According to Article 231, employers shall have collective insurance for their employees, for coverage of work accidents and occupational illness. For activities whose characteristics pose a particular occupational risk, enterprises shall have specific collective insurance for employees exposed to that risk (Article 232).
- f. **Workers' welfare i.e., access to canteens, hygiene facilities and areas for rest:** Every work unit employing with 25 or more employees must have in place, arrangements of a dining and rest room with facilities of drinking water. This also ensures employee safety, health and ability to resolve any kind of disputes and unfairness. Employees shall all be registered to Social Security and contributions will be made by both employee and employer in accordance with prevailing legislation.

4.3 THE WORLD BANK ENVIRONMENTAL AND SOCIAL STANDARD 2-(ESS2)

The World Bank outlines the labour and working conditions in its ESS2 – Labour and Working Conditions. The Implementing agency is to promote sound worker-management relationships and provide safe and healthy working conditions for all the workers. The ESS2 applies to all project workers including fulltime, part-time, temporary, seasonal, and migrant workers. Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. ESS2 will not apply to government civil servants – as Direct Workers.

To manage the project working conditions and worker relationships, FIPAG, AURA, ARA-Sul, DNAAS (as an implementing agencies) will develop and implement internal labor management procedures applicable to the project (LMP). These procedures will set out the way in which project workers will be managed, in accordance with the requirements of national law and ESS 2. The procedures will address the way in which this ESS will apply to different categories of project workers including direct workers, and contract workers.

Project workers will be provided with information and documentation that is clear and understandable regarding their **terms and conditions of employment**. The information and documentation will set out their rights under national labor law and ESS requirements (which will include collective agreements), including their rights related to hours of work, wages, overtime, compensation, and benefits. Others include Project workers will be paid on a regular basis as required by national law and labor management procedures; deductions from payment of wages will only be made as allowed by national law or the labor management procedures, and project workers will be informed of the conditions under which such deductions will be made; Project workers will be provided with adequate periods of rest per week, annual holiday and sick, maternity and family leave, /as required by national law and labor management procedures. This information will be provided at the beginning of the working relationship and when material changes occur. Where required by national law or the labor management procedures, project workers will receive written notice of termination of employment and details of severance payments in a timely manner. The Borrower will not discriminate or retaliate against project workers who participate, or seek to participate, in such workers' organizations and collective bargaining or alternative mechanisms.

Protecting the work force: *Child labor and minimum age:* A child under the minimum age established in accordance with ESS2 paragraph 17 will not be employed or engaged in connection with the project. The labor management procedures will specify the minimum age for employment or engagement in connection with the project, which will be the age of 18..

Forced labor: Forced labor, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty, will not be used in connection with the project. This prohibition covers any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. No trafficked persons will be employed in connection with the project.

Grievance mechanism: A grievance mechanism will be provided for all direct workers and contracted workers (and, where relevant, their organizations) to raise workplace concerns. Such workers will be

informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers. The grievance mechanism will not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements.

Occupational Health and Safety (OHS): Measures relating to occupational health and safety will be applied to the project. The OHS measures will include the requirements of this Section, and will take into account the General EHSs and, as appropriate, the industry-specific EHSs and other GIIP. The OHS measures applying to the project will be set out in the legal agreement and the ESCP. The OHS measures will be designed and implemented to address: (a) identification of potential hazards to project workers, particularly those that may be life threatening; (b) provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (c) training of project workers and maintenance of training records; (d) documentation and reporting of occupational accidents, diseases and incidents; (e) emergency prevention and preparedness and response arrangements to emergency situations; and (f) remedies for adverse impacts such as occupational injuries, deaths, disability and disease. 26. All parties who employ or engage project workers will develop and implement procedures to establish and maintain a safe working environment, including that workplaces, machinery, equipment and processes under their control are safe and without risk to health, including by use of appropriate measures relating to chemical, physical and biological substances and agents. Such parties will actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as in providing information to project workers, training on occupational safety and health, and provision of personal protective equipment without expense to the project workers.

Contracted workers: The Borrower will make reasonable efforts to ascertain that third parties who engage contracted workers are legitimate and reliable entities and have in place labor management procedures applicable to the project that will allow them to operate in accordance with the requirements of ESS2. The Borrower will establish procedures for managing and monitoring the performance of such third parties in relation to the requirements of ESS2. In addition, the Borrower will incorporate the requirements of ESS2 into contractual agreements with such third parties, together with appropriate noncompliance remedies. In the case of subcontracting, the Borrower will require such third parties to include equivalent requirements and noncompliance remedies in their contractual agreements with subcontractors.

4.4 GAPS BETWEEN MOZAMBIKAN LAWS AND WORLD BANK ESF ON LABOR MATTERS

One of the general difference/gaps between ESS 2 and Mozambique legal framework, is that the World Bank ESS2 defines as a prerequisite for assessment of compliance to the labor laws and this is not a requirement under the Mozambique legal framework. Specifically, the Mozambiquan Labor Act does not specifically require that development projects be assessed and reviewed in terms of labor and working conditions including OHS requirements before approval: and does not require development projects to prepare Labor Management Plans/ Procedure or OHS Plan. The table below define the key conformities between the World ESS2 and the Mozambique legal framework, in which no action would

be required during project implementation.

Table 4-1: Summary of comparison between Mozambican law and World Bank ESS2

Key elements of ESS2	Provisions in the Labor Act	Actions Planned
Working hours and overtime	Normal working hours shall not exceed forty-eight hours per week and eight hours per day. Normal daily working hours may be extended to nine hours per day. Act has adequate provisions.	No actions required.
Timely payment	Workers' wages must be paid before the expiry of the last day of the wage period.	No actions required.
Equal Opportunity and Non-discrimination	The law contains significant provisions prohibiting discrimination based on sex and disability, including equal wages for equal work.	No actions required.
Prevents use of all forms of forced labor and child labor	<p>Defined normal working hours of minors between the ages of 15-18 years¹³ shall not exceed twenty five hours per week, up to a maximum of five hours a day. All forms of forced and child labor are banned.</p> <p>The Labor law of No. 13/2023 of August 2023 on its aspects of protection of minimum age for employment does not meet international standards as it does not apply to children working outside of formal employment relationships.</p> <p>Mozambique's legal framework leaves gaps in prohibiting child labour, including its worst forms. Among others, while the law does prohibit unhealthy or dangerous work for children below the age of 18, the law does not identify specific prohibited hazardous activities.</p> <p>The Mozambican Ministry of labour has recently started drafting a list of hazardous occupations for children as part of a plan to combat child labour.</p> <p>Current labour laws states that children aged 15-18 may work under certain conditions defined by the council of ministers but fails to specify any further. As education is only compulsory until the age of 13, this leaves children aged 15 -18 vulnerable to child labour.</p> <p>The Labor Law also states that children between the ages of 15 and 18 may work under certain conditions defined by the Council of Ministers, and the Regulations on Domestic Work</p>	<p>No actions required</p> <p>It is in line with ESS2 and ILO Standards, defining very specific conditions to employment of children at the minimum age before 18 years. Failure to meet the labor and working conditions, all employers must not employ children under 18 years on the project.</p>

¹³ The national law defines the employment minimum age as 15 years, and the Internally recognised age of children is up to 18 years. So the defined normal working hours of minors between the ages of 15-18 years is a gap between the minimum and maximum which comes with specific labour and working conditions for that age.

	allow children between the ages of 15 and 18 to perform domestic work with the permission of their legal guardian. However, this minimum age of 15 for light work is not in compliance with international standards, as the age for light work should be 18 years old.	
Worker rights	The Act has adequate regulatory provisions. The law provides for regular leave days and benefits: the employer must provide reasons for termination.	No actions required
Safety and Protection of Workers		
Occupational Health and Safety (OHS)	OHS is comprehensively provided in the law. It also empowers the Department of Labor to conduct inspections of establishments and to impose penalties for violations or noncompliance.	No actions required. Where emergency situations occur, the World Bank emergency guidance and national provisions will be considered and followed.
Women	The law defines that female employee shall be entitled to maternity leave of sixty consecutive days, which may commence twenty days prior to the expected delivery date, and which may be enjoyed consecutively.	No actions required
Children at Working Age	The law requires the employer to take responsibility. Thus, employers shall, in conjunction with the relevant trade union body, adopt measures aimed at affording all minors working conditions that are appropriate for their age, health, safety, education and vocational training and preventing any damage to their physical, psychological, and moral development.	No actions required
Freedom of association and collective bargaining.	The law allows employees to form associations in accordance with the Act.	No actions required
Access to grievance redress mechanism	In general, there is institutional GRM for labor in Mozambique as per the standards/ provisions of the Bank's ESS2. Employees can seek direct civil law redress from the Labor Courts for complaints regarding terms and conditions employment and wages: while health and safety, maternity welfare and child labor offences are subject to criminal prosecution. Labour inspectors may obtain court orders and use police to enforce compliance with child labor provisions. However, the system is still underdeveloped as there are no mechanisms in place	The LMP incorporated necessary provisions and actions.

	for submitting complaints about hazardous and forced child labor, and the fines are too low to discourage the use of underage labour. Furthermore, the labour inspectorate lack staff and funds to investigate violations outside of the capital, and the staff earned low wages making them vulnerable, and inclined to seek bribes. Inspectors also lack means to travel to sites and therefore rely on the company they are investigating to provide transportation to sites under investigation.	
Person with Disabilities (PWD)	<ul style="list-style-type: none"> • The Act provides for rights to non- discrimination. • The law is explicit by referring to person with disability not, persons with disabilities as has been the case which implied one PWD had multiple disabilities. <p>However, the law still has some gaps:</p> <ul style="list-style-type: none"> ➤ it does not clearly define the entity responsible for implementation or who is to enforce the rights of persons with disabilities. ➤ It does not clearly give aspects of the quota for the employability of persons with disabilities. 	No actions required
Migrant workers	Migrant workers have the same rights, opportunities, and duties as other workers in the foreign countries where they work, within the framework of governmental agreements signed on the basis of independence, mutual respect, reciprocal interests and harmonious relations between the respective peoples.	No actions required
Contracted workers	In case where the wages of a worker employed by a contractor are not paid by the contractor, the act has adequate provisions to resolve this matter.	No actions required
Community workers	The labor law does not recognize community workers as defined in the ESS2 and hence does not provide any special considerations for such contracting arrangements. The law requires that all labor supply contracting entity will have to be formally registered and workers should first be the responsibility of the contracting entity.	<p>No actions required.</p> <p>Note that no community workers will be involved in this project. All workers hired and paid under contractor are termed as Contracted Workers.</p>
Supplier/supply workers	The law does not assign any responsibility to the project on supplier's laborers and their working conditions. Workers of suppliers will have to be the responsibility of the suppliers.	The LMP incorporated necessary provisions and actions.

Migrant workers	Migrant workers have the same rights, opportunities, and duties as other workers in the foreign countries where they work, within the framework of governmental agreements signed on the basis of independence, mutual respect, reciprocal interests and harmonious relations between the respective peoples.	No actions required
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4.4.1 INTERNATIONAL LABOR ORGANIZATION (ILO) AND UNITED NATIONS (UN) CONVENTIONS

Mozambique is a signatory to International Labor Organization (ILO) and United Nations (UN) Conventions. Such being the case, most of the provisions in the ILO Conventions are incorporated in Mozambique's labor related legislation. These include:

- a. ILO Convention 87 on Freedom of Association and Protection of the Right to Organize;
- b. ILO Convention 98 on the Right to Organize and Collective Bargaining;
- c. ILO Convention 29 on Forced Labor;
- d. ILO Convention 105 on the Abolition of Forced Labor;
- e. ILO Convention 138 on Minimum Age (of Employment);
- f. ILO Convention 182 on the Worst Forms of Child Labor;
- g. ILO Convention 100 on Equal Remuneration;
- h. ILO Convention 111 on Discrimination (Employment and Occupation);
- i. ILO Convention 155 on Occupational Safety and Health;
- j. ILO Convention 187 on Promotional Framework on Occupational Safety and Health; and
- k. ILO Convention 190 on Violence and Harassment at Work.

5 RESPONSIBLE STAFF

5.1 MOPHRH ROLE

Program activities will be implemented by MOPHRH's directorates and its line agencies as follows: DNAAS will implement the Program activities related to the improvement of policies and regulatory environment as well as quality services provided by Private water providers (PWP). FIPAG will implement the Program activities related to support for the implementation of the second generation of the Delegated Management Framework (DMF) for water supply system, expansion of access to climate resilient water supply and improvement of performance and resilience of services. On the other hand, AURA will implement the Program activities related to the strengthening the regulatory role including the annual review of the tariff and publication of a services performance report. ARA-Sul will implement the Program activities related to reducing climate hazards impacting water supply infrastructure and services through IWRM and watershed management.

A steering committee, chaired by the National Director of DNAAS, will provide oversight of the Program and ensure convergence toward the Program objectives. The Steering Committee will meet twice a year with the purpose of:

- a. reviewing and adopting the Program's implementation plan;
- b. reviewing and adopting the Program's evaluations;
- c. reviewing and adopting the financial reports, annual activity, budgets, and procurement plans, and
- d. deciding on the allocation of funds between the different implementing agencies.

A Program Implementation Unit (PIU) will be established within FIPAG, an institution staffed by several professionals and supported by a handful of international technical advisers. This institution has major project experience handling similar projects. The PIU will act as the interlocutor with the World Bank on behalf of GoM. The PIU will ensure that the Program is implemented according to the Program Operations Manual (POM), and will be responsible for coordinating day-to-day management of the Program activities, including supervision of labour in the context of subprojects implemented by local or regional agencies, monitoring results, and generating performance and financial reports on Program implementation. The PIU will also be responsible for preparing the consolidated interim financial reports and the consolidated annual financial statements.

The Unit will work with various stakeholders including Ministry of Public Works, Housing and Water Resources, Ministry of Labour and Social Security and all relevant Provincial Directorates and District Departments as well as communities to implement the LMP in compliance with national laws.

The FIPAG PIU will be responsible for the following tasks:

- a. Undertake supervision of the projects Occupation health and safety activities;
- b. Undertake the overall implementation of this LMP;
- c. Engage and manage consultants in accordance with this LMP and the applicable Government procurement procedures;

- d. Monitor project consultants to ensure their activities are included in the LMP and the applicable procurement documents;
- e. Provide training to mitigate risks to project workers;
- f. Ensure that the Ministry's GRM for staff and consultants is enforced;
- g. Ensure that all the workers are informed about the broader Project GRM and how to report a grievance; and
- h. Monitor and report to World Bank.

5.2 LMP KEY IMPLEMENTATION PLAYERS

However, implementation of the Urban Water Security Project will be done in collaboration with several other stakeholders at national, provincial, district and community levels. These stakeholders will also be expected to assist and even report on any risks/impacts in management of Project's workers within their areas of jurisdiction. Thus, successful management of Project workers requires clear definition of roles and responsibilities of key players and stakeholders. The following have been identified as key players in the implementation of this LMP:

5.2.1 PRIVATE WATER PROVIDERS-PWP

The supply of water through public services has been facing difficulties in meeting the population's demand for water due to lack of infrastructure and other challenges, despite efforts by the government of Mozambique to give more people access to water, particularly in peri-urban areas where public service is poor or non-existent. The private sector has been playing an important complementary role through construction of water supply infrastructure to the population in peri-urban areas where public service is poor or non-existent. The initial objective of the private sector was to satisfy the basic needs of the household thus improving the quality of life of the population through access to clean water. However, it evolved into an informal family business that gradually grew in number and size. Private Water Providers (PWP) are considered as local small-scale providers of water supply services operating within the area of jurisdiction of the public utility.

5.2.2 ENVIRONMENTAL AND SOCIAL (E&S) RISK MANAGEMENT SPECIALISTS

The E&S risk management specialists will include the following: Environmental Specialists, Occupational Health and Safety Expert, Social/Resettlement Specialists, both at the PIU, Provincial and District. The Environmental and Social Risk Management Specialists at the FIPAG PIU will ensure implementation and adherence to LMP and mitigation measures and E&S safeguard measures. Specifically in collaboration with Ministry of Labor, Employment and Social Security, with similar Directorates/Departments at the Province and District respectively will support and be responsible for:

- a. Implementing Labor Management Procedures.
- b. Preparing necessary guidelines for all operations including documentation forms needed.
- c. Monitoring of implementation of approved site-specific Labor Management Procedures.
- d. Monitoring implementation of the Worker's Code of Conduct.
- e. Building capacity of all relevant stakeholders including contractors in labor management issues including LMP.
- f. Provision of expert advice on labor management.
- g. Carrying out enforcement and monitoring role as stipulated by law.

- h. Carrying out periodical review of employment and working conditions.
- i. Monitoring and supervising contracted service providers to ensure that they manage their workers pursuant to the agreements in the contract.
- j. Handling grievances that have not been resolved by Workers Grievance Redress Management.
- k. Monitoring and reporting to the World Bank on the progress of implementation of LMP of Project on at least a quarterly basis.

5.2.3 SUPERVISING ENGINEERS/ CONSULTANTS

The Supervising Engineer/consultants' Occupational Health and Safety (OHS) Specialist hired for the implementation of Urban Water Security Project will be responsible for:

- a. Overseeing the implementation of the ESIA/ESMP including provisions of the project LMP by the contractor and other contracted service providers;
- b. Reviewing and approving method statements, to ensure that the EHSS specifications contained within the Project Environmental and Social Impact Assessment (ESIA), Constructor Environmental and Social Management Plans (CESMPs), and the Contracts are adhered to;
- c. Monitoring and verifying that Environmental, Health, Safety and Security (EHSS) impacts are prevented or kept to a minimum;
- d. Monitoring the undertaking by the Contractor of EHSS awareness training for all new hired workers on site during construction and for maintenance activities;
- e. Ensuring that activities on construction site comply with all relevant ESHS legislation and contract(s);
- f. Undertaking a continual internal review of the CESMP including the LMP and submitting any changes to project and/or institution in charge of environmental and social protection (Environmental Authority MTA – for Mozambique);
- g. Checking the register of ESHS complaints maintained and ensuring that the corrective actions are/were taken in response to these complaints;
- h. Checking that the required actions are/were undertaken to mitigate the ESHS impacts resulting from non-compliance during implementation of the project works;
- i. Conducting monthly ESHS performance audits in respect of the activities undertaken relating to the project;
- j. Providing feedback on any ESHS risk issues at site meetings; Compiling Monthly, Quarterly and End of the Project ESHS Reports; and
- k. Monitoring and reporting all incidents of ESHS non-compliance to the Management of the Project at FIPAG PIU and the World Bank.

5.2.4 CONTRACTORS

The construction contractors hired for the project civil workers will be responsible for:

- a. Employ or appoint qualified environmental, social, occupational health and safety expert(s) to manage OHS issues;
- b. Ensuring protection of workers in line with the national labor laws;
- c. Creating awareness to workers on their roles including health and safety measures;
- d. Provision of adequate and appropriate PPEs to all workers;

- e. Maintaining records of recruitment and employment of workers;
- f. Communicating terms and conditions of employment to all workers;
- g. Bringing awareness to workers on established Workers Grievance Redress Mechanism (GRM) and its operating procedures;
- h. Providing induction (including social induction) and regular training to employees on labor protection requirements, including training on their rights under Mozambique labor laws, risks of their jobs and measures to reduce risks to acceptable levels;
- i. Developing and implementing the workers' Code of Conduct;
- j. Ensuring that all construction workers understand and sign the CoC, prior to the commencement of works and services, supervising Workers compliance with CoC; and establishing and diligently operating the workers GRC;
- k. Recording, processing, and reporting grievances;
- l. Recording and reporting all reportable occupational accidents to relevant authorities;
- m. Require the primary supplier to identify and address risks of child labor, forced labor and serious safety issues, and risks of equity and discrimination for primary supply workers;
- n. Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct prior to the commencement of works, take all other measures to address risks of sexual exploitation and abuse (SEA)/sexual harassment (SH) as specified in the contractor's LMP/ESMP and supervise compliance with such measures; and
- o. Monitor and report to PIU on labor and occupational health and safety performance to FIPAG PIU.

5.2.5 SERVICE PROVIDERS

Where specific service providers will be hired for the areas below will be responsible for:

- a. Providing HIV/AIDS, GBV, SH, VAC, SEA, and child labor training to the members of the project and those responsible for enforcing compliance. All Contractor's employees will be required to attend trainings and awareness on these social issues at least once a month or as may be planned.
- b. Preparation of a HIV/AIDS, GBV, SH, VAC, SEA, and child labor action plans and monitoring of their implementation. The action plans will define schedules of awareness campaigns and trainings.
- c. Conducting HIV/AIDS, GBV, SH, VAC, SEA, and child labor mobilization and awareness campaigns for community members and immediately reporting any issues and/or cases related to these social aspects. Should there be a HIV/AIDS, GBV, SH, VAC, SEA, and child labor case, the reporting channels for this Service Provider will automatically open to report directly to the World Bank.
- d. Monitoring and preparing monthly and quarterly progress reports on the implementation of HIV/AIDS, GBV, SH, VAC, SEA, and child labor action plans in the project. Evidence for Change will submit their reports to Roads Authority who will share them with the Consultant and Contractor for their information and action where applicable.

5.2.6 WORKERS

Every worker shall co-operate with the management/consultant/Contractor to enable smooth implementation of this LMP, undertaking the following:

- Taking reasonable care for their own safety and health and that of other persons who may be affected by their acts or omissions at work;
- Wearing PPE and always following safe work environment procedures;
- Comply with ESMP requirements in carrying out their work;
- Carrying out any lawful order given to them, and obey the rules and procedures that are laid down in this LMP and other applicable law;
- Not operating any machine or engage in a process for which is not authorized, not competent or which is unsafe or is an imminent risk to the employee's own health or safety and that of others;
- By following accident and incident reporting procedures, report, any accident, or any situation which is unsafe or unhealthy through the established channels for prompt action;
- Not intentionally or recklessly interfering with or misusing anything provided in the interests of their health, safety, or welfare and that of others;
- Reporting on occupational health and labour related incidences and grievances to the established Workers GRC; and
- Complying with all the project labour and occupational health and safety requirements.

6 POLICIES AND PROCEDURES

The civil works contract includes all the work required to achieve the agreed finished results. The Contractors are expected to perform their duties under the contract in a professional manner and through the use of best practices. The contractors who shall be liable for implementation of their works are expected to interpret the information presented in the contract documents.

6.1 GENERAL POLICIES AND PROCEDURES

All employers with labor assigned to the Project or subproject must:

- a. Know and comply with the legal provisions regarding employment and labor, including child labor, and technical and regulatory standards in force;
- b. Know and comply with the laws regarding the health and safety of workers;
- c. Have personnel responsible for human resources management and labor relations;
- d. Document and provide each worker, upon being hired, in a clear and understandable manner, with information regarding their rights under labor legislation, including rights to wages and benefits;
- e. Respect the terms of collective agreements and the right to organize freely; and
- f. Document, disseminate and keep visible to workers (on notice boards/strategic locations):
 - The Code of conduct.
 - The channels for filing labor and employment complaints.
 - Internal regulations or similar documents that clarify: Hours (in, out and daily breaks); weekly and monthly workload, requirements for overtime benefits, weekly rest and vacation entitlements, sanctions in place (e.g., in case of unjustified absence), etc.
- g. In accordance with the principle of equal opportunity, gender promotion, and fair treatment, do not do and do not tolerate discrimination in any aspect of the employment relationship (recruitment, hiring, compensation, working conditions and terms of employment, training, promotion, contract termination, and discipline);
- h. Provide an easily accessible complaint mechanism for workers and their organizations, independent of other legal remedies, to express their concerns about working conditions, with a guarantee of feedback to complainants, without any retaliation.

As per the Labor Law, employment of project workers will be based on the principles of **non-discrimination and equal opportunity**. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to workers insurance, access to training, promotion, or termination of employment.

The project implementation will be directly by contractors and most environmental and social impacts of subprojects resulting from construction activities will be implemented/mitigated under the control of contractors. Therefore, ensuring effective contractors management to ensure that E&S risks and impacts are effectively mitigated must be a core approach and responsibility of FIPAG; AURA, ARA-Sul, DNAAS, AdRS, AdRMM, the Supervision Engineers and the Contractors to be hired.

To ensure that the E&S measures are adhered to at the bidding process, the project will incorporate standardized environmental and social clauses in the tender documentation and contract documents.

This will inform potential bidders the environmental and social performance requirements that shall be expected from them, which must be reflected in their bids, and the requirement to implement the clauses for the duration of the contract. FIPAG in close collaboration with other implementing entities of AURA, ARA-Sul, DNAAS, AdRS, AdRMM, through the Supervision Engineers will enforce compliance by contractors with these clauses.

The contractor is required to ensure all documentation related to environmental and social management, including the Contractor's-Environmental and Social Management Plan (C-ESMP) and any labor management related documents, are available for inspection at any time by FIPAG, AURA, ARA-Sul, DNAAS, AdRS, AdRMM, or their appointed agents/staff, as a core contractual requirement. The contractual arrangements with each project worker will be clearly defined in accordance with national law. All environmental and social requirements will be included in the bidding documents and contracts highlighting the environmental and social instruments.

FIPAG and its implementing partners will, in no circumstance, engage in **child labour, trafficked labour and/or forced labour**.

Child labour is often defined as work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development. It refers to work that:

- a. is mentally, physically, socially, or morally dangerous and harmful to children; and/or
- b. interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.
- c. Whether or not particular forms of "work" can be called "child labour" depends on the child's age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The various labour laws in the various countries (including Mozambique in this case) will define forms.

<https://www.ilo.org/ipec/facts/lang--en/index.htm>

Forced labor includes bonded labor (working against an impossible debt), excessive limitations of freedom of movement, excessive notice periods. It also involves retaining the worker's identity or other government-issued documents or personal belonging, imposition of recruitment or employment fees payable at the commencement of employment, loss or delay of wages that impede the workers' right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work on a non-voluntary basis. This would be against the national labour law and ESS2.

6.2 OCCUPATIONAL HEALTH AND SAFETY

Mozambique's Labor laws as well as its Constitution make clear provisions on Occupational Health and Safety (OHS), ESS2 (including WBG EHSs), and WB standard procurement documents, the FIPAG 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 policies and procedures in line with these provisions. Key elements of OHS 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.

Accordingly, any employer who engages workers is required by law to ensure that it meets occupational safety and health requirements which will be checked by the relevant agency. The labor laws further stipulate various conditions which must be applied to ensure occupational health and safety. In the case of occupational injury, employers are not to deduct the costs related to such injuries from the employee's wages. Necessary precautions shall be taken against the hazards of excessive light, noise, vibration, variation in atmospheric pressure inside the workplace, including any risk of explosion. Therefore, implementation of the Urban Water Security Project will observe the following rules:

- a. Workplace health and safety conditions shall be maintained in conformity with occupational safety and health requirements;
- b. Workplaces shall be properly ventilated and adequately lit during working hours;
- c. The necessary precautions shall be taken to protect workers from such damage to their health as may be caused by gas, dust, smoke or any other emissions or waste likely to be discharged;
- d. The necessary precautions shall be taken to protect workers against the hazards of equipment and machinery, including any risks of collapse;
- e. The necessary precautions shall be taken against natural hazards and damage, including health, humidity and cold;
- f. The necessary precautions shall be taken against the hazards of excessive light, noise, and any risk of explosion;
- g. Easily accessible lavatories and washrooms shall be provided, and separate lavatories and washrooms shall be provided for women workers;
- h. An adequate and easily accessible supply a resting area/restauration shall be provided for the worker's use;
- i. An adequate and easily accessible supply of drinking water shall be provided for the worker's use;
- j. The necessary precautions shall be taken to deal with fires and provide fire-fighting equipment, including emergency exits, which shall be maintained in always working order;
- k. Accidents and occupational diseases shall be recorded in a register and notified to developer/employer within 24-48 hours;
- l. There will be no deduction of any amount from their wages in consideration of:
 - The provision of protective devices, equipment, and clothing to protect workers from exposure to occupational injuries and diseases.
 - Any allowances granted to workers for working in conditions harmful to their health, or any meals provided to them in compliance with occupational safety and health requirements.
 - Expenses incurred on account of workers' medical examinations, regular or otherwise, as necessitated by occupational safety and health requirements.
 - The provision of First Aid equipment at the workplace. In addition, employer/s are required under the law to ensure workers will use basic safety gears, receive basic safety training and other preventive actions.

FIPAG and its implementing agencies is also committed to undertaking the following:

- a. Conforming to and observing the requirements of the national and other applicable legislations, which relate to the occupational health and safety hazards.

- b. Providing an enabling environment that facilitate active participation in OH&S risks elimination through promotion of appropriate skills, knowledge, and attitudes towards hazards.
- c. Continually improving the OH&S management system and performance throughout the project period.
- d. Consistently communicating this policy statement to all persons working under UWSP with emphasis on individual OH&S responsibilities.
- e. Disclosing this policy statement to all interested parties in project facilities and sites.

In respect to the implementation of the project, all employers with labor assigned to the Project or subproject must:

- a. Ensure that an appropriate level of management and resources are in place to comply with the occupational health and safety requirements,
- b. Provide visible commitment and leadership to occupational health and safety,
- c. Provide workers with a safe and healthy work environment that considers the inherent risks of their sector and the specific hazard classes of work areas;
- d. Take steps to prevent accidents and illness resulting from, associated with, or occurring during work, in accordance with good practices that include: identifying potential hazards to workers, especially those that may be life-threatening;
- e. Making available preventive and protective measures, including the modification, substitution or elimination of hazardous conditions or substance;
- f. Provide worker training;
- g. Document and publicize accidents, occupational illnesses, and incidents;
- h. Have an organization for emergency prevention, preparedness, and response;
- i. Providing the Individual Protection Equipment (PPE) inherent to the risks of the activities;
- j. Verifying continuous use of PPE during work;
- k. Promoting awareness/awareness campaigns on HIV/AIDS, and sexually transmitted infections (STIs) and making condoms available free of charge to direct and indirect employees of the works;
- l. Raise awareness of GBV among all workers to disseminate risks and preventive actions, ways to support and ensure a fully operational GBV grievance redress mechanism that responds confidentially to incidents and uses a survivor-centered approach with safe and ethical reporting standards;
- m. Maintain the best possible conditions that ensure quality of life and sanitation in employee support facilities, such as living areas, cafeterias, toilets and locker rooms at the construction site, they need to be gender sensitive and commensurate in the right ratios in relation to the workers;
- n. Have drinking water in the amount that corresponds to what is necessary, as well as sanitary sewage devices, such as septic tanks;
- o. Inform the contractor and the competent agencies, in compliance with the legal regulations, of all accidents, incidents, and fatalities associated with the works or involving local communities, covering the safety of the workers and the public, and providing immediate assistance, as needed, to the injured and their families;
- p. Have a first-aid team on the construction site (when applicable), with the necessary conditions to provide first aid to workers, according to the legislation in force in Mozambique

Urban Water Security Project through FIPAG, ARA-Sul, AdRMM, AdRS as well as the project Supervision Engineer and Contractors, will have a designated OHS specialists for project implementation. At all times, the Specialist will:

- a. Identify potential hazards;
- b. In collaboration with the employer, investigate the cause of accidents at the workplace;
- c. Inspect the project sites, workplaces including plants, machineries, and substance, with a view to ascertaining the safety and health of employees and accordingly report/inform the employer or Safety and Health Committee the purpose of the inspection and the outcome;
- d. Work in close collaboration with the inspectors carrying out the inspector's duties in the workplaces;
- e. Convene and attend meetings of the safety and health committee;
- f. Subject to bullet below, make recommendations to the employer in respect of safety and health matters affecting employees, through a safety and health committee;
- g. Where there is no safety and health committee, the safety and health representatives shall make recommendations directly to the employer in respect of any safety and health matters affecting the employees;
- h. Identify and evaluates risks and normalizes the activities (rules, instructions, and procedures);
- i. Analyze all incidents and accidents and carry out the medical follow-up of the workers after incidents;
- j. Evaluate the indicators of OHS performance; and
- k. Carry out the internal audits of OHS MS, an evaluate the OHS training requirements.

6.3 CHILD LABOUR OR FORCED LABOUR

The minimum age of project workers for the project is set at 18 years. To prevent engagement of under-aged labor or any form of forced labor, all contracts shall have contractual provisions to comply with the minimum age requirements including penalties for noncompliance in-line with the relevant laws. The PIU is required to maintain labor registry of all contracted workers with age verification. More details are provided in Section 7 and 8.

6.4 LABOUR INFLUX AND GENDER BASED VIOLENCE

Contractors will include measures concerning the labour planning and utilization in the project C-ESMPs. This will include any special plans required to manage labor influx or management of labor camps. The C-ESMPs will be developed and submitted to FIPAG for approval and the World Bank for clearance before the start of civil works.

Contractors will also develop and use a code of conduct (CoC) that will be signed by all employees. The CoC commits all persons engaged by the contractor, including sub-contractors and suppliers, to acceptable standards of behavior. The CoC shall include sanctions for noncompliance, including non-compliance with specific policies related to gender-based violence, sexual exploitation and abuse, and sexual harassment (e.g., dismissal). The CoC shall be translated into Portuguese and native language in the subproject area and signed by each worker to indicate that they have:

- a. received a copy of the CoC as part of their contract;
- b. had the CoC explained to them as part of induction process;
- c. acknowledged that adherence to this CoC is a mandatory condition of employment;

- d. understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

The contractors will display a copy of the CoC in a location easily accessible to the community and project affected people. It shall be provided in all languages required. Contractors shall also address the risk of gender-based violence, through:

- a. Mandatory training and awareness raising for the workforce about refraining from unacceptable conduct toward local community members, specifically women. Training may be repeated;
- b. Informing workers about national laws that make sexual harassment and gender-based violence an offence that is punishable;
- c. Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence;
- d. Including measures related to SEA/GBV/SH, VAC risk mitigation in their C-ESMP;
- e. As appropriate, hire SEA/GBV/SH, VAC service providers to implement the relevant activities for mitigation of the risk; and
- f. Putting in place a workers' Grievance Redress Committee that will also capture the complaints/issues associated to SEA/GBV/SH, VAC.

The contractors will put in place an arrangement to capture gender-based violence, sexual exploitation, and workplace sexual harassment related complaints/issues. The mitigation of SEA/GBV/SH risk will be assigned to a designated Officer or/and a service provider who shall identify and engage the relevant stakeholders on SEA/GBV/SH issues and implement the activities accordingly, which will include a hotline for reporting cases of GBV/SEA and child abuse. To avoid the risk of stigmatization, exacerbation of the mental/psychological harm and potential reprisal, the GRM will have a survivor-centred approach to GBV-related cases. Where such a case is reported, the complainant will be provided with information about the available services including referral to the GBV Service Provider; confidential appropriate medical and psychological support; emergency accommodation; and any other necessary services as appropriate including legal assistance. Staff contacted by a survivor will immediately inform the GBV Service Provider or refer him/her to a health centre which specializes in free post-GBV health support (within 48-72 hours of the incident). All staff and GRM focal points will be informed that if a case of GBV is reported to them, the only information they will establish is if the incident involves a worker on the project, the nature of the incident, the age and sex of the complainant and if the survivor/complainant was referred to service provision.

The contractor will also ensure that the related issues/measures that are highlighted in the bidding document, the POM and in the ESIA/ESMP will be followed. FIPAG, ARA-Sul, AdRS, AdRMM will periodically monitor the labour influx and SEA/GBV/SH risks to ensure that employees are treated fairly. For clarity and fair hiring of workers, the following will guide the process:

- a. Recruitment procedures should be transparent, public, and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability, or gender.
- b. Applications for employment will only be considered if submitted via the official application procedures established by the contractors.
- c. Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.

- d. All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract.
- e. Unskilled labor will preferentially be recruited from the surrounding communities.
- f. Employees will be informed at least One month before their expected release date of the coming termination.
- g. The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer.
- b. Depending on the origin of the employer and employee, employment terms and conditions will be communicated in two languages, in the state language and the language that is understandable to both parties.
- c. 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.
- d. All Foreign workers/International migrants will require work permits, which will allow them to work in the Republic of Mozambique.
- e. All workers will be 18 years old and above for civil works, which will be a requirement highlighted in contracts with civil works contractors.
- f. Normal working time should not exceed 48 hours per week and eight hours per day. 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.

6.5 LABOUR 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 grievances (more details are provided in Section (9). Further, the project will respect the workers' right of labor unions and freedom of association, as set out in the Industrial and Labour Laws and ESS2.

6.6 DISCRIMINATION AND EXCLUSION OF VULNERABLE GROUPS

Decisions relating to the employment or treatment of project workers will not be made on the basis of situational vulnerability of the area and the people unrelated to inherent job requirements. 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 Labour Law provisions presented under Section 4 on gender equality in the workplace, which will include provision of maternity and sick leave. There will also be sufficient and suitable toilet and washing facilities, separate from men and women workers. The contracts with third parties will include these requirements, which will also be part of the monitoring system.

6.7 COVID-19

Cases of Covid 19 have been drastically reduced during the course of 2023, although the Ministry of

Health has continued to encourage the need for citizens to adhere to the Covid 19 prevention measures such as regular hand washing, hand sanitization and the wearing of face masks. However, adherence to these guidelines by the general public is relatively low. The Contractor(s) will however be expected to provide the basic Covid 19 requirements to their employees, including instituting COVID-19 Standard Operating Procedures and implement them whenever need arises or in the event of resurgence.

6.8 WORKERS ACCOMMODATION

If accommodation is provided for workers, contractors will ensure that such accommodation of good hygiene standards, with fresh drinking water, clean beds, restrooms and showers, clean bedrooms, good illumination, lockers, proper ventilation, safe electrical installation, fire and lightening protection, separate cooking and eating areas. There will be separate facilities provided for men and women.

6.9 SECURITY MANAGEMENT

On 9 October 2024, Mozambique held general elections and thereafter the process led to eruption of riots which have persisted to date tending to be sporadic but serious.

This prolonged unrest and escalating violence have disrupted livelihoods, increased poverty and disrupting socio-economic stability. Particularly in urban centers such as Maputo and Nampula, strikes, roadblocks, and violence has continued disrupting markets and paralyzing businesses. Additional damage and obstructions to roads, ports, borders, and power infrastructure has caused economic and productivity losses and disrupted economic supply chains making it more challenging for households to meet their needs.

In view of the continued and sporadic incidence of riots and general unrest in the country, the project may consider employing security personnel to provide security coverage to the workers and installations. If such a decision is reached, then an assessment of the risks and impacts of engaging security personnel will be done and a Security Management Plan needs to be prepared in keeping with the principles of proportionality and Good International Industry Practice (GIIP) as well as compliance with applicable laws governing hiring, rules of conduct, training, equipping, and monitoring of such security personnel as well as protecting the workers on the project sites have to be considered.

6.10 INCIDENT MANAGEMENT AND INVESTIGATION

To reduce the risk of incidents resulting from human error as an underlying factor, project teams shall be provided with awareness sessions on incident reporting, management and preventive actions provided by the Project. Emphasis shall be on emergencies like injury, accidents with a lot of emphasis on near misses and Lost Time Incidents, sexual abuse, and exploitation, among others as per incident management plan.

Any severe injury (requiring off-site medical care) or fatality incident shall be reported to the Bank within 48 hours with basic information and a detailed incident report will be submitted as soon as possible, preferably within 10 working days including but not limited to the following (as appropriate):

- a. root cause analysis.

- b. corrective action plan on:
 - immediate mitigation measures in case of continuing danger (e.g., fencing, signboard, guards);
 - compensation to the affected family based on a clear rationale;
 - risk assessment and correct application of Environmental Social and Health Systems (ESHS) management procedures, and
 - Medium- and long-term mitigation measures including enhancement of safety measures, audits, and additional training.
- c. Progress monitoring and reporting.

6.11 TRAINING OF WORKERS

All workers will be briefed and/or sensitized on Accident/Hazard avoidance, security, STDs, GBV, SEA, SH, VAC, employment discrimination, terms and conditions of employment, Code of Conduct (CoC), etc. There will be training sessions of direct workers, contract workers and sessions of primary supply workers in different project activities and sites.

The training of workers on Occupational Health and Safety (hygiene, risk assessment and management, accident/hazard avoidance, security, STDs, GBV, SEA, SH, VAC, etc.) will be the responsibility of the contractor in collaboration with relevant institutions such as Ministry of Labor, Employment and Social Security/Ministério do Trabalho e Segurança Social; relevant provincial and district governments, Provincial Directorate of Gender, Children and Social Action/Direcção Provincial do Género, Criança e Acção Social, Provincial Environmental Services (SPA)/Serviços Provinciais de Ambiente, Provincial Health Directorate/ Direcção Provincial de Saúde, Provincial Directorate of Occupational Safety and Health services, Ministry of Health, National Aids Control Council (NACC), and other relevant ministries/Directorates and stakeholders in the provinces where the projects will be implemented.

6.12 MONITORING AND REPORTING

The PIU shall report on the status of implementation of the above policies and procedures on a monthly basis. The PIU will closely monitor day to day labor and OHS performance of the project and report to the World Bank on a quarterly basis.

7 AGE OF EMPLOYMENT

According to the Mozambican Republic labour law, the minimum age of employment is 15 years with clear conditions; and anyone under 18 years of age is prohibited from performing employment unless the conditions of the minimum age are met. Employers usually do not in place the requirements for employing children under their minimum age. The labour law provides special requirements for leave, work hours, and other conditions of employment for those eligible. Under the project, in order to align with ESS2, without breaching the law and conditions of employing a child at the minimum age, no employment will be offered to persons under 18 years. The employer/contractor will ensure that all construction workers employed are above 18 years.

The engagement of project workers between the age of 15 and under 18 years will NOT be allowed in accordance with ESS2. To prevent engagement of under-aged labor, all contracts shall have contractual provisions to comply with the minimum age requirements of 18 including penalties for non-compliance. The contractor is required to maintain labor registry of all contracted workers with age verification.

There will be regular monitoring of the workforce and if a child is discovered on the team of workers, the Contractor shall be penalized while the child will be asked to stop working without punishment. In a case a minor (under the minimum labour eligible age) is exposed working on the project, prompt measures will be taken to instantly terminate the employment and in a responsible way engage with the affected minor. The termination and engagement will consider the best interest of the minor.

All contractors involved in the project will be required to identify and verify the age of all construction workers to be hired on the project operation – prior to the engagement. The verification labour checks relating to indicative age for the potential workers will require provision of official documentation, including (but not limited to):

- a. national identification card;
- b. a birth certificate;
- c. medical or school record; and
- d. passport.

Verification of the age of employees shall be fully documented for any future checks and references. For vulnerable groups including workers from the conflict affected areas who may not have ID cards and/or passports, a verification by a recognized local leader will suffice to engage him/her. The identification and verification of the minimum age procedure and mitigation measures to be taken in case of a potential occurrence will follow the Mozambiquan labor law and as per ESS2 guideline.

Contractors are required by law, to post conditions of work in conspicuous places informing workers of their rights and conditions of work. A sub-contractor shall be bound to conform to the conditions of the main contract and the main contractor shall be responsible for the observance of all contract conditions. Contractors and subcontractors shall recognize the right of their workers to be members of the trade unions.

8 TERMS AND CONDITIONS OF EMPLOYMENT

The terms and conditions of employment are governed by the Mozambique Labor Act. The Act makes it mandatory for employers to give its employees a copy of the written particulars of employment, signed by both parties. By and large, the contractors will be required to provide all its employees with written particulars of employment. Contractors will also be required to comply with the most current regulation of wages which is issued by the Government and reviewed on a regular basis. The order specifies the minimum wages, hours of work, overtime pay, leave entitlements, and the issue of protective clothing.

The Contractor's Environmental and Social Management Plan (C-ESMP) will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will, at a

minimum, follow this Labor Management Procedure, the Mozambique Labor Law and the specified in the standard contracts to be used by FIPAG.

For the UWSP, the following provisions will inform management of all workers engaged on the project:

8.1 DIRECT WORKERS

The terms and conditions for direct workers under the FIPAG PIU, consultants and workers at the project supported facilities will be governed by National Labour Laws. Workers who are on short-term employment will not have maternity or annual leave, etc. Their terms and conditions will be based on a specific assignment to be completed within a specified period at a pay rate per day. These terms and conditions will be discussed at recruitment.

8.2 CONTRACTED WORKERS

The Employment Act and associated public service regulations are the guiding legislations on employment terms and conditions for contracted workers. FIPAG shall therefore follow the provisions related to labour engagements and management.

8.3 BACKGROUND CHECKS DURING EMPLOYMENT ENGAGEMENT

The law stipulates and guides several issues regarding background checks at hiring of employees. Regarding the status of Employees; the employers must confirm the nationality and immigration status of all employees at recruitment. Regarding checks of criminal records; under the Labor Law, when appointing an employee or during an employment agreement, employers cannot require the employee to provide information about his or her private life (including his/her criminal record), except where the law or nature of the job so demands. If this is the case, the employer must provide the employee with the reasons for this in writing beforehand.

8.4 NON-DISCRIMINATION AND EQUAL OPPORTUNITY

The recruitment of project workers will be free from any kind of discrimination as provided for by the Law regulating Labor in Mozambique. Article 4 of labor law provides for among other principles, the principle of the right to work, of employment stability and job stability, of change in circumstances and of non-discrimination on grounds of sexual orientation, race or HIV/AIDS. Every employer must pay employees equal salary for work of equal value without discrimination of any kind.

8.5 EMPLOYMENT CONTRACTS

The project, subcontractor, and assignees of contracts shall pay rates of wages and observe hours and conditions of employment which are not less favorable than those established in Mozambique. Contractors and sub-contractors shall be certified according to the Government Requirements for governmental contractors including certification that the wages and conditions of employment of all those employed by the contractor in the industry in which the contractor is seeking to contract with the Government are fair and reasonable.

The contracts will be guided by the principle of collective bargaining applicable and where there is no minimum wage or rates established in the country, the guiding principle will be of fair wages and reasonable rates commensurate with governmental minimum wage and similar established rates and

conditions. The contractor shall keep proper wage records and time sheets for all those employed in relation to the execution of the contract, and the contractor shall produce the wage records and timesheets for the inspection of any person authorized by the project or the Labor authorities in Mozambique.

Contractors are required by law, to post conditions of work in conspicuous places informing workers of their rights and conditions of work. A sub-contractor shall be bound to conform to the conditions of the main contract and the main contractor shall be responsible for the observance of all contract conditions. Contractors and subcontractors shall recognize the right of their workers to be members of the trade unions.

8.6 FORMAL EMPLOYMENT AGREEMENT

All employers are required to enter into an employment agreement in writing with their employees. The duration of a Mozambican worker's contract shall be considered unlimited unless otherwise specified by agreement between the two parties. Upon signing a contract of employment, a worker may be subject to a probationary period not exceeding six months with the same employer, to be stipulated in the contract. It shall be forbidden to employ a worker on probation more than once for the same job.

The Constitution equally addresses the entitlements and guarantees accorded to workers, employers and the unions, and exercisable by them within the country's employment regime. These entitlements are anchored on key human rights and freedoms including the right to human dignity; freedom from all forms of slavery, servitude and forced labour; and the right of everyone to have their privacy respected. The Constitution further echoes provisions *for* non-discrimination provides for equality and prohibits discrimination on various grounds including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.

8.7 MINIMUM WAGE

All project workers shall be paid a wage that is above or equal to the minimum wage as established by the GoM. Wages will be paid on a weekly, bi-weekly or monthly basis. Each employee is entitled to a statement accompanying pay that itemized the following: "(a) the employee's gross wages due at the end of that pay period; (b) the amount of every deduction from his or her wages during that pay period and the purpose for which each deduction was made; and (c) the employee's net wages payable at the end of that pay period."

In accordance with article 117 and 118 of the Labor Law No. 13/2023, minimum wage is set by the government in consultation with the Consultative Commission on Employment. The minimum wages are revised each year in April. The minimum wage in Mozambique is set differently for fifteen (15) different sectors – Refer to Annex 2 (14.2) for the Minimum Wage set as of April 2024.

8.8 HOURS OF WORK AND REST PER WEEK

The Act in Article 93 provides the limits on normal working hours. It states the following: Normal working hours shall not exceed forty-eight hours per week and eight hours per day. Without prejudice

to the provisions of the preceding paragraph, the normal daily working hours may be extended to nine hours per day, provided that the employee is given an extra half day of rest per week, over and above the weekly day of rest. Under collective labor regulation instruments, normal daily working hours may be increased in exceptional cases by up to a maximum of four hours, provided the weekly working time shall not exceed fifty- six hours. Only exceptional work and overtime performed for reasons of force majeure shall not count towards this limit.

All employees are entitled to a weekly rest period of at least twenty-four consecutive hours on a day that is normally Sunday (Article 104). The weekly day of rest may be on a day other than Sunday in the following cases for:

- a. employees who are required to ensure the continuity of services which cannot be interrupted;
- b. employees in establishments engaged in sales to the public or the provision of services;
- c. staff that perform cleaning services or preparatory or complementary work that should be carried out on the rest day of the other employees; and
- d. employees whose activity should, by its nature, be performed on Sundays.

8.9 HOURS OF WORK

Project employees are prohibited from working more than 9 hours per day inclusive of lunch and rest periods. Among other international labor organization conventions, Mozambique has ratified the Hours of Work (Industry) Convention (1) and the Weekly Rest (Industry) Convention (14). Accordingly, the Labor Law provides that normal working hour cannot exceed eight hours per day and 48 hours per week. The maximum number of hours that an employee works per day may be increased to nine hours if the employer grants him or her an additional half day's rest per week. The ordinary working days being Mondays to Saturdays.

8.10 COLLECTIVE BARGAINING AGREEMENTS

Collective employment regulation instruments may be negotiated (collective bargaining agreement, accession agreement and voluntary arbitration decision) or not negotiated (compulsory arbitration decision). Collective bargaining agreements may be made by company agreement (signed by a trade union association and a single employer for one company), collective bargaining agreement signed by a trade union association and several employers for various companies or signed between trade union associations and employers' associations.

Compliance with the minimum wage rates as well as other Labor Law provisions is ensured by the Labor Inspectorate. The Labor Inspectorate monitors the legality of labor matters and has the power to supervise compliance by employers and employees with their duties. In the event of violation of minimum wage related provisions, employers can be fined up to 10 times the applicable minimum wage per worker victim of the violation.

8.11 DISMISSAL

Employees have a right not to be dismissed unfairly, without cause. The Act provides a list of disciplinary measures that can be taken reasonably against an employee due to misconduct and which must ordinarily be exhausted before any dismissal. It shall be forbidden for the employer to terminate a contract of employment in the following cases:

- a. During any of the worker's leave;
- b. During the investigation of a dispute between the employer and the worker, provided that such investigation shall not exceed four months, unless the worker commits another violation which requires his/her dismissal; and
- c. During the worker's detention by the competent authorities in connection with his/her work, pending a final decision in the matter.

8.12 LEAVE ENTITLEMENT

Employees shall be entitled to the following periods of paid annual holidays according to Article 99:

- a. one day for every month of actual service, during the first year of service;
- b. two days for every month of actual service, during the second year of service; and
- c. thirty days for every year of actual service, from the third year onwards.

8.13 MATERNITY AND PATERNITY LEAVE

Under the new Labor Law N°. 13/2023 25 August, Maternity and paternity protection is strengthened. In addition to normal holidays, workers are entitled to maternity leave corresponding to a period of 90 consecutive days, which can begin 20 days before the expected date. An employee is also entitled to paternity leave corresponding to a period of 7 days from the day after birth of the child.

8.14 DEDUCTIONS FROM REMUNERATION

No deductions other than those prescribed in labour laws shall be made hereunder or any other law or collective labour 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.

8.15 DEATH BENEFITS

In case of death of a worker during his/her contract of employment, the employer shall pay to his/her remuneration as death benefits inline with the provisions of the relevant laws.

8.16 MEDICAL TREATMENT OF INJURED AND SICK WORKERS

Contract workers shall at a minimum be expected to be enrolled on an insurance policy by the contractors. All other workers will continue to benefit from medical insurance as arranged by their employers (e.g. for civil servants the civil service insurance scheme).

9 GRIEVANCE MECHANISM

While the project will have in place a grievance mechanism to address concerns of project-affected parties, the nature of workplace concerns of workers is usually different. For example, typical workplace grievances include demand for employment opportunities; labour wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in work environment. Therefore, a separate grievance mechanism will be established for project workers

(direct workers and contracted workers), as required per ESS2. The setting up of a workers grievance mechanism for the project will promote:

- a. a speedy, impartial, and equitable handling of grievances from workers;
- b. sound labour relations;
- c. the resolution of individual grievances; and
- d. social capital and relations in the project area of operation.

A proper working environment should facilitate both employers and employees to be entirely acquainted with all aspects of disciplinary processes, the grievance handling procedures and the legal requirements and rights involved. For implementation of an effective dispute management system, attention must be given to the disputes resulting from the following:

- a. Disciplinary action;
- b. Individual grievances;
- c. Collective grievances and negotiation of collective grievances; and
- d. Gender-based violence, sexual exploitation, and workplace sexual harassment amongst others.

Handling of grievances should be objective, prompt, and responsive to the needs and concerns of the aggrieved workers. Different ways in which workers can submit their grievances should be clarified and shared with workers as part of their contracts. These may include submissions in person, by phone, text message, mail, and email. Revisions on the different ways should also be communicated accordingly.

The grievance(s) raised should be recorded and acknowledged within one day. While the timeframe for redress will depend on the nature of the grievance, health and safety concerns in work environment or any other urgent issues should be addressed immediately. Where the grievance cannot be addressed within a reasonable timeframe, the aggrieved worker should be informed in writing. Where the grievance cannot be addressed in a reasonable and agree period, the work may consider proceeding to the national labour judicial procedure defined in the Mozambique Labour Law. The mechanism will also allow for anonymous complaints to be raised and addressed. Individuals who submit their comments or grievances may request that their name be kept confidential.

The summary process of a Workers' Grievance Redress is provided in the Flow-Chart under Figure 9-1 below.

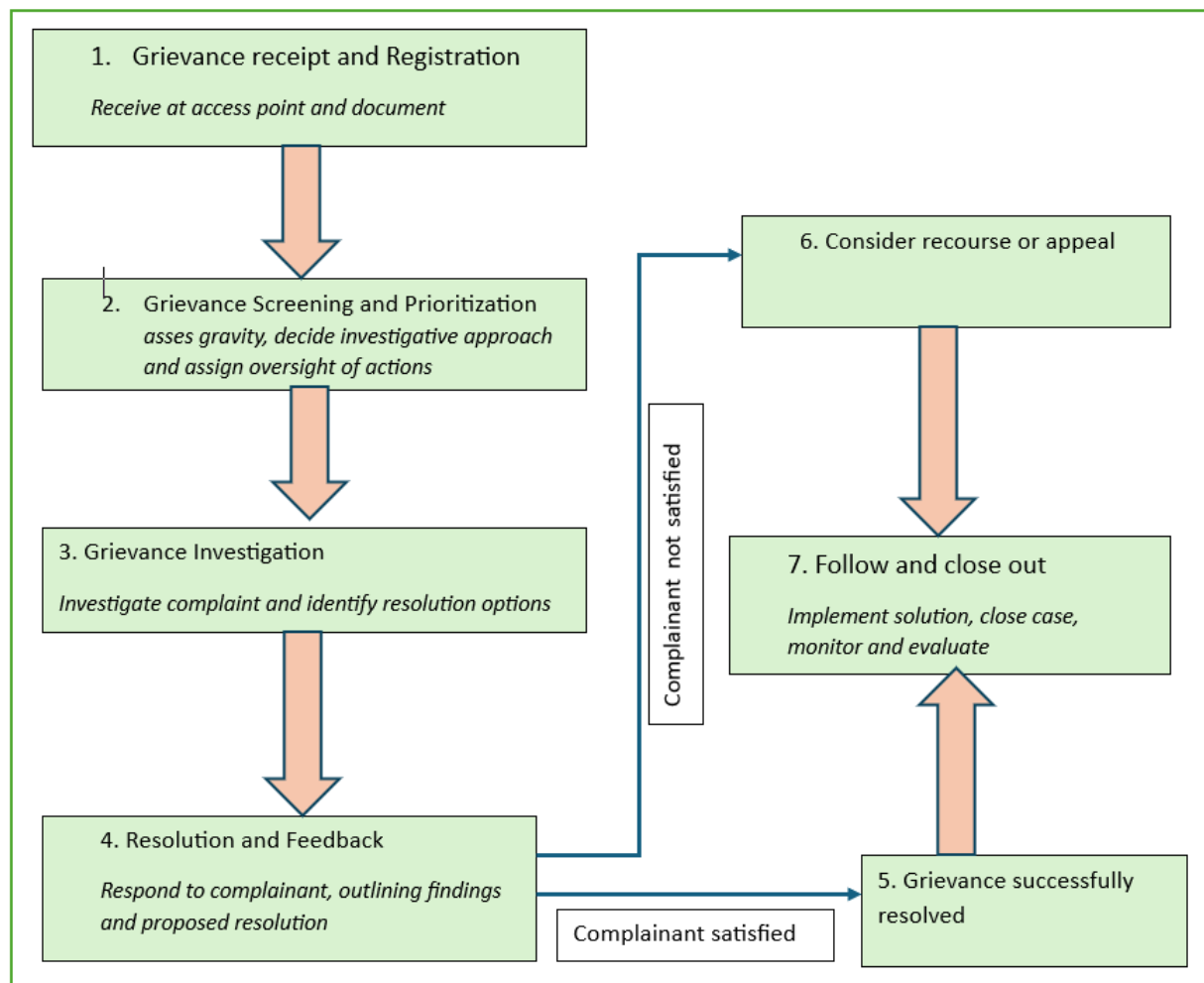


Figure 9-1: The Process Flow Chart of Workers' Grievance Redress Mechanism (GRM)

9.1 BASIS OF DISCIPLINARY PROCEDURE

The basis of any disciplinary action is the organizational/contractual rules and regulations of a specific work place. The organizational/contractual rules and guiding regulations may be implied or explicit. Some rules are implied in the contract of employment (e.g., rule against stealing from the employer, zero tolerance on sexual exploitation and abuse, observance of time - time management, zero tolerance on non-use of workplace uniforms and protective gear, etc.). However, it is advisable that even implied rules be included in the disciplinary code or schedule of offences at the work place. These may also vary from workplace to workplace.

In an organized workplace these rules ideally are negotiated with the trade union and are often included in the Recognition Agreements signed by the employer and trade union. These workplace rules must be:

- a. Valid or reasonable;
- b. Clear and unambiguous;

- c. The employee is aware, or could reasonably be aware of the rule or standard; and
- d. The procedure to be applied in the event the employee contravenes any of these rules.

FIPAG and its implementing sister agencies and through the Supervision Engineers and in collaboration with the contractors, will ensure that a fair and effective disciplinary procedure in the workplace environment is established, as follows: -

- a. Investigate to determine whether there are grounds for a hearing to be heard;
- b. If a hearing is to be held, the employer is to notify the employee of the allegations using a form and language that the employee can understand;
- c. The employee is to be given reasonable time to prepare for the hearing and to be represented by a fellow employee or a union representative;
- d. The employee must be given an opportunity to respond to the allegations, question the witnesses of the employer and to lead witnesses;
- e. If an employee fails to attend the hearing the employer may proceed with the hearing in the absence of the employee; and
- f. The hearing must be held and concluded within a reasonable time and is to be chaired by an impartial representative.

Effectively managing grievances mean observance of the following:

- a. A reported grievance must as far as possible be resolved by the employer/through appropriate committee and as close to the point of origin as possible;
- b. The employer/committee must ensure that the grievance(s) is/are dealt with in a fair, impartial and unbiased manner and that the principles of natural justice are observed;
- c. The Procedure/action must be such that it assists and enables an employer and a work to address dissatisfactions in the employment relations and working conditions;
- d. No worker/even employer is victimized or prejudiced, directly or indirectly as a result of lodging a grievance;
- e. If a disciplinary action is taken against a worker, utilization of the grievance procedure to address any matter related to the disciplinary action shall not halt the disciplinary procedure; and
- f. Grievances will be submitted following the agreed ways for submission that were agreed/communicated the workers.

If an employee is dismissed, s/he must be given the reasons for dismissal and the right to refer the dispute concerning the fairness of the dismissal. Therefore, it is incumbent upon the Contractors to ensure that they have a disciplinary procedure, Code of Conduct, and standards, which the employees are aware of. Each contractor will be required to produce this procedure to ensure that employees are not treated unfairly. The procedure must align to the Mozambique Labour Law and ESS2 requirements.

9.2 THE GRM STRUCTURE FOR WORKERS

All the project workers (all three categories, direct workers, contracted workers and primary supply workers) can directly register their complaints with the GRM for workers. The members of this GRM will be trained to be capable to address grievances by workers, including workplace complaints in an efficient and effective manner to meet national regulations on labors and World Bank ESS2.

9.2.1 DIRECT WORKERS AT PIU/PROVINCIAL LEVEL

A system will be established at the FIPAG PIU including direct workers at provincial levels. To mitigate the related risks/complaints and be operationalize it in accordingly. The project Coordinator/Manager at FIPAG will work with Human Resources Department in receiving and addressing any potential complaints. The Team will address the issue of timely management of the complaints. The complaint that is not resolved within 7 days, it can be referred to the next level. In the next level, the FIPAG PIU will establish small membership GRM committee to receive and resolve complaints which the HR Department has failed to resolve. The committee should compromise of one senior staff from FIPAG, a direct worker's representative, and another staff member. If there is a situation which is not resolved by the GRC or if the resolution is not satisfactory to the complaint, then then there is an option to appeal to the Head of FIPAG for intervention. The complaints should be considered, and feedback provided within next 7 working days after submission.

However, if the complaint is originating from construction sites and relating to the interaction with Contracted and Primary Supply Workers, then the Direct workers would lodge the complaints to the general workers' GRC.

9.2.2 CONTRACTED AND PRIMARY SUPPLY WORKERS - PROJECT SITE GRC

At the project site, the Contractor should develop their own GRM to resolve the grievances of contracted workers. Individual workers or labor association will submit their grievance to the GRC for Workers through one of the channels identified above. A Grievance Focal Point (GFP) assigned by the Contractor (preferably, the Community Liaison Officer) will file the grievances and appeals of contracted workers and will be responsible to facilitate addressing the grievances.

At this point the GRC will undertake the following actions:

- a. Refer workers related complaints to the Workers GRM;
- b. Registration, classification, and analysis of grievances;
- c. Convene the GRM for workers meeting to analyze and resolve the complaint;
- d. Provide written response to the complainant/contractor;
- e. Provide guidance with recommendations to the contractor to improve working condition/labor; and
- f. Management issues within ten (10) working days.

9.2.3 CONTRACTED AND PRIMARY SUPPLY WORKERS - PROVINCIAL LEVEL GRC

In case the complaint is not resolved within 10 days of its receipt or it is unattended, the complainant can approach the provincial level GRC to be established by FIPAG as appropriate. The grievance will be examined and addressed within 30 days. Workers, labor associations can refer the complaint to the provincial GRC:

- a. Conduct coordinating meetings/ resolution sessions with complainants.
- b. Investigate the complaints.
- c. Provide written response to the complainants.
- d. management issues within ten (30) working days

9.2.4 REFEREE LEVEL

If all above fails, the last recourse is the stipulations in the Labor Code. In addition, any complaint that tends to be criminal, the GRC should advise the complainant to take appropriate pathways including reporting to police.

9.3 PUBLICIZING THE WORKERS GRM

FIPAG PIU together with Project Supervision Engineer/Consultant will be in charge of publicizing the GRM. PIU should ensure that Workers GRM and its complementary community GRM is explained during public meetings. PIU should also ensure that leaflets/ICT materials on GRM are distributed during public meetings and made available at the various levels with contact numbers of the focal person for the GRM. Posters will be also be posted at community, district, and provincial levels.

The following procedures shall be followed while filing and processing complaints through the above described GRM structures:

- a. **Grievance Register Book:** A grievance register book shall be opened and kept in the office of resident engineer. All grievances shall be registered when and upon the receipt of complaints from the aggrieved. The book shall have the following; case reference number, the aggrieved name, the date the case is received, the date the case is resolved and, a remarks column;
- b. **Responsibility for Registering Complaints:** the assigned resident focal point in the project area shall register in the Grievance Register Book all written complaints received or verbally reported;
- c. **Case Receipt:** Within 24 hours of receiving complaints, the Focal Person in consultation with the Chairperson/Secretary of the GRC shall issue a letter to the aggrieved acknowledging receipt of the case and providing a date when the case will be reviewed as well as the venue;
- d. **Public Access to the book:** The book shall be accessible to the public and shall be placed in an open and accessible office space;
- e. **GBV grievances:** These will not be documented in the public accessible book for sensitivity and confidentiality. However, a GBV action plan will be prepared to manage related risks.
- f. **A service Provider** will be engaged for awareness raising and ensure a system that capture GBV/SEA and HIV/AIDS related issues will be developed. This will be undertaken together with the Contractor's Sociologist/Community Liaison Officer.
- a. **PAPs:** All PAPs who have issues with their compensation and assistances are required to submit written complaints to the appropriate level of GRMs;
- g. **Mediation meetings** and outcomes will be recorded and kept by the GRM person-in-charge.
- h. **Unresolved Complaints:** Where complaints are not resolved, higher GRC references will be made accordingly; and
- i. **Unrelated complaints:** Where complaints submitted do not relate to the project, appropriate references will be made.

9.4 INDIVIDUAL WORKERS' GRIEVANCE REDRESS PROCEDURES

All employment sites and every employer including construction contractor is expected to establish and operationalize a workers' formal grievance procedure, which should be acknowledged and simplified to the employees once hired. Therefore, all the contractors who will be engaged for UWSP will be required to produce/share an appropriate grievance procedure as a requirement that is included in the bidding documents which at a minimum should comply with these requirements.

Additionally, in respect to the recommendations of the international good practice recommends; the grievance

Redress procedures must be confidential, transparent, adhere to non-retribution practices including right to representation. The Contractor will be required to provide proof that all hired workers are inducted. All workers, will also confirm through signed documentation that they have been inducted on the procedure.

The proposed procedure will at least define the following:

- a. Specify to whom the employee should lodge the grievance;
- b. Refer to time frames in the Labor Management Plan to allow the grievance to be dealt with expeditiously;
- c. Allow the person to refer the grievance to a more senior level within the organization, if it is not resolved at the lowest level;
- d. If a grievance is not resolved the employee has the right to lodge a dispute with the FIPAG PIU.

The project will establish a step-by-step GM procedure for the Project workers consistent with the ESS2. Essentially, it will be at different levels. Grievance procedures will be tailored to meet the needs of the project, culture and workforce composition. The grievance procedures may be included in collective agreements. A clause in a contractor-level collective agreement that establishes a mechanism for individual workers to bring an employment-related grievance, potentially, either through a direct project specific established committee, through their trade union and/ or with trade union assistance, will be sufficient to meet ESS2. The Project workers' grievance mechanism will not prevent workers to use judicial procedure.

The employer/contractor will establish for all direct workers and contracted workers a grievance redress mechanism (GRM) to raise and resolve workplace concerns. Therefore, all these workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. The GRM will be made accessible to all workers through various means of complaint submission (written, telephone, face to face/meeting reporting, fax, social media etc.). A grievance log/register will be maintained at the FIPAG PIU and the contractor's designated sites/offices to facilitate quick access.

9.5 COLLECTIVE GRIEVANCE AND DISPUTES RESULTING FROM NEGOTIATIONS OF COLLECTIVE AGREEMENTS

Where a trade union is recognized, it is entitled to negotiate on a regular basis with the employer over terms and conditions existing at the workplace and the employer is obliged to negotiate with it. The procedure followed in such instances is usually contained in the agreement, which state how the issues are raised, the procedure for negotiations, the composition of the parties involved in the negotiation and the procedure to deal with issues that are not resolved through consensus. In the type of disputes, if the dispute is not resolved at the workplace, the parties to the dispute can utilize the dispute resolutions mechanisms provided for in the labor legislation.

9.6 GRIEVANCES RELATED TO GENDER BASED VIOLENCE (GBV), SEXUAL EXPLOITATION AND WORKPLACE SEXUAL HARASSMENT

To avoid the risk of stigmatization, exacerbation of the mental/psychological harm and potential reprisal, the grievance mechanism shall have a different and sensitive approach to GBV related cases.

Where such a case is reported, it should immediately be referred to the appropriate service provider or the appropriate E&S risk management specialist.

FIPAG PIU with support from consultants, to identify institutions and service providers who are actively engaged in prevention of gender-based violence, sexual exploitation, and workplace sexual harassment to establish a guide for supporting any potential survivors. The FIPAG PIU and the contractor are not equipped to provide relevant services to survivors, but will refer any person to relevant service providers (for action in the GRC), including health facilities, law enforcement's gender unit or others, as relevant using the information on available services. Grievances related to gender-based violence must be reported through the project/contractor and incidences shared with FIPAG PIU promptly.

For confidentiality, the nature of the complaint will be recorded along with the age of the complainant and relation to the project will be recorded but the issue will be referred to relevant institutions/service provider. Data on GBV cases if collected through the GRM should be handled with operators who have been trained on the empathetic, non-judgmental and confidential collection of these complaints. Only the nature of the complaint (what the complainant says in her/his own words) and additional demographic data, such as age and gender, can be collected as usual.

Uptake of GBV/SEA/SH cases: All grievance lodging points outlined under Individual Grievance procedure described under Section 9.4 will be open for uptake of GBV/SEA/SH complaints. When a survivor comes forward to report a case of GBV/SEA/SH, the recipient will record the survivors' account of the incident. This is expected to be conducted in a private setting and ensure that all specific vulnerabilities are taken into consideration. To maintain confidentiality and minimize stigmatization, below is the list of elements that will be recorded on complaint forms:

- Age and sex of survivor;
- Type of alleged incident (as reported);
- Whether the alleged perpetrator relates to the project, as indicated by the survivor.
- Whether the survivor was referred to a service provider.

Where the complainant is not the survivor, the contractors GRM Focal Person will encourage the complainant to reach out to the survivor and explain the potential benefit of coming forward alone or with the person reporting the case. All GBV/SEA/SH cases will be reported to the World Bank within 48 hours through the FIPAG Social Safeguards Specialist and recorded in the grievance database.

Referral of GBV/SEA/SH Survivors: The contractors GRM Focal Person will examine the case and seek the consent of the survivor to refer the case to FIPAG PIU and recommend that the survivor access external GBV service providers. In the case of children and persons with intellectual disability, this will be done with full consent of the survivor's guardian. Depending on the case reported, the support services may include one or more of the following services.

- Health – examination or treatment, collection of forensic evidence, provision of post-exposure prophylaxis/abortion services;
- Legal/Justice – Legal advice/support to survivors and witnesses to understand benefits/barriers of taking care through legal process; support to ensure that prosecution and case closure happens with few or no delays;
- Psychosocial Support – Emotional support/crisis counseling; Social/community reintegration;
- Safety/Security – protection of survivors and witnesses, investigation of the case, arrest of alleged perpetrator.

These service providers will be:

- Required to use their respective GBV case management procedures to provide the essential services required by the survivor;
- Required to maintain confidentiality, safety, and security of survivors in accordance with best practices, in particular ensuring survivor centeredness through the processes and seeking the consent of the survivor when personal data must be shared.

Acknowledge and Follow-up: After registering the case, the contractors GRM focal point will inform the FIPAG PIU within 24 hours of receipt and provide an acknowledgment to the complainant or survivor within 2 working days of receipt..

Fact Analysis: After receiving the case, the FIPAG PIU will analyze the facts of the allegation by determining whether (i) the allegation falls within the definition of GBV/SEA/SH; and (ii) the alleged perpetrator is an individual associated with the project. If the PIU confirms these two elements, it shall proceed to handle the case or otherwise discontinue the case and write to inform the survivor or complainant. Only GBV/SEA/SH complaints allegedly committed by any individual associated with the project may be considered by the project after referring to GBV service providers. If the survivor does not wish to pursue disciplinary action against the alleged perpetrator the case will be closed after providing referral assistance. The Safeguard Focal person shall record the survivor's preference and indicate that in the acknowledgement form as well.

Determine recourse action: The FIPAG PIU will review all cases referred to it to determine and agree upon a course of action for handling and resolving the case. The appropriate institution that employs the perpetrator takes the agreed disciplinary action in accordance with the employer's code of conduct and national legislation. Disciplinary actions may include informal warning; formal warning; additional training, loss of salary, suspension, or termination of employment depending on the severity of the case. A survivor may continue to receive support from the appropriate GBV service providers while the case is being handled by the FIPAG PIU.

Instances where the case is being handled by a service provider, the Service Provider will work with the survivor or guardian to develop a comprehensive plan that identifies what the survivor needs and how these needs may be met. The survivor will be referred to connect with a range of service providers which correspond to their needs. The FIPAG PIU FIPAG PIU FIPAG PIU FIPAG PIU shall continue to track, monitor, and collaborate with service providers on all such cases until they are resolved.

Closing GBV/SEA/SH cases: Closing of GBV/SEA/SH cases will occur at these instances:

- If the survivor does not wish to place an official complaint with the perpetrator's employer;
- If after investigation, the FIPAG PIU determines that the allegation does not fall within the definition of GBV/SEA/SH and the alleged perpetrator is not associated with the project;
- If when the case is pursued, and the FIPAG PIU confirms that the disciplinary action taken is appropriate and has been implemented conclusively;
- If a Service Provider follows its internal procedure to meet the needs of the survivor on the case.

9.7 THE WORLD BANK GRIEVANCE REDRESS SYSTEM

Project workers may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed to address the project's labor related issues. Information on how to submit complaints to

the World Bank's corporate Grievance Redress Service (GRS), can be found at:
<http://www.worldbank.org/en/projectsoperations/products-and-services/grievance-redress-service>

Project workers may also submit their complaint to the WB's independent Inspection Panel, which determines whether harm occurred, or could occur, because of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. Information on how to submit complaints to the World Bank Inspection Panel can be found at www.inspectionpanel.org

10 CONTRACTOR MANAGEMENT

Contractors shall be selected according to the criteria set in the bidding documents. Bid documents shall be prepared by the FIPAG in liaison with the World Bank and shall include Occupational Health and Safety requirements based on the ESCP and ESMF requirements. The selection process for contractors, shall be guided by the tender evaluation criteria that shall include contractor's eligibility and value of works.

As part of the process to select design and construction contractors who will engage contracted workers, the legal and Environmental and Social (E&S) staff from the FIPAG will review the following information:

- a. Information in public records (examples: violation of applicable labour laws, public inspection from the enforcement agencies;
- b. Business licenses, registrations, permits, and approvals;
- c. Documents relating to a labour management system, including OSH issues, for examples labour management procedures;
- d. Identification of labour management, safety and health personnel, their qualifications, and certifications;
- e. Worker's certifications/permits/trainings to perform the required work;
- f. Records of health and safety violations and responses;
- g. Accidents and fatalities records and notifications to authorities;
- h. Records of legally required workers benefits and proof of workers' enrolment in related projects; Workers' payroll records, including hours worked and pay received; and
- i. Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting requirements of ESS2.

The FIPAG PIU shall supervise contractor works to determine adherence to standards, specifications and compliance to rules and regulations. Remuneration for workers shall be guided by the local labour laws and terms and conditions will be made known to workers before commencement of work. The monitoring of the implementation of the works will be conducted by staff under the FIPAG PIU, ARA-Sul, AdRMM, AdRS, District and Municipal Authorities. Supervision will therefore be at three levels including national, regional and district levels.

All contracts with the selected construction contractors will include provisions related to labour and occupational health and safety, as provided in the Mozambique laws. The project's Supervising Engineer/consultant will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) including compliance with the World Bank ESSs and specifically ESS2 for the Labour and working conditions as well as the Mozambican Legislation.

This may include periodic audits, inspections, and/or spot checks of project locations or work sites and/or of labour management records and reports compiled by contractors. Contractor's labour management records and reports may include:

- a. a representative sample of employment contracts or arrangements between third parties and contracted workers;
- b. records relating to grievances received and their resolution;
- c. reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions;
- d. records relating to incidents of non-compliance with national law; and
- e. records of training provided for contracted workers to explain labour and working conditions and occupational health and safety risks and preventive measures for the project.

The application of Contractor management will be proportionate to the activities and to the size of the contract, in a manner acceptable to FIPAG PIU and the World Bank:

- a. **Labor conditions:** records of workers engaged under the Project, including contracts, registry of induction of workers including CoC, hours worked, remuneration and deductions (including overtime), collective bargaining agreements;
- b. **Safety:** recordable incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (e.g., revised job safety analysis, new or different equipment, skills training, etc.);
- c. **Workers:** number of workers, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child labor is involved, and skill level (unskilled, skilled, supervisory, professional, management);
- d. **Training/ induction:** dates, number of trainees, and topics;
- e. **Details of any security risks:** details of risks the contractor may be exposed to while performing its work—the threats may come from third parties external to the project; and
- f. **Worker grievances:** details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken - grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.
- g. **Workers Payroll Records:** documentation of the number of hours worked and pay received inclusive of all payments made on their behalf, for example payment made to the National Insurance Scheme and other entitlements regardless of the workers being engaged on a short- or long-term assignment or fulltime or part time worker.

The Project's oversight of contractors is set out in this section. The following procedures should be put in place:

- a. Ensure that Contractors have valid contracts with clearly define service level agreement in accordance with the national law and all environmental and social clauses, as applicable: FIPAG PIU and reviewed by FIPAG;
- b. Contractor induction to WB ESSS and specifically LMP: FIPAG PIU, attended by other key stakeholders including the parent ministry officials;
- c. Monthly submission of records: Contractor submission to FIPAG PIU;
- d. Monthly site visits (at a minimum) and reports: FIPAG PIU, and other Officers; and
- e. Evaluation of contractor requirements. This includes training, OHS files, certifications etc.

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

In addition, respective MDAs will require that all contractors engaged on the project operate in a manner consistent with the requirements of the ESSs, including the specific requirements set out in the ESCP. To ensure that contractors engaged are managed in an effective manner, the following measures will be considered:

- a) Assessing the environmental and social risks and impacts associated with such contracts;
- b) Ascertaining that contractors engaged in connection with the project are legitimate and reliable enterprises, and have knowledge and skills to perform their project tasks in accordance with their contractual commitments;
- c) Incorporating all relevant aspects of the ESCP into tender documents;
- d) Contractually requiring contractors to apply the relevant aspects of the ESCP and the relevant management tools, and including appropriate and effective non-compliance remedies;
- e) Monitoring contractor compliance with their contractual commitments; and
- f) In the case of subcontracting, requiring contractors to have equivalent arrangements with their subcontractors.

The Conditions of Contract for each Contractor shall include the right to terminate the Contract once the Contractor fail, within the reasonable time given, to comply with Notice/s to correct related inter alia to compliance with the National Labor Laws, OHS Laws and Regulations and this LMP.

The Third-Party Monitoring Agent will conduct a six-monthly audit of labor and working conditions and submit reports. Other audits for specific purposes may be arranged as deemed fit by FIPAG PIU. The Labour management plan and its application is a living process and will be updated dependent of the situation and lessons learnt from the periodic review and reports.

11 COMMUNITY WORKERS AND PRIMARY SUPPLY WORKERS

11.1 COMMUNITY WORKERS

The project as conceived, does not anticipate the involvement of community workers, and therefore no details of the terms and conditions of work are required to be set out as well as no need for and measures to check the operation, in accordance to ESS 2 and Guidance Note on Labour and working Conditions.

11.2 PRIMARY SUPPLY WORKERS

The project will require procurement of substantial number of materials and Primary suppliers who are suppliers, on an ongoing basis, will provide goods or materials directly to the Project. The primary suppliers for the project will mainly be for supply of construction material (steel, stone aggregates, gravel, cement, construction equipment, etc.) suppliers, electrical and electronic devices suppliers, IT and communication equipment suppliers, etc. The number of primary suppliers will be determined at the implementation stage of civil works. These primary suppliers will be required to comply with the requirements of the LMP and in accordance with the World Bank ESS2 and ESS4 requirements and national labor law through formal labor contracts. The FIPAG PIU, jointly with ARA-Sul, AdRS, AdMM, will identify potential risks of child labor, forced labor and serious safety issues which may arise in relation to primary suppliers.

11.3 SELECTION OF PRIMARY SUPPLIERS

Where appropriate, the project will be required to include specific requirements on child labor, forced labor and work safety issues in all purchase orders and contracts with primary suppliers. When sourcing for primary suppliers, the project will require such suppliers to identify the risk of child labor/forced labor and any associated serious safety risks. The contractor will be required to carry out due diligence to identify if there are significant risks of child exploitation, forced labour or exposure of children/workers to serious safety issues. Additionally, where there is a significant risk of serious safety issues related to primary supply workers, FIPAG will require the relevant primary supplier to introduce procedures and mitigation measures to address such safety issues. Such procedures and mitigation measures will be reviewed periodically to ascertain their effectiveness. The ability of FIPAG to address these risks will depend upon the level of control or influence over its primary suppliers. Where remedy is not possible, FIPAG will, within a reasonable period, shift the project's primary suppliers to those that can demonstrate ability to meet relevant requirements of this LMP.

All suppliers will be vetted for previous compliance or non-compliance with project risks and impacts. For instance, where foreign suppliers are likely to be contracted, the contractor will be required to inquire during his/her procurement process about whether the supplier has been accused or sanctioned for any of these issues and their corporate requirements related to child labour, forced labour, and safety. If there are any risks related to child and forced labour, and safety identified, the contractor will notify Project Implementation Team and will address these risks and may avoid such suppliers, where possible. The PMT/ FIPAG PIU will review and approve the purchase of primary supplies from the suppliers following such risk identification/assessment.

Where a significant risk of child labour or serious safety issues in relation to primary suppliers has been identified, the procedure for monitoring and reporting on primary supply workers will involve various measures that have been put in place to prevent and control them such as establishment of child labour prevention committees at subcounty level through a third-party monitoring consultant such as a local NGO dealing with child labour. In the event of identification of child labour cases, it will be reported to concerned authorities. The labour law also provides for penal and administrative penalties in case of non-compliance with labour law provisions.

The FIPAG PIU will, as part of its monitoring, include indicators for assessing the functions of primary supply workers. If there are any risks related to child and forced labour, and safety identified, in case of occurrence, the sanctions stipulated by Mozambique labour law will be applied as defined below.

One of the major risks related with primary supply is assessed in accordance with conforming to the application of the Code of Conduct (CoC). In addition, all primary suppliers are formal businesses who are required to procure and produce materials subject to high standards. Any new supplier is vetted using a different form which screens the supplier regarding compliance with taxes, certification, licensing, workmen's compensation and application of CoC.

The primary supplier identify will require to fill declaration forms for the company's permanent staff and declare any current or prior arbitrations as well as any criminal convictions. Registered suppliers are subject to regular review. The review will be carried out twice annually and requiring delegated Officer(s) to visit the supplier's premises. The supplier evaluation form will be providing for reporting of any labor irregularity, if observed. The FIPAG PIU will ensure that all primary supplier to the project report fatalities or serious injury and informs government authorities in accordance with national reporting requirements. The main project incidence reporting will apply to all supply suppliers.

11.4 MANAGEMENT OF CHILD LABOR, FORCED LABOR AND GBV BY PRIMARY SUPPLIERS

Where a significant risk of child labor, forced labor, GBV or serious safety issues in relation to primary suppliers has been identified, monitoring and reporting on primary supply workers will be undertaken by FIPAG and its contractors to check that child labor, forced labor and GBV procedures have been adequately implemented. The Supervision Engineer will also monitor and report monthly whilst the Third-Party Monitoring Agency will audit and report on a six-monthly basis. The labor law also provides for penal and administrative penalties in case of non-compliance with its provisions. In case of occurrence, the sanctions provided by labor law especially articles 267 and 268 will be applied.

In case the Primary Supplier fails to demonstrate conformance and compliance to the national law and this LMP in the area of child and forced labor and serious safety risks, the FIPAG through the Supervision Engineer will submit through the Contractor a Notice -to-correct the non- compliance with immediate effect. Should the Primary Supplier fail to comply within the time specified in the Notice or should the PIU assess that such remedy is not possible, the project's primary suppliers shall be shifted to those that can demonstrate compliant labor management and performance. Once the Project advances the provisions of the LMP covering management of labor and working condition risk of Primary Suppliers

shall be expanded and updated and based on the findings of the assessment detailed procedures established and included in the revised document.

The PIU will also have the responsibility of investigating any credible allegations of violations before the contract is terminated. Contractor's attention to this will be in writing stating intention to terminate the contract unless the neglect is corrected in a reasonable time demanded by the Client.

12 RESOURCES FOR THE IMPLEMENTATION OF THE LMP

The project will set aside funds to ensure that the planned LMP activities are implemented and monitored effectively. The project is projected to be implemented over 3 years, starting from early 2025. The summary budget is presented in the table below. This proposed budget will be reviewed and updated based on the final position on the period of implementation of the project.

Table 12-1: Estimated budget for implementing the LMP

Labor Management Activities	Q-ty/per years	Unit Cost, USD	Total cost (USD)	Observations
Development of the protocols (OHS at the workplace, CoC, etc.) including retreats for finalization	4	5,000	20,000	These should be done during year one of the project
Travel expenses of staff on LMP activities (supervision missions by the safeguards officers and FIPAG PIU leadership)	12 X 4	5,000	240,000	This is quarterly for 3 years
Training (contract management, CoC, Grievance management, GBV, etc.) for FIPAG PIU and Province/Districts.	2 (+ 4 Yrs)	20,000	120,000	To be conducted in the first 6 months of the project and once annual for the 4 yrs of implementation
Cost of managing the workers GRM	12 X 4	4,000	192,000	The costs will include supporting the development of the GM and implementation.
Total			572,000	Estimated total cost

13.1 ANNEX 1: CODE OF CONDUCT GUIDELINE – TEMPLATE

Basic CODE OF CONDUCT for Urban Water Security Project

This Code of Conduct shall be used in the Project. If an international bidding process is being used with World Bank Standard Procurement Documents, a Code of Conduct is already included there and should be used as is. If a national bidding process is being used to procure contractors, this Basic Code of Conduct should be included in the LMP and the bidding documents. This Code of Conduct is to be signed by all contractor staff, including managers, working on the project.

I agree that while working on the project I will:

- Treat women, children (persons under the age of 18), and men with respect regardless of ethnicity, language, religion, political or other opinion, national, social origin, citizenship status, property, disability, birth or other status.
- Do not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Do not participate in sexual activity with community members.
- Do not engage in sexual favors or other forms of humiliating, degrading or exploitative behavior.
- Do not engage in any activity that will constitute payment for sex with members of the communities surrounding the workplace.
- Report through the Worker GM suspected or actual gender-based violence against a person of any gender by a fellow worker or any breaches of this Code of Conduct.
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass women, children or a vulnerable person through these mediums.
- Comply with all relevant local legislation.
- Engaging in any of the prohibited activities above can be cause for termination of employment, criminal liability, and/or other sanctions.

Sanctions

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

- i. Informal warning;
- ii. Formal warning;
- iii. Additional Training;
- iv. Loss of up to one week's salary;
- v. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months;
- vi. Termination of employment;
- vii. Report to the Police if warranted.

I, the undersigned, acknowledge that I have received, read, and understood the Company's Code of Conduct, which forms part of the contractual obligations under this project.

On behalf of the Company, I commit to upholding the highest standards of integrity and professional behavior as outlined in the Code. I understand that I have a responsibility to actively support the implementation of Environmental, Health, and Safety (EHS) standards and to contribute to a work environment that is free from all forms of:

- Gender-Based Violence (GBV)*
- Sexual Exploitation and Abuse (SEA)*
- Sexual Harassment (SH)*
- Violence Against Children (VAC)*

I acknowledge that engaging in, facilitating, or failing to report any acts of SEA/SH, GBV, VAC, or other violations of this Code of Conduct constitutes serious misconduct and may lead to disciplinary action, including termination of employment or legal consequences, as applicable under national law and project policies.

I also understand my obligation to report any suspected or actual breaches of this Code to the appropriate grievance mechanism or designated authority, and that retaliation against whistleblowers is strictly prohibited.

By signing this declaration, I confirm my understanding of and commitment to the principles and responsibilities contained in this Code of Conduct, and I agree to comply with all related procedures and disciplinary measures as required by the Company and the project.

Signature: _____

Printed Name: _____

Title: _____


Date: _____

13.2 ANNEX 2 - MINIMUM WAGE IN MOZAMBIQUE BY SECTOR

Table 13-1: Table - Minimum Wage in Mozambique by Sector

Nº.	Sector of activity	Minimum Salary (MZN) April 2024
01	Agriculture, Livestock, and Forestry	6,338.00
02	Industrial Fishing	6,531.79
03	Kapenta Fishing	4,941.68
04	Extractive Industry - Large Mining Companies	14,183.80
05	Extractive Industry - Quarries, Micro, Small and Medium Enterprises	7,700.00
06	Extractive Industry - Salt extraction industry	6,335.00
07	Manufacturing - Industrial Sector	9,497.50
08	Manufacturing - Bakery Sector	6,800.00
09	Electricity, Gas and Water - Big companies	11,625.00
10	Electricity, Gas and Water - Small businesses	9,433.30
11	Construction (Sector 6)	8,000.00
12	Non-Financial services Activities	9,560.00
13	Financial Services - Banks and Insurance Companies	17,881.32
14	Financial Services - Micro-finance, micro-insurance and auxiliary activities	15,741.29
13	Hotel Industry	8,900.00
15	Public administration, defence and security	8,758.00

Source: [Minimum wage - Mozambique - WageIndicator.org](https://www.wageindicator.org/)

	MOZAMBIQUE URBAN WATER SECURITY PROJECT WORKER GRIEVANCE/COMPLAINT FORM	
Section 1: Complaint		
1. Which Project site/area do you work from? (Please include Site/Province/District name)		
2. Where do you live? (within the project area / away from the project area / state location)		
3. What grievance / complaint do you have over the UWSP project? Please describe in as much detail as possible. (When did this occur? Who was involved? What occurred and where?)		
4. Is this a repeated grievance / complaint? (If yes, please provide details of how often this has occurred)		
5. What would be your desired remedy or solution to this grievance / complaint?		
6. Have you previously reported your grievance / complaint to FIPAG PIU / Supervisor / Supervising Engineer? (If yes, please provide the details about those communications and explain why you may have not been satisfied with the action in response)		
7. If known, please list the operational procedures you believe have been violated by the UWSP as you as a worker		
8. Do you expect any form of retaliation or threats for filing this complaint?		

Section 2: Contact Information
9. Are you filing an individual submission or representing a worker?
Individual: <input type="checkbox"/> Representing a worker <input type="checkbox"/>
10. Submitter's Name & contact information
Name: Address: Email: Phone:
11. Would you like your name and contact details to be kept confidential? (FIPAG will not disclose your identities to anyone without your prior consent)
Yes <input type="checkbox"/> No <input type="checkbox"/>
12. I, the undersigned, request the FIPAG to investigate the issues described above
Name: _____ Date: _____ Signature/Thumbprint _____ NOTES: Please attach supporting documents, if available.
Section 3: Official Use Only Grievance ID Number: _____ Recorded by: _____ Date: _____ Place/method grievance/complaint was received: _____

13.4 ANNEX 4 – WORKERS AND EMPLOYER’S RESPONSIBILITIES

RESPONSIBLE ENTITY	RESPONSIBILITIES	KEY ACTIVITIES	MEASURES OF ACCOUNTABILITY
Project Director or equivalent	Setting of business level OHS objectives and targets	Develop and monitor implementation of business level OHS objectives and targets	Business level performance reports
Site Manager or equivalent	Coordinate all activities including those of contractors to ensure compliance to HSMP	Implementing business level OHS objectives and targets	Site level HSMP performance reports
Human Resource/Admin Manager or equivalent	Ensure human resource has the competences to enhance OHS	Identify required OHS competences by conducting training needs assessment	HR reports reflecting improved OHS competences among staff
Procurement Manager or equivalent	Ensure goods and services procured meet HSMP provisions	Liaise with H&S Manager and end users to determine OHS specs of required goods and services	Procurement plans bearing OHS specs relating to goods and services
Health and Safety Manager or equivalent	<ul style="list-style-type: none"> Ensure compliance with regulations and HSMP provisions Monitor HSMP performance 	<ul style="list-style-type: none"> Carry out OHS inspections, trainings. Communicate OHS information 	Risk assessment, inspection, training and induction reports
Workers	<ul style="list-style-type: none"> Comply with all OHS measures on site Report any near misses or incidents and accidents Report any unsafe working practices 	<ul style="list-style-type: none"> Worker OHS compliance 	Employee working practices