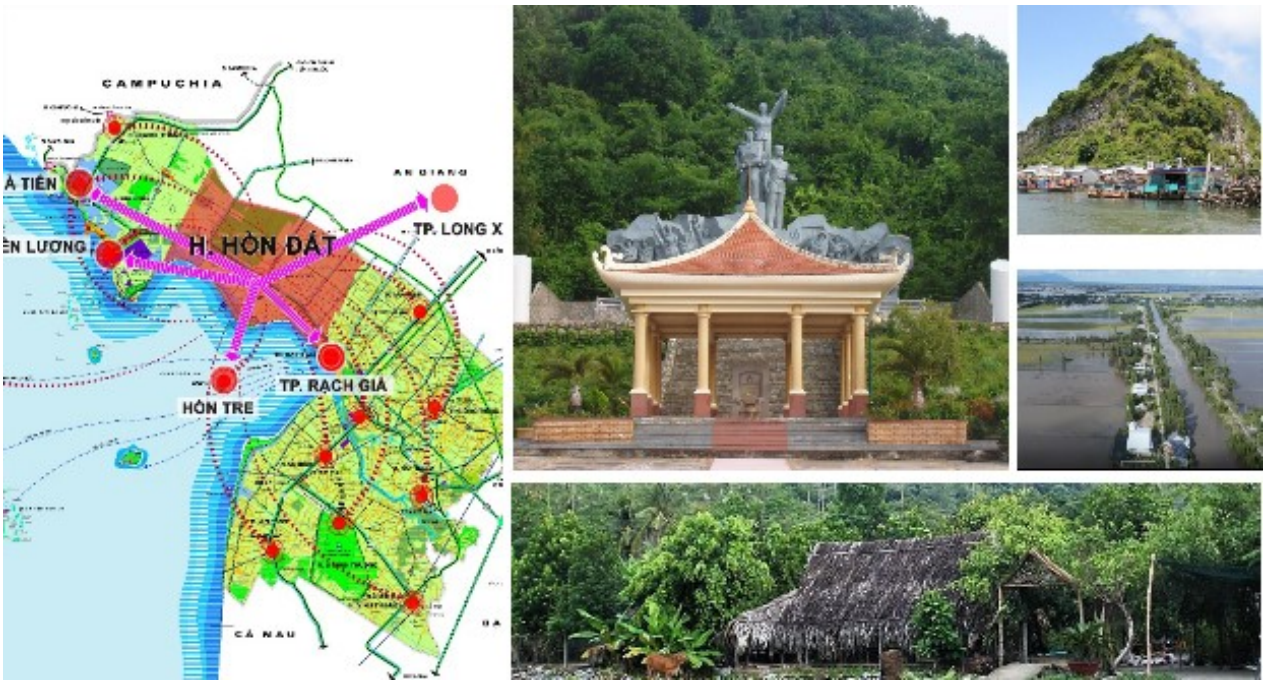
AN GIANG PROVINCIAL PEOPLE'S COMMITTEE

PROJECT MANAGEMENT BOARD OF CONSTRUCTION INVESTMENT ON AGRICULTURE AND RURAL DEVELOPMENT

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SUSTAINABLE FISHERIES DEVELOPMENT PROJECT (SFDP)

LABOR MANAGEMENT PROCEDURES (LMP)



An Giang, 2026

AN GIANG PROVINCIAL PEOPLE'S COMMITTEE

PROJECT MANAGEMENT BOARD OF CONSTRUCTION INVESTMENT ON AGRICULTURE AND RURAL DEVELOPMENT

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REPORT

LABOR MANAGEMENT PROCEDURES

PROJECT:

KIEN GIANG SUSTAINABLE FISHERIES DEVELOPMENT

PROJECT OWNER

PROJECT MANAGEMENT BOARD OF CONSTRUCTION INVESTMENT ON AGRICULTURE AND RURAL DEVELOPMENT

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An Giang, 2026

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LIST OF ABBREVIATIONS

CC	:	Climate change
CoC	:	Codes of conduct
CPC	:	Commune People's Committee
CPMU	:	Central Project Management Unit
W/CPC	:	Ward/Commune People's Committee
DOT	:	Department of Construction
DOH	:	Department of Health
DOHA	:	Department of Home Affairs
E&S	:	Environmental and social
ESIA	:	Environmental and Social Impact Assessment
ESCP	:	Environmental and Social Commitment Plan
ESF	:	Environmental and Social Framework
ESS	:	Environmental and Social Standard
ESMP	:	Environmental and Social Management Plan
FS	:	Feasibility study
GBV	:	Gender-based violence
GCCT	:	Gender-based violence and violent against children Compliance Team
GoV	:	Goverment of Viet Nam
GRM	:	Grievance redress mechanism
IMC	:	Independent monitoring consultant
LEP	:	Law on environmental protection
LFDC	:	Land fund development center
LMP	:	Labor Management Procedures
MD	:	Mekong Delta
MOC	:	Ministry of Construction
MOH	:	Ministry of Health
MOHA	:	Ministry of Home Affairs
PC	:	People's Committee
PPMU	:	Provincial Project Management Unit
PPC	:	Provincial People's Committee
PPE	:	Personal protective equipment

RP	:	Resettlement Plan
SEA/SH	:	Sexual Exploitation and Abuse/Sexual Harassment
SEP	:	Stakeholder Engagement Plan
SFDP	:	Sustainable Fisheries Development Project
SOP	:	Standard Operation Procedures
TOR	:	Term of reference
VAC	:	Violent against children
WB	:	World Bank

1. INTRODUCTION

1. The overall objective of the project is to strengthen fisheries management and increase product value through smart infrastructure upgrades.

2. The project aims to the following specific objectives:

- To build and improve infrastructure, innovate technology, strengthen management capacity and organize production to promote the fisheries sector in the direction of value enhancement, deep international integration, environmental friendliness and adaptation to climate change.
- To encourage and attract all economic sectors to contribute to the sustainable development of the province's fishery sector, promote socio-economic development associated with environmental protection.

2. OVERVIEW OF LABOR USE ON THE PROJECT

3. ESS2 categorizes the workers into 4 types: (i) direct workers, (ii) contracted workers, (iii) community workers, and (iv) primary supply workers. As indicated in the Concept Stage Environment and Social (E&S) Review Summary prepared for the SFDP, the Project's workforce will include direct workers (directly employed by PPMU), and contracted workers (recruited by third parties such as contractors or consultants), and primary supply workers. The project will not engage community workers as a contribution labor force, but contractors may mobilize members of the community as hired laborers for unskilled work on the project.

4. According to Decree No. 84/2015/ND-CP dated 30 September 2015 on investment supervision and assessment and Decree No. 01/2020/NĐ-CP dated 01 January 2020 on Amendments to Decree No. 84/2015/ND-CP, local people can establish a community investment supervision board to conduct voluntary supervision of the implementation of environmental, and social risk, impact mitigation measures, and construction safety.

2.1. Project Workers

2.1.1. Direct Workers

5. Direct workers are those who are directly employed by the project management unit. They are staff of the An Giang PPMU and consultants hired by the PPMU to work on the project. In the framework of the project, the PPMU is responsible for the management and supervision of the overall implementation of the project, including contractors' construction work. Direct workers are staff (permanent or term) who are directly employed by the PPMU. Given that the PPMU is unlikely to have sufficient expertise to manage the entire project, it will require assistance from experts in certain technical areas (project management and coordination, financial management, procurement, construction, assessment and management of E&S risks and impacts, independent E&S monitoring, among others). Most of the direct workers are expected to have university or master's degrees and relevant experience. They will be expected to work full-time to support the project owner in the project preparation, implementation, supervision, and reports. Direct workers will mostly be local but can include immigrant workers. Labor requirements are calculated from the start of the project through its end.

2.1.2. Contracted Workers

6. Contracted workers are those who are employed or engaged by third parties to perform work in relation to core functions of the project, regardless of location. An Giang PPMU will hire numerous contractors to carry out various types of project work, including professional consultants preparing the project's feasibility study (FS), detail design, environmental and social (E&S) documents, Construction supervision consultant (CSC), Independent monitoring consultant (IMC); and civil works construction. The amount of manpower required for these activities varies according to the size of each activity with total of 282 contracted people within the project timeline
7. Table 1). The timing of labor requirements will fluctuate depending on the project stages.
8. Details of contracted workers are as follows:

- **Consultant teams:** About 82 contracted workers (
- Table 1) are mobilized for the consultant teams (FS, detailed design, E&S, CSC, IMC, and UXO clearance). All of them are expected to have university degrees and several years of relevant work experience. Most of them are migrant workers, except UXO clearance team. There could be some international consultants in the CSC team.
    - **E&S Consultant.** The E&S Consultant (firm) is responsible for the development of Environmental and Social documents for the project. The procurement process for the consultant team will start during project preparation, but the consultant will be on board in the early stage of project implementation. The E&S firm comprises about 12 national experts. The E&S consultant will support the CPMU and PPMU until the E&S documents are cleared by the Bank and the local Government.
    - **FS and detailed design Consultants and other consultants.** Consultants (national or international organizations) will be engaged by the PPMU to provide services for the preparation of FS, detailed design and other technical activities for the project. The consultant firms will consist of 50 national experts, including project manager, sanitation, water resources, M&E, hydraulic, road design engineer, project support officer, geospatial technical officer, quantity and cost estimator, community liaison officer, and environmental, health, and safety officer. The procurement process for the consultant team will start during the project preparation, but the consultant will be on board in the early stage of project implementation. The FS and detailed design consultant will support the PPMU until the approval of the FS and detailed design for the project.
    - **UXOs clearance:** 4 people.
    - **CSC:** The CSC will be engaged by the PPMU to provide day-to-day construction oversight for the civil works. The CSC will consist of 10 people, including project manager, engineer, and environmental, health, and safety officers, etc. The procurement process for the CSC will start in the early stage of project implementation and before commencing civil works. The CSC will support the PPMU until the completion of the civil works.
    - **IMC:** The IMC for environment and social is planned to be engaged by the PPMU. The IMC includes 6 people, and is responsible for ensuring compliance with approved plans and programs related to environmental and social issues. The IMC will be engaged at the beginning of the implementation period and will complete their work from 6 months to 1

year after all resettlement/environmental activities have been satisfactorily completed.

- **Contractors and subcontractors:** About 200 contracted workers of the contractors/subcontractors (
- Table 1), including skilled workers (70 people) and unskilled members (130 people). The skilled members of contractors/subcontractors are mostly immigrants while the unskilled community-engaged members are local to minimize the impacts due to the mobilization of labor influx mainly from other areas and create job opportunities for communities affected by the project.

2.1.3. Primary Supply Workers

9. The construction work will require primary supplies essential for the functions of the works, such as high-density polyethylene (HDPE), reinforced concrete, gravel, and construction materials including aggregates, bitumen, pipelines, and precast concrete interlocking blocks. Where the contractors will source such materials directly from reputable suppliers who do not have any known allegations of child labor/forced labor or serious safety violations/concerns for workers involved in the production of primary supplies on an ongoing basis, the workers engaged by such primary suppliers are deemed "primary supply workers", as defined in ESS2.

2.1.4. Community Workers

10. The project will not engage community workers as defined under the ESS2 as a community contribution to the project. Community members who may be engaged by the project contractors will be categorized and managed as contracted workers.

11. **Direct government workers**. Other than the above-mentioned project workers, stakeholders working on the project will include government civil servants from relevant departments and agencies of An Giang province, such as the Department of Finance (DOF), Department of Home Affairs (DOHA), Department of Construction (DOC), Department of Agriculture and Environment, Land Fund Development Center of the province (LFDC), Site Clearance and Compensation Councils (DSCCC) of the province, and Provincial People's Committee (PPC), commune People's Committees (CPC). They will be subjected to the terms and conditions of their current public sector employment, which are governed by the Labor Code, the Public Employees Law, and the Civil Servants Law. There will be no legal transfer of their employment to the project. The ESS2 will not apply to government civil servants, except for provisions related to child labor/ forced labor and occupational health and safety while they are working directly in relation to the project. However, if they visit the project sites, they must adhere to E&S risk management regulations[1].

2.2. Timing of Labor Requirements

12. The direct workers (PPMU staff) will generally be required full-time and around the year for the project preparation and implementation.

13. The contracted workers working as consultants for the development of the project's FS, E&S documents, and detailed designs will be engaged during the project preparation.

14. The contracted workers i.e., the CSC and IMC will carry out the supervision and monitoring

[1] ESS2 applies in part to government workers, through the provision of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety).

of technical environmental and social performances during the project implementation. The CSC will be generally required full time and daily working at sites for daily technical and E&S supervision while the IMC will be mobilized to work quarterly or biannually depending on the project requirement.

15. Contractors/subcontractors will be mobilized during the construction of the project civil works. Overall, the implementation time will depend on the characteristics and scale of the project items. In general, the construction will last about 1 to 2 years.

Table 1: Requirement of workers for the entire project

No.	Descriptions	Required No. (people)	Mobilization time
1	**Direct workers**	**23**	
1.1	Implementing agency – An Giang PPMU	13	Before project approval from the WB: preparation phase After project approval from the WB: - Pre-construction phase - Construction phase
1.2	Operation unit	10	Operation phase
2	**Contracted workers**	**282**	
2.1	*Preparation phase*	*22*	
2.1.1	FS consultant	10	Preparation phase
2.1.2	E&S document consultant	12	Preparation phase
2.2	*Implementation phase*	*260*	
2.2.1	UXO consultant	4	Pre-construction phase
2.2.2	Contractors/Subcontractors	Total: 200	Construction phase, in which: - Construction of sluices: 130 workers (unskilled workers: 100, skilled workers: 30) - Rehabilitation of sluices: 20 workers (unskilled workers: 8, skilled workers: 12) - Installation of low and medium voltage power lines: 20 workers (unskilled workers: 12, skilled workers: 8) - Construction of the road: 30 workers (unskilled workers: 10, skilled workers: 20)
2.2.2	CSC	10	Construction phase
2.2.3	IMC	6	Construction phase
2.2.4	Other consultants	40	Pre-construction and construction phases
3	Primary supply workers		Construction phase
4	Community workers	0	
	Total	**305**	

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

3.1. Project Activities

3.1.1. Structural components

16. The following are the structural components of the project:

- Building new basic infrastructure and upgrading current infrastructure for shrimp farming area in the south of NH80, including:
  - Building 23 sluice gates with a width of 8 to 10 m and its management houses to separate fresh and brackish water areas for agricultural restructuring, aquaculture, and rice cultivation;
  - Building a delta grade-V road with a total length of about 7.03 km (running along the right bank of Binh Giang 1 canal connecting NH80 to the sea dyke);
  - Installing 25.18km (including 21.54km medium-voltage power lines, 3.64km low-voltage power lines), and 30 transformer stations to operate sluices;
  - Upgrading the gates of 5 sluices along the sea dike, and 13 in-field sluices along the Don Dong canal for the current aquaculture area;
  - Other ancillary works.
- Technological innovation, increased management capacity, and improved production organization in brackish shrimp farming:
  - Livelihood activities (shrimp - rice; giant freshwater shrimp; other aquatic species).
  - Engagement of the private sector (companies, individuals, etc.) in investing in livelihood models.

3.1.2. Non-structural activities

17. Non-structural solutions implemented in the frame of the project:

- Establish and strengthen production cooperation groups, including:
  - Farmers' groups to manage their members's activities in the direction of green agro products.
  - Cooperatives to negotiate the formation of production chains, and operate the chains effectively via the application of national and international standards into the production.
- Disseminate the activities of the project to build consensus and support from the people, reduce the rate of people utilizing groundwater in agricultural production, and enhance people's understanding of production linked with natural resource protection and regeneration, including:
  - Workshops, seminars, and propaganda panels to share experiences and communication of the project in 02 project communes.
  - Propaganda on mass media about the project.
- Develop demonstration livelihood models.
- Conduct training classes, transfer production techniques to improve capacity, and apply scientific and technical advances to meet market needs and reduce greenhouse gas emissions.
- Connect and replicate the project livelihood models, introduce and register product offtake businesses to help farmers apply sustainable and effective livelihood models that mee the needs of product offtake businesses and reduce production costs by the procurement of substantial quantities of goods from retailers who supply goods of reputable origin and

quality, including:

  - At least 2 value chains (1 chain for one commune), with signed product offtake contracts for rice output certified green standards such as VietGAP, SRP, Organic, ASC, BAP.
  - At least 2 value chains (1 chain for one commune), with signed product offtake contracts for rice output certified green standards such as VietGAP, SRP, Organic, ASC, BAP.

- Support training, consultation, and certification of national and international standards VietGAP, SRP, Organic, ASC, BAP) requested by the businesses of the value chains.
- Support the application of smart technology to adapt to climate change in production and apply technology in production to minimize chemical usage and carbon emissions.
- Building electronic traceability - QR code for 04 product chains.
- Evaluate the effectiveness of project livelihood models.

3.2. Key Labour Risks

18. As mentioned in the project ESIA, the project work items are dispersed on a large scale and the number of workers at each construction site is only 5-10 people. Also, workers on the sluices will stay in camps, while workers on the connecting road and power lines will either stay in the sluice camps or rent houses close to their construction site. As a result, key potential risks to laborers are expected to be caused during the project construction at working sites and camps. Below is the summary of construction activities under the project:

- Demolish structures on land;
- Piling;
- Soil excavation for sluice construction;
- Construction of operational houses;
- Install low/medium voltage transmission lines, substations, and lighting systems;
- Transportation of waste to disposal site and construction materials to sites;
- Level and construction of yards and ancillary works.

3.2.1. Structural Components

19. The construction and operation of the project's structural items will generate occupational safety and health risks for project workers, including:

- **Generic occupational safety and health risks:**
  - **Health risks**. Health risks due to working in a pollution environment with high dust concentration are caused by the construction activities of site clearance and demolishing of old structures, soil excavations, leveling, machine operation, and transportation.
  - Accidents due to structure collapse. Excavation and demolishing activities can cause damage of nearby existing structure foundations leading to the structure collapse and causing serious injuries to workers.
  - Accidents due to falling in water. Workers may fall in water and cause serious injuries during dredging, pilling, or constructing sluices and bridges due to dizzying or/and strong wind, waves, or/and careless working without compliance with working safety.

- Accidents due to falling from high levels. Workers may fall from a high-level due to incorrectly installed scaffolding, uninsured ladders, and unprotected steel bars during construction of operational houses, sluices, bridges, electric systems, etc. This leads to labor accidents.
- Falling objects: Workers working below a house/power tower being constructed may be hit by hard objects falling from a high-level causing injury.
- Electrical shock: Workers may be exposed to live electricity during testing transmission lines, and substations and using power for soldering. Electrical shock can cause serious injuries or fatalities.
- Accidence due to iron cut/ soldering. Workers cutting irons and soldering without using proper PPE (e.g. local workers, national migrants, protective glasses) may suffer from eye accidents with serious injuries even blinding.
- Accidents due to fire and explosion. Welding workers can generate fire-catching flammable materials nearby, especially fuels and gases leading to a fire or explosion causing serious effects on workers and communities.
- Accidents due to heavy equipment. Several working sites may gather many workers and heavy machines (e. g cranes) working in a narrow space for different works. Moving heavy equipment may hit workers working nearby causing injuries. In addition, the construction activities involving heavy types of machinery will be quite noisy. Loud, repetitive, and excessive noise causes long-term hearing problems, such as deafness. Noise can also be a dangerous distraction and may distract the worker from the task at hand, which can cause accidents.
- Health risks on disease infection. Contamination can occur during disease outbreaks if proper hygiene practices are not followed regularly (frequent and proper hand hygiene and wearing masks to serve as barriers to human-to-human transmission of the virus).
- Occupational disease. Workers working under conditions with noise generated from heavy machines (e.g. Power operators) can suffer from occupational diseases such as deafness.
- Inadequate facilities: Lavatory facilities (toilets and washing areas) are sometimes inadequate for personal hygiene when a number of people work on construction sites. Adequate supplies of clean drinking water, clean eating areas, and a safe working environment need to be provided to ensure the occupational health and safety of the workers.
- Lack of awareness of occupational health and safety requirements: In conjunction with other facility controls and safety systems, personal protective equipment (PPE) protects workers against workplace hazards. However, there is often a lack of the use of PPE and safe work practices on construction sites in Viet Nam. Furthermore, materials for handwashing and hygiene, as well as masks, are frequently unavailable at work sites. As a result, in some cases, workers' eyes, heads, necks, ears, hands, arms, feet, legs, ears, lungs, and even the entire body may be injured due to a lack of appropriate PPE.

- **Specific occupational safety and health risks from the demolition of structures on land:**

- Structural hazards are among the most significant risks, as uncontrolled or premature collapse of walls, roofs, or entire buildings can result in severe injuries or fatalities. Falling debris, such as bricks, concrete, or steel, poses additional dangers to workers and bystanders. The instability of adjacent structures during demolition activities can also create unexpected hazards.
- Dust and airborne particles are a major environmental hazard, particularly from materials such as concrete, brick, and wood. Inhaling dust can lead to respiratory conditions. Additionally, demolition activities generate noise pollution from machinery and falling debris, which can lead to hearing loss if proper ear protection is not used.
- Heavy machinery-related risks include accidents involving excavators, bulldozers, and cranes, either due to equipment failure, operator error, or poor visibility. Workers using hand tools like sledgehammers and drills are also at risk of lacerations or blunt force injuries. Slips, trips, and falls are common due to uneven terrain, debris accumulation, and hidden hazards such as protruding nails or rebar.
- Utility-related risks are significant, especially if demolition activities damage underground water lines, or electrical systems. Contact with live wires may result in electrocution.
- Working at height during demolition increases the risk of falls, especially from scaffolding, ladders, or roofs without adequate fall protection. Workers may also experience musculoskeletal injuries from handling heavy materials, repetitive movements, or overexertion.
- Traffic and public safety concerns arise when demolition occurs near roads or populated areas, where flying debris or machinery may harm bystanders or disrupt traffic flow. Weather conditions, including strong winds or heavy rains typical of An Giang, can exacerbate these risks by reducing visibility or destabilizing structures.

- **Specific occupational safety and health risks from the construction of the road:**
  - Road construction sites pose risks to the workers of constantly moving heavy vehicles and dump trucks maneuvering around on an uneven terrain.
  - The construction activities involving heavy machineries will be quite noisy. Loud, repetitive, and excessive noise causes long term hearing problems, such as deafness. Noise can also be a dangerous distraction and may distract the worker from the task at hand, which can cause accidents.
  - Heavy materials and equipment are expected to be constantly lifted and moved around by workers at site, which poses health and safety risks.
  - Collapsing of material borrow excavation with workers inside is also a risk with the type of prevailing materials in the area.
  - Working at height for the bridge construction will also pose the risk of falling.
  - Risks of traffic accidents, labor accidents, fire, explosion, short circuit and electric shock posed by the construction activities will also affect the safety of the community.
- **Specific occupational safety and health risks from the construction and improvement of the sluices:**

- Workers are exposed to physical hazards, including injuries from heavy machinery such as cranes, excavators, and concrete mixers, as well as the risk of manual handling injuries from lifting and moving heavy materials like rebar or concrete blocks. The wet and uneven terrain typical of the construction site increases the likelihood of slips, trips, and falls, while working near trenches, scaffolding, or temporary platforms poses a significant risk of falling. Falling objects from heights, such as tools or construction materials, further add to the dangers.
- Water-related risks are particularly prominent, given the nature of the work. Drowning is a key concern for workers operating near or in water during sluice foundation construction or installation, with slippery surfaces and strong water currents compounding the hazard. Contaminated water introduces additional health risks, including infections and skin issues. Exposure to waterborne diseases, such as dengue fever, is also a concern due to the potential for stagnant water accumulation near the site.
- Chemical and environmental hazards are present in the form of prolonged contact with wet cement, which can cause chemical burns, and inhalation of dust during concrete cutting, which may lead to respiratory conditions. Workers may also encounter harmful chemicals used in construction, such as waterproofing agents or solvents. The high noise levels from machinery can cause hearing loss, while An Giang's hot and humid climate poses the risk of heat stress, dehydration, and other heat-related illnesses.
- Structural hazards are significant during excavation and foundation work. Poorly supported trenches may collapse, trapping workers, and failures in formwork or scaffolding during concrete pouring can result in serious injuries. Electrical hazards, including electrocution from overhead or underground power lines and faulty equipment, add to the risks. Workers must also contend with traffic hazards near the construction site, where inadequate signage or traffic management may lead to accidents.
- Adverse weather conditions such as storms or sudden flooding from heavy rain or tidal changes can jeopardize worker safety. Psychological stress from demanding work schedules and deadlines may further impact decision-making and increase the likelihood of accidents.

- **Specific occupational safety and health risks from the installation of the power lines:**
  - Workers are at significant risk of electrical hazards, such as electrocution from contact with live wires, arcing during installation, or faulty insulation on equipment. These risks are heightened during the connection of live electrical systems or in environments with unpredictable weather conditions, such as rain, which can increase the conductivity of surfaces and tools.
  - Falls from heights are a primary concern, as workers frequently operate on poles, ladders, or elevated platforms. Without proper fall protection systems, such as harnesses or guardrails, workers are at risk of severe injuries from falling. The uneven terrain typical of construction sites in rural areas like Binh Giang and Binh Son communes can also lead to slips, trips, and falls, particularly when carrying tools or materials.
  - Handling heavy equipment and materials introduces ergonomic risks, such as musculoskeletal injuries caused by repetitive movements or improper lifting techniques.

In addition, the use of machinery like drills, cranes, and hoists can lead to physical injuries if improperly operated or maintained. Flying debris or falling tools from elevated positions pose a threat to workers on the ground.

- High temperatures and humidity in An Giang can result in heat stress, dehydration, and other heat-related illnesses, particularly for workers engaged in physically demanding tasks. Exposure to noise pollution from equipment can lead to hearing damage if appropriate ear protection is not used.
- Working near roads increases the risk of accidents involving passing vehicles, especially in areas with insufficient traffic management.
- Adverse weather conditions in An Giang, such as storms or strong winds, can endanger workers during installation. Lightning strikes pose a particular threat to workers handling metal tools or operating at height during thunderstorms.

20. The above-mentioned OHS risks will mainly have been rated low to moderate because (i) the risks are localized within construction sites; (ii) the risks will primarily stem from the construction activities that will occur in a short time; (iii) workers will be provided with safety trainings, PPE and first aid stations; and (iv) mitigation measures for these risks will be in place, as specified in the ESMP and C-ESMPs. Standard Operation Procedures (SOPs) will be developed for workers to follow during the construction period and the SOPs include an evacuation plan in case of hazards (e.g., earthquake, fire, extreme weather events, and accidents). Workers will be trained in labor safety, traffic safety, and sanitation practices prior to the start of construction works. Furthermore, during the operation phase, all operation units will develop and implement operational and maintenance (O&E) procedures for sluices, connecting roads, and low and medium-voltage lines.

3.2.2. Non-structural components

21. Labor for non-structural activities of the project will face the risk of stress at work, and pressure to complete the project schedule. Furthermore, they face OHS risks when working at their office (for example, electric shock, fire, etc.) or facing the same OHS risk as construction workers (section 3.2.1) when traveling to the project area. However, their work will be primarily in the office and take place in a short time. Furthermore, these are highly skilled, highly educated, and well-aware workers, and provided with PPE as well as instructed on-site safety rules when traveling to the sites. As a result, the OHS risks are assessed to be low.

3.2.3. Other Labor Risks

3.2.3.1. Child Labor

22. While this is a risk, the use of child laborers as project workers will be prohibited. As previously stated, contractors may need to mobilize unskilled labor from local people. In this case, child laborers may be mobilized for jobs that do not require high qualifications (according to Vietnam's regulations, a child is defined as anyone under the age of 15).

23. Due to limited knowledge, children may suffer from labor abuse, which can harm their psychology, health, and academic performance. However, the risk is assessed to be minor as (i) The experience with World Bank-financed and state-budgeted projects has revealed that no cases of child labor or forced labor have been recorded; (ii) the World Bank and the Government of Viet Nam have strong and comprehensive policies and requirements in place to protect children from

child labor and other forms of abuse; (iii) According to the socio-economic survey findings, no cases of child labor or forced labor were found in the project area; (iv) Contractors will be required to commit to not hiring child labor for project-related jobs as one of the required conditions in the bidding and contractual documents; and (v) the Project owner will work closely with local authorities and other relevant units to strictly monitor and control the contractors' labor use.

3.2.3.2. Labor Influx

24. The project construction activities will mobilize workers on site and from other areas (migrant workers). As a result, social risks related to labor influx are identified as follows:

- Conflicts with local people due to contractors' inappropriate management of their workers and worker camps lead to environmental pollution in the local area (e.g., discharging wastewater, dumping solid waste into rivers, canals, or agricultural land).
- Common health problems are caused by the transmission of communicable diseases, such as eye disease, skin disease, and respiratory infections, and sexually transmitted diseases (STDs) such as HIV/ADIS.
- Increased impacts on local services' ability to respond effectively, such as the health care system, which exacerbates the health problem and disease prevalence, water, and electricity supply.
- Potential conflict between workers and local communities because of differences in cultures, customs, habits, and living activities.
- In addition, gender-based violence (GBV), sexual exploitation and abuse (SEA)/sexual harassment (SH) may occur at sites due to male migrant workers to the project area causing adverse effects on the mental health and liberality of female workers, workers in the construction sites.

25. According to the initial consultation with key staff of the project communes, the majority of migrant workers may be sourced from other areas, therefore the cultural differences will be expected to be moderate. The labor risk due to migrant influx is considered low to moderate. It can be mitigated by including a Code of Conduct (CoC) for workers (Appendix 1) in labor contracts signed by both parties, as well as providing workers with training to raise their awareness of the CoC and the availability of worker GRM for them to ask for solving once any case of noncompliance with the CoC is identified.

3.2.3.3. Labor Disputes Over Terms and Conditions of Employment

26. Labor disputes are common in the infrastructure construction field in Viet Nam. Demand for limited employment opportunities; labor wage rates and payment delays; disagreement over working conditions; and health and safety concerns in the workplace are all potential causes of labor disputes. Additionally, employers such as contractors/subcontractors may retaliate against employees who demand better working conditions, raise concerns about unsafe or unhealthy work environments, or voice any grievances. These kinds of circumstances may result in labor unrest.

27. This risk is assessed to be medium. However, to implement the project's policy on fair labor treatment in accordance with ESS2, project contractors/subcontractors will be required to provide information about employment to their laborers while negotiating to reach an agreement on labor terms and conditions prior to signing labor contracts. Monitoring compliance with the labor

contract terms and conditions and strictly enforcing the GRM for laborers will be effective mitigation measures for resolving labor conflicts during the implementation of the project.

3.2.3.4. Discrimination and Exclusion of Vulnerable/Disadvantaged Groups

28. Vulnerable/disadvantaged groups of people may face an increased risk of being excluded from project-related employment opportunities. Ethnic minorities, women, and people with disabilities will be among these groups. In Viet Nam, men and women do not receive equal pay for equal work. Sexual harassment and other forms of abusive behavior by workers have the potential to jeopardize the safety and well-being of vulnerable workers and local people, as well as have a negative impact on project performance. This will include the possibility of sexual exploitation or harassment during the recruitment or retention of skilled or unskilled female workers for the project. However, project employers, particularly contractors/ subcontractors, will be expected to apply the incentive policies of Viet Nam to create jobs for ethnic minorities, women, and people with disabilities by coordinating with local authorities, such as Women's Unions. As a result, this risk is assessed to be low.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

29. The following is an overview of the key aspects of the Labor Code 2019 with regard to working terms and conditions that address the requirements of ESS2 (paragraph 11). Where there are gaps between national legislation and ESS2, the procedures, terms, and conditions outlined in this LMP will be followed.

30. Labor Code 2019 No. 45/2019/QH14 dated November 20, 2019 is the current legal document that establishes labor standards; rights, obligations, and responsibilities of employees, employers, internal representative organizations of employees, representative organizations of employers in labor relations and other relationships directly related to labor; and state management of labor-related issues.

31. The Labor Code 2019, which replaces the Labor Code 2012, includes the following new aspects:

- Employees at the enterprise have the right to establish or join an organization representing employees of their choice.
- Definition of sexual harassment in the workplace.
- Women are no longer prohibited from doing certain types of work.
- Legal protection is extended to employees who do not have a written employment contract.

32. Besides, the Labor Code 2019 has been updated with the following improvements:

- Better protection from anti-union discrimination and interference in unions.
- Clearer processes and encouragement for collective bargaining.
- Better protection against forced labor and debt bondage.
- Clearer regulations on the employment of minors at different ages.
- Extended coverage and increased professionalism in labor mediation and arbitration.

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33. The aforementioned key legal improvements, along with existing provisions relating to various aspects of labor management contribute to the implementation of ESS2 requirements, as follows:

- **Gender equity and specific requirements for female workers**. The Code of Labor 2019 ensures the principle of gender equality in the field of employment (Article 4) and prevents and fights against sexual harassment in the workplace (Article 135). From a state policy perspective, the state policies ensure necessary measures will be in place to create employment opportunities, improve working conditions, develop occupational skills, provide healthcare, and strengthen the material and spiritual welfare of female employees to assist them in effectively developing their vocational capacities and harmoniously combine their working lives with their family lives (Article 135). As for employers, the Code requires employers to (a) adopt and promote the principle of gender equality in recruitment, job assignment, training, working hours and rest periods, salaries, and other policies (Article 136); and (b) consult with female employees or their representatives when making decisions that affect their rights and interests.
- **Child labor**. The code has provisions that protect employees who are under 18 years of age (the minor). It provided a specific list of jobs and places of work that are not allowed for employees from 15 to under 18, and employees from 13 to under 15 (Article 143). It also provided a guiding principle to ensure the minors are protected (Article 144). Employers who plan to recruit minors under 15 are obliged to follow provisions related to contracting, work time arrangement, and working conditions to ensure the minor workers are safe and the work they undertake does not affect their health and intellectual development (Article 145). The Code also specific the type of work and location of workers where employers are forbidden to engage employees from 15 to under 18 (Article 147).
- **Workers with disabilities**. The Labor Code 2019 protects the rights to work of people with disability and encourages employers to hire workers with disability following regulations on people with disability (Article 158). The Labor Code 2019 also requires employers to assume responsibility for ensuring appropriate working conditions, working tools, and occupational safety and health measures for employees with disability, including conducting regular health check-ups for them. Employers are also required to consult with employees with a disability before making any decision that affects the rights and interests of employees with disability (Articles 159 and 160).
- **Sexual harassment**. First and foremost, sexual harassment was prohibited in the workplace (Article 8). The code provided that the ultimate right of the employee is to be free from sexual harassment at their workplace and as such requires the employers to fight sexual harassment at the workplace (Article 6). This issue of sexual harassment in the workplace could be escalated to topics subjected to collective negotiation (Article 67). To realize this, the employer is prohibited from committing sexual harassment (Article 165) and is required to take action to prevent and fight sexual harassment in the workplace by prescribing steps and procedures to redress sexual harassment at the workplace (Article 6).

34. Along with the Labor Code 2019, other essential laws that aid in the code's execution include the following:

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- Laws:
  - Labor Code No. 45/2019/QH14 dated November 20, 2019;
  - Employment Law No. 74/2025/QH15, dated June 16, 2025;
  - Trade Union Law No. 50/2024/QH15, dated November 27, 2024;
  - Law No. 51/2024/QH15, dated November 27, 2024, amending and supplementing a number of articles of the Law on Health Insurance;
  - Law on Public Employees No. 129/2025/QH15, dated December 10, 2025, effective from July 1, 2026;
  - Law on Social Insurance No. 41/2024/QH15, dated June 29, 2024;
  - Law No. 52/2019/QH14, dated November 25, 2019, amending and supplementing a number of articles of the Law on Cadres and Civil Servants and the Law on Public Employees;
  - Law No. 46/2014/QH13, dated June 13, 2014, amending and supplementing a number of articles of the Law on Health Insurance;
  - Law on Occupational Safety and Health No. 84/2015/QH13, dated June 25, 2015;
  - Law on Persons with Disabilities No. 51/2010/QH12 dated 17 June 2010;
  - Law on Health Insurance No. 25/2008/QH12 dated 14 November 2008;
  - Law on Cadres and Civil Servants No. 22/2008/QH12 dated 13 November 2008.
- Decrees:
  - Decree No. 293/2025/ND-CP, dated November 14, 2025, of the Government, stipulating the minimum wage applicable to employees working under labor contracts;
  - Decree No. 219/2025/ND-CP, dated August 7, 2025, of the Government, regulating foreign workers working in Viet Nam and the recruitment and management of Vietnamese workers working for foreign organizations and individuals in Viet Nam;
  - Decree No. 158/2025/ND-CP, dated July 1, 2025, of the Government, detailing a number of articles of the Law on Social Insurance regarding compulsory social insurance for foreign workers working in Viet Nam;
  - Decree No. 02/2025/ND-CP, dated January 1, 2025, of the Government, amending and supplementing a number of articles of Decree No. 146/2018/ND-CP;
  - Decree No. 73/2024/ND-CP, dated June 30, 2024, of the Government, stipulating the basic salary level and bonus regimes applicable to cadres, civil servants, public employees, and the armed forces;
  - Decree No. 06/2021/ND-CP, dated January 26, 2021, of the Government, detailing certain contents on quality management, construction execution, and maintenance of construction works;
  - Decree No. 145/2020/ND-CP, dated December 14, 2020, detailing and guiding the implementation of a number of articles of the Labor Code regarding working conditions and labor relations;
  - Decree No. 135/2020/ND-CP, dated November 18, 2020, stipulating retirement ages;

- Decree No. 88/2020/ND-CP, dated July 28, 2020, of the Government, detailing and guiding the implementation of a number of articles of the Law on Occupational Safety and Health regarding compulsory occupational accident and occupational disease insurance;
- Decree No. 24/2018/ND-CP, dated February 27, 2018, of the Government, regulating the settlement of complaints and denunciations in the fields of labor, vocational education, overseas employment of Vietnamese workers under contracts, and occupational safety and environmental hygiene;
- Decree No. 44/2016/ND-CP, dated May 15, 2016, detailing a number of articles of the Law on Occupational Safety and Health regarding occupational safety technical inspection, occupational safety and health training, and working environment monitoring;
- Decree No. 39/2016/ND-CP, dated May 15, 2016, of the Government, detailing the implementation of a number of articles of the Law on Occupational Safety and Health.

- Circular:

- Circular No. 19/2023/TT-BLDTBXH, dated December 29, 2023 supplementing the List of heavy, hazardous and dangerous occupations and jobs, and extremely heavy, hazardous and dangerous occupations and jobs.
- Circular No. 18/2021/TT-BLDTBXH dated December 15, 2021 regulates hours of work and hours of rest applicable to workers doing seasonal production work and processing of goods under orders
- Circular No. 11/2020/TT-BLĐTBXH dated 12 November 2020, promulgates a list of arduous, hazardous, and dangerous occupations and works, and extremely arduous, hazardous, and dangerous occupations and works;
- Circular No. 10/2020/TT-BLĐTBXH dated 12 November 2020 elaborating and guiding certain articles of the Labor Code concerning employment contracts, collective bargaining council, and jobs with hazards to reproductive function and children raising;
- Circular No. 09/2020/TT-BLDTBXH dated November 12, 2020, elaborating some articles of the Labor Code on minor workers;
- Others:
  - Directive No. 01/CT-BLDTBXH dated 10 June 2015 on strengthening management and rectification of occupational health and safety n sectors with a high risk of occupational accidents and ensuring safety at construction sites adjacent to residential areas and traffic roads;
  - QCVN 18:2021/BXD: Technical regulation on safety in construction.

35. *Table 2* summarizes key issues of the Labor Code 2019, focusing on the basic wage, payment arrangements, and deductions, working hours, overtime work, rest per week, shifts, and leaves, which include annual leave, sick leave, maternity leave, and other personal/family leave. Although these provisions apply to all types of employees in Vietnam, some are more likely to be applied to specific types of work. Work in shift, for example, is applied to construction workers (contracted workers and main supply workers) rather than direct workers (PPMU's workers).

Table 2: Summarization of key issues of the Labor Code 2019

Key provisions of labor legislation (Code of Labor 2019)	Laws/ Decrees/ Circular	Categories of workers
Basic wage – The basic wage is defined as the lowest payment for an employee who performs the simplest work under normal working conditions. The basic wage is determined on a monthly and hourly basis, as well as by region, and shall be decided by the Prime Minister based on the recommendation of the MOHA and National Wage Council as well. – Application of basic wage is based on the region where the employee lives and can be adjusted upwards based on the employee's qualifications.	– Labor Code 2019 – Decree 293/2025/ NĐ-CP dated 10 Noveber 2025 – Decree No. 145/ 2020/NĐ-CP dated 14 December 2020	– Direct workers, – Contracted workers, – Main supply workers
Payment – Wage should be paid timely, sufficiently, and directly to the employee. – Employers are not allowed to intervene in how their employee's wage is used. – Payment can be made monthly, or fortnightly. – Employers must issue monthly pay statements with details on wages, including pay for overtime, night shift, and deductions if any. – Payment can be made in cash or by bank transfer. In the case of bank transfer, costs related to the opening of bank accounts for employees and transfer fees must be borne by employers. – Overtime wage should be a minimum of 150% for normal days, 200% for weekends, and 300% for national, Lunar New Year holidays. **Deductions:** – No deductions other than those prescribed by the Labor Code, or any other law or collective Labor agreement shall be made from a worker's remuneration, except for repayment of advances received from the employer and evidenced in writing. – The employer shall not demand or accept from workers any cash payments or presents of any kind in return for admitting them to employment, or for any other reasons connected with the terms and conditions of employment.	– Labor Code 2019 – Decree No. 145/ 2020/NĐ-CP	– Direct workers, – Contracted workers, – Main supply workers
Working hours – Normal working hours shall not exceed 8 hours a day and 48 hours a week. – 40 hours per week is recommended by law but employers can agree with workers on a working schedule (by day, by hour, or by week) provided that maximum work time does not exceed 10 hours per day and 48 hours per week. – Overtime work hours should not exceed 50% of the time required for normal work hours per day, and total normal working hours and overtime-working hours should not exceed 12 hours per day and 40 hours per month. – The number of hours per day, and days per week, are established in the contract agreed upon between the employer and employee.	– Labor Code 2019 – Decree No. 145/ 2020/NĐ-CP	– Direct workers, – Contracted workers, – Main supply workers
Overtime work	Labor Code 2019	– Direct

Key provisions of labor legislation (Code of Labor 2019)	Laws/ Decrees/ Circular	Categories of workers
– Overtime work must be agreed upon with employees. – Not exceed 50% of normal working hours per day, and not exceed 200 hours per year. – Female workers who are pregnant from the 7th month or the 6th month if working in highlands, remote areas, border areas, islands, or breastfeeding children under 12 months of age are not allowed to work at night-time, overtime, or travel.		workers, – Contracted workers, – Main supply workers
Rest per week – Employee shall be entitled to rest for at least 24 consecutive hours each week. – In cases where the employee cannot take weekly rest because of work nature, the employer is responsible for ensuring that employees are entitled to at least 04 days off per month, on average.	– Labor Code 2019 – Decree No. 145/ 2020/NĐ-CP	– Direct workers, – Contracted workers, – Main supply workers
Shifts – Night shift is defined to last from 10:00 PM to 6:00 AM the following day. – If the night shift is expected, it should be mentioned in the contract for agreement by contracted workers. – When the night shift is required, work time and relevant rest arrangements, including related payment. – Working time may be varied by season.	– Labor Code 2019	– Contracted workers, – Main supply workers
Annual leave – Employees who work a full 12-month period under normal conditions are entitled to 12 days of paid leave every year. – The minor, or worker with disabilities and those who perform heavy or hazardous duties are entitled to 14 days. – The employer is required to take the initiative in agreeing with the employees on how their annual leave is used and inform the employees of such agreement in advance. **Sick leave** – Employees working in normal working conditions can take sick leave with pay for 30 days per year if they have insurance paid for less than 15 years, 40 days if they have insurance paid for 15-30 years, and 60 days if they have insurance paid for above 30 years. – Employees who work in hazardous conditions or perform heavy labor are entitled to an additional 10 days under the above scheme. – A maximum of 180 days is allowed for long sickness (including holidays, national holidays, and weekends). **Childcare leave** – Maximum 20 working days/year if a child is below 3 years of age. – Maximum 15 working days/year if a child is from 3 to 7 years of age.	– Labor Code 2019 – Decree No. 145/ 2020/NĐ-CP – Law on Social Insurance 2024	– Direct workers, – Contracted workers, – Main supply workers – Direct workers, – Contracted workers, – Main supply workers (contract period of 1 year at least)
Maternity leave		

Key provisions of labor legislation (Code of Labor 2019)	Laws/ Decrees/ Circular	Categories of workers
– Pregnant workers can take maternal leave (6 months) as stipulated by the law and can request extra leave without pay if they need it. – The leave before the confinement shall not be over 2 months. In case a female employee gives birth to twins or more, from the second child onwards, for each child, the mother is entitled to 01 additional month of maternity leave. – During maternity leave, the female employee is entitled to maternity benefits as regulated in the Law on Social Insurance. – Female workers are supported to have equal job and wage opportunities, including health care.	– Labor Code 2019 – Decree No. 145/ 2020/NĐ-CP – Decree 85/2015/NĐ-CP	– Direct workers, – Contracted workers, – Main supply workers
Personal/family leave – Personal leaves are allowed with full pay but with prior notice to employers, as follows: 3 days for the employee's marriage, 1 day for their children's marriage, 3 days in case of death of their parent(s) and parent(s)-in-law.	– Labor Code 2019 – Decree No. 145/ 2020/NĐ-CP	– Direct workers, – Contracted workers, – Main supply workers

36. Furthermore, Vietnam ratified the International Labor Organization (ILO) Conventions. The details can be found in *Table 3*.

Table 3: Vietnam ratification to ILO conventions

Convention	Signed date	Status
C029 - Forced Labor Convention, 1930	05 Mar 2007	In force
C098 - Right to Organize and Collective Bargaining Convention, 1949	5 Jul 2019	In force
C100 - Equal Remuneration Convention, 1951	07 Oct 1997	In force
C111 - Discrimination (Employment and Occupation) Convention, 1958	07 Oct 1997	In force
C138 - Minimum Age Convention, 1973, in which minimum age specified: 15 years	24 Jun 2003	In force
C182 - Worst Forms of Child Labor Convention, 1999 (No. 182)	19 Dec 2000	In force

5. BRIEF OVERVIEW OF OCCUPATION HEALTH & SAFETY LEGISLATION

37. Currently, the key law that is related to OHS in Viet Nam is the Law on OHS No. 84/2015/QH13, dated June 25, 2015. It includes provisions for OHS and applies to both direct and contracted workers, including foreign workers. It aims to ensure that employees work in a safe and healthful environment by establishing and enforcing standards and regulations, as well as defining the rights and responsibilities of employers, employees, and other relevant parties in terms of implementing OSH principles and measures to prevent occupational accidents and diseases.

38. It also specifies prohibited actions and preventative measures that must be taken to protect employees from hazards and risks that are harmful to them. Preventative measures include (a) the

use of information, education, and communication, (b) the provision of training, (c) the promulgation of work regulations, (d) the control of workplace hazards, (e) technical solutions for problem-solving, (f) health care, g) the use of PPE, (h) regular check of machinery, (i) health insurance and entitlements, and (j) some special regulations to ensure the safety of female employees, minor employees, and employees with disability, etc.

39. More specifically, employers are required to implement measures to ensure OSH at the workplace, and the employees must comply with them. The main measures are as follows:

- All types of machinery, equipment, and materials with strict requirements for labor safety, as detailed by the Government from time to time, must be tested and verified before being commissioned for use and must be periodically tested and verified by an organization conducting technical labor safety testing and verification.
- The employers must provide the employees engaged in hazardous work activities with sufficient personal protective equipment and facilities that meet quality standards as provided by the relevant laws, and the employees must use such equipment and facilities during work following the regulations of the MOLISA. The employers must hold training classes on OSH for employees, apprentices, and trainees when they are recruited and when work is assigned to them.
- The employers must arrange periodic health checks for the employees once per year or once per six months.
- The employers are also required to: (i) ensure that the workplaces meet the requirements on spaces, airiness, dust, steam, toxic gas and other harmful factors as prescribed in relevant technical regulations; (ii) ensure safe and hygienic working conditions for machines, equipment and workshops as required by the promulgated or applied national technical regulations or standards on OSH at the workplaces; (iii) check and evaluate dangerous and harmful factors at the workplaces in order to put forward measures to avert and minimize dangers and harm and improve working conditions and healthcare for the employees; (iv) examine and maintain machines, equipment, workshops and warehouses on a periodic basis; (v) display signboards of instructions regarding OHS covering the operation of machines, equipment and the workplaces at easy-to-read and visible locations at the workplaces; and (vi) obtain opinion from the organization representing the labor collective at the grassroots level (trade union or Labor union) when formulating and implementing plans on activities ensuring OHS.
- The employers' obligation to contribute to insurance covering labor accident and occupational disease insurance for the employees covered by the social insurance under the Law on Social Insurance. Vietnamese employees who work under labor contracts with a total term of 03 months or more are entitled to social insurance.
- In addition, the Labor Code also provides obligations for the employers in the event that an employee is victim of a Labor accident or of an occupational disease, as well as the rights and benefit regimes to which the concerned employees are entitled in these cases.
- **The Law on Occupational Health and Safety** (No. 84/2015/QH13), seeks to assure occupational health and safety and introduces policies for victims of labor accidents and

occupational diseases. It also provides state management and rights and obligations of organizations and individuals in occupational safety and hygiene.

- The provisions of this law are applicable to all Vietnamese employers and to all Vietnamese employees (including Vietnamese employees working aboard under contracts) and foreign employees who are working in Vietnam, and also to all different sectors and industries.
- More particularly, this law regulates the employers' obligation to contribute to insurance covering Labor accident and occupational disease insurance for the employees covered by the social insurance under the Social Security Law. Vietnamese employees who work under the Labor contracts with a total term of 03 months or more are entitled to social insurance.

40. Thus, when a Vietnamese employee working in Vietnam, who contributed to social insurance, is injured or becomes ill, or even dies during his or her employment, all related costs such as payment for being unable to work, retraining, and even lump-sum amounts for permanent impairments or death, are covered by the Social Insurance Fund of Vietnam as regulated under the Labor Code, Law on Occupational Health and Safety, the Social Security Law, etc.

6. RESPONSIBLE STAFF

41. **MOHA/DOHA.** Enforcement of the Labor Code is the responsibility of the Ministry of Home Affairs (MOHA) and each Department of Home Affairs (DOHA) in each province.

42. **An Giang PPMU**. The PPMU will be responsible for overall project management and coordination of the project, including compliance with ESF requirements including labor and working conditions. The PPMU will hire consultant(s) with expertise in environmental, social, occupational health, and safety issues. The PPMU will be responsible for the following tasks relevant to labor and working conditions:

(i) Undertake the overall implementation of this LMP.

(ii) Engage and manage direct workers, contractors/subcontractors, and ensure these project workers are managed and follow all the requirements mentioned in this LMP.

(iii) Ensure that contractors prepare their labor management procedures (Contractor's LMP) in compliance with this LMP for An Giang PPMU's review and approval before allowing the contractor to proceed with staff mobilization to the project site.

(iv) Conduct regular monitoring[2] and evaluation of contractors/subcontractors' performance as to this LMP, and relevant provision required in the project's ESMP and procurement documents.

(v) Maintain oversight of potential risks related to child labor, forced labor, sexual exploitation, and abuse (SEA)/sexual harassment (SH), and contract management of the contractors and subcontractors as to their staff, including primary supply workers.

[2] The PPMU shall establish resources and procedures for managing and monitoring the performance of the contractor in relation to the LMP. The PPMU will ensure that the contract with the construction and supervision consultants explicitly set out their monitoring responsibility for the contractor's performance on labor and working conditions on a daily basis. The monitoring may include, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by the contractor. For more details, see Chapter 11 "Contractor Management".

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(vi) Conduct training of relevant project workers on key issues mentioned in this LMP for their respective management responsibilities.

(vii) Ensure that the grievance mechanism for project workers is established and implemented and that workers are informed of it.

(viii) Monitor the implementation of the Workers' Code of Conduct and Code of Conduct related to GBV/SEA/SH.

(ix) Report regularly the performance of labor and OHS to the World Bank.

43. **CSC.** An Giang PPMU will recruit the CSC to be responsible for supervising the implementation of the civil works of contractors/subcontractors as well as overseeing the implementation and management of E&S instruments. They will oversee the performance of contractors/subcontractors on labor and working conditions daily on behalf of the PPMU, which will be explicitly set out in their contract. The CSC will employ qualified expert(s) for such oversight and report on performance to the PPMU.

44. **The Contractor/subcontractors**. The contractor will be responsible for the followings:

(i) Employ or appoint qualified staff to undertake necessary actions and measures to ensure labor-related issues, such as occupational safety and health expert(s) to manage OSH issues.

(ii) Prepare an LMP (Contractor's LMP) and an ESMP (Contractor's ESMP) including OSH regulations[3] which will apply to their contracted workers who work on the project.

(iii) Submit Contractors' LMP and ESMP to the PPMU for review and approval prior to commencing staff mobilization to the project site for the awarded assignments.

(iv) Supervise subcontractors' construction works, including their implementation of the Contractor's LMP and ESMP.

(v) Maintain recruitment and employment records for contracted workers (including subcontractors), including documentation that verifies minimum labor age as outlined in this LMP.

(vi) Provide regular training to contracted workers on issues, but not limited to, such as occupational safety and health, and other social risks such as GBV/SEA/SH, code of conduct to maintain a good relationship with the local community, etc.

(vii) Require primary suppliers to identify and address risks of child labor, forced labor, GBV/SEA/SH, and occupational safety and health for primary supply workers.

(viii) Develop and implement the grievance mechanism based on the GRM set forth in this LMP for contracted workers, including ensuring that grievances received from their contracted workers are resolved promptly, and reporting the status of grievances and resolutions to CSC and An Giang PPMU. This grievance mechanism will be part of the Contractor's LMP.

(ix) Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct before the commencement of project components.

[3] The Contractor's LMP and the Contractor's ESMP may be prepared as separate documents or integrated into a single document.

(x) Implement all necessary measures to address the risks of sexual exploitation and GBV/SEA/SH as specified in the contractor's LMP/C-ESMP and ensure full implementation of these measures.

(xi) Report timely to PPMU any accidence that happened in their construction workplace and on the performance of labor and occupational safety and health.

7. POLICIES AND PROCEDURES

45. The project will apply the following policies and procedures to address the key labor risks identified under Section 3:

(i) **For OHS risks:** Pursuant to the relevant provisions of the Labor Code 2019 (Articles 132-134 under Chapter IX on OHS); ESS2 (including WBG EHSGs); the Project's ESMP and WB standard procurement documents[4], the contractor shall manage all construction sites in such a way that the workers and the community are properly protected against possible OHS risks. Key elements of OHS measures should include (a) identification of potential hazards to workers; (b) provision of preventive and protective measures; (c) training of workers and maintenance of training records; (d) documentation and reporting of occupational accidents and incidents; (e) emergency preparedness; and (f) remedies for occupational injuries and fatalities.

(ii) **For child labor risks.** To prevent the risks of child labor, the minimum age of workers eligible for any type of work under this project, including construction work, will be set at 18. The project work is not encouraged for people over the age of 15 to under the age of 18. Provisions requiring compliance with the minimum age requirements, as well as penalties for noncompliance, must be included in all contracts between the An Giang PPMU and contractors. The contractor is required to keep a labor registry of all contracted workers, along with supporting documentation confirming their verification of workers' age.

(iii) **For labor influx risks**. To minimize the influx of labor and their dependents to the project area, all contractors will be required to prioritize recruiting unskilled workers from local communities. In addition, before the start of work, all contracted workers will be required to sign an individual working contract and the code of conduct for workers with their employer. This includes provisions for dealing with the GBV/SEA/SH risk (see details in *Annex 2*). Relevant training will be provided to project workers regarding their expected behaviors concerning local community culture, customs, and habits.

(iv) **For risks on labor disputes over terms and conditions of employment.** To avoid labor disputes, the project's workers will be subjected to fair terms and conditions (see details in Chapter 9). The project will put in place a GRM for project workers (direct and contracted workers) to promptly address their grievances at the workplace (more details are provided in Chapter 10). Further, workers' rights of labor unions and freedom of association under the Labor Code 2019 (Chapter XIII-Trade Union) will be observed.

[4] The WB's standard procurement document for work is likely to be used for construction works of the PQSWM Project, which will include relevant OHS provisions, such as the appointment of ESHS officer, development of Contractor-ESMP, compliance with OHS measures and reporting, and the use of CoC.

(v) **For risks of discrimination and exclusion of vulnerable/disadvantaged groups.** To address the risk of discrimination, the employment of project workers will be based on the principles of equal opportunity and fair treatment. Discrimination based on employment relationships, such as recruitment, employment conditions (including salary and benefits), termination, and access to training will be forbidden. Additionally, to address the risk of vulnerable/disadvantaged groups (such as women and people with disabilities) being excluded from employment opportunities, contractors will be required to employ such groups as part of their unskilled workforce. Moreover, contractors will also be required to follow the Labor Code 2019 (Chapter X) on gender equity in the workplace, which includes providing maternity leave and nursing breaks, as well as adequate and suitable toilet and washing facilities for female workers. Besides, contractors will also be required to have regulations and measures in place to protect female workers from sexual exploitation or harassment in connection with the project's recruitment or retention of skilled or unskilled female workers.

46. **Monitoring and reporting**. Every month, contractors shall report to the An Giang PPMU and CSC regarding the state of implementation of the aforementioned policies and procedures. The PPMU and CSC will closely monitor the occupational health and safety performance of the contractors/subcontractors and report to the World Bank on a quarterly basis (see Chapter 11 for the details).

47. **Fatality and serious incidents.** In the event of an occupational fatality or serious injury, the PPMU shall report to the Bank as soon as becoming aware of such incidents and inform the government authorities (where available) per national reporting requirements (the Labor Code 2019, Chapter XV). Furthermore, the PPMU or the contractor (as applicable) will be required to conduct a root cause analysis to design and implement further corrective actions.

48. The summary of procedures to implement the policies is presented in *Table 4.*

Table 4: Overview of project policies and indicative procedures to address key labor risks

Key labor risks	Policies to address risks	Procedures to back up the policy
1. OHS risks	• In conformity with OHS requirements as set out in the Labor Code (Chapter IX Articles 133-134), ESS2 (including WBG EHSGs), the Project ESMP, and WB standard procurement documents.	• Select legitimate and reliable contractors through screening OHS records. • Address adequately OHS risks with non-compliance remedies in procurement documents. • Require the contractor to engage qualified OHS staffing. • Enhance workplace OHS awareness and training. • Provide materials for handwashing and hygiene at work sites. • Provide masks in case of infectious disease outbreaks. • Conduct routine monitoring and reporting.
2. Child labor	• Set the minimum age of project workers eligible for any type of work (including construction work) at 18 years. • Allow the engagement of	• Include minimum age in procurement documents. • Raise awareness on child protection with contractors and in the communities. • Maintain labor registry of all contracted workers with age verification.

Key labor risks	Policies to address risks	Procedures to back up the policy
	project workers between the age of 15 and under 18 years only for non-hazardous work that would not interfere with the child's education and is not harmful to the child's development in accordance with ESS2.	• Develop remedial procedures to deal with child labor incidents.
3. Labor influx	• Minimize the labor influx by prioritizing the local workforce. • Minimize labor-related risks to the community through the required compliance with the CoC, including GBV/SEA/SH.	• Require the contractor to preferentially engage the unskilled local workforce from the local communities. • Make all contracted workers sign a code of conduct, including the prevention of GBV/SEA/SH. • Make all contracted workers follow the rules for on-site behavior (with colleagues) and conduct in the community. • Conduct induction and toolbox talks outlining expected conduct and local community values. • Introduce disciplinary measures for violations and misbehaviors.
4. Labor disputes	• Respect the Labor Code and promptly address workplace grievances to minimize the risk of labor disputes.	• Provide workers with contracts with fair terms and conditions. • Have grievance mechanisms in place to promptly address workplace concerns. • Respect the national Labor Code on workers' rights of labor unions and freedom of association.
5. Discrimination and exclusion of vulnerable or disadvantaged groups	• Promote no discrimination and equal opportunity concerning any aspects of the employment relationship.	• Require the contractor to employ vulnerable groups as part of the unskilled workforce. • Provide maternity leave and nursing breaks where relevant. • Arrange sufficient and suitable toilet and washing facilities, separate for men and women workers. • Require the contractor to address potential sexual exploitation or harassment in the recruitment or retention of skilled or unskilled female workers. • Require non-discrimination and harassment and should be socialized/basis for training and cover potential ethnic discrimination.
6. Security risks	• Take appropriate and proportionate security measures to minimize the potential risk to the workers.	• Arrange security protection to be determined by security authorities to address external security risks (such as terrorism and armed insurgency). • Restrict work hours to minimize security threats. • Maintain the profile of the site and workers. • Address internal security risks associated with the deployment of security personnel on the community and

Key labor risks	Policies to address risks	Procedures to back up the policy
		project workers in line with the WB's Good Practice Note "Assessing and Managing the Risks and Impacts of the Use of Security Personnel" (such as the training of security officers on the principles of proportionality in the use of force).

8. AGE OF EMPLOYMENT

49. **Age limitation for hazardous work.** As previously stated, the Labor Code 2019 (Articles 143-147, Section 1, Chapter 1) prohibits the use of employees under the age of 15, except for professions and jobs defined by MOLISA. Similarly, ESS2 (para 19) sets out further conditions on the minimum age, stating that a child over the minimum age and under the age of 18 will not be employed or engaged in connection with the Bank-financed project in a manner that is likely to hazardous[6] or interfere with the child's education or be harmful to the child's health or physical, mental and any other relevant development. Taking into account the requirements of both Viet Nam and WB, the minimum age for hazardous work under the project (including construction) will be set at 18 (for example, work with dangerous machinery, equipment, or tools; work with handling or transport of heavy loads; or work at height).

50. **Minimum age for project workers**. The Labor Code 2019 and ESS2 both allow people under the age of 18 and over the age of 15 to be employed for the project if the work is non-hazardous, does not interfere with the child's education, and is not harmful to the child's development (for example, administrative work, site cleaning or waste removal). Taking this into consideration, the minimum age for project workers performing non-hazardous labor will be set at 15, whereas the minimum age for project workers performing construction work will be set at 18.

51. **The process of age verification**. To address the risk of child labor, all work contracts should include contractual provisions to comply with the minimum age requirements, as well as penalties for noncompliance. This information will be widely disseminated to all potential stakeholders, including the local community where the unskilled workforce will be sourced. Contractors will be required to identify and verify the age of all workers, as well as keep a labor registry of these workers with age information. Prior to the engagement of labor, age verification shall be performed and documented using the workers' ID, birth certificate, or other relevant legal documents. If it is discovered that a minor under the minimum labor-eligible age is working on the project, appropriate measures will be taken to immediately terminate the minor's employment or engagement responsibly, considering the minor's best interests.

9. TERMS AND CONDITIONS

52. **Direct workers.** The terms and conditions for direct workers of An Giang PPMU working for this project will be governed by the WB's consultancy standard, which sets higher standards than the Labor Code and this LMP.

53. **Contracted workers.** The Labor Code 2019 governs the employment terms and conditions of contracted workers. In addition, relevant decrees and circulars issued under the Labor Code 2019, as well as this LMP, will apply to contracted workers of this project.

54. **Provision of the written individual work contract.** A written individual work contract shall be provided to workers that specify the following: (a) name of workers; (b) address, occupation, age, and sex of workers; (c) nature and duration of the contract; (d) working hours, overtime work and place of work; (e) annual leave and sick leave; (f) remuneration payable (basic wage, bonus, etc.) to the worker; and (g) procedures for suspension or termination of the contract. Depending on the origins of the employer and the employee, employment terms and conditions will be communicated in a language that both parties understand. Workers who may have difficulty understanding the documentation will be given an oral explanation of their working conditions and terms in addition to written documentation.

55. **Notice for termination of the contract**. According to the Labor Code 2019 (Article 35), the employee may terminate a work contract by giving written notice: (a) at least 45 days if employed under an indefinite term employment contract; (b) at least 30 days if employed under a definite employment contract with a term of between 12 months and 36 months; and (c) at least 03 working days if working under a definite term employment contract with a term of fewer than 12 months.

56. **Minimum wage**. The minimum wage shall be determined on a monthly and hourly basis, and by region. The minimum wages shall be decided and announced by the Prime Minister based on the recommendation of the MOLISA (now MOHA) and National Wage Council. The minimum wage of employees in An Giang province shall apply to project employees and will be adjusted upwards based on employees' qualifications. Prevailing market rates will be identified for each type of work and work requirements.

57. **Working hours.** The normal number of working hours for project workers shall not exceed 8 hours a day, and 48 hours a week. The government encourages employers to adopt 40-hour-per-week schedule**,** but employers can agree with workers on a working schedule (by day, by hour, or by week) provided that maximum work time does not exceed 10 hours per day and 48 hours per week. Overtime working hours should not exceed 50% of the time required for normal work hours per day, and total normal working hours and overtime working hours should not exceed 12 hours per day and 40 hours per month. The number of hours per day, and days per week, are established in the contract agreed upon between the employer and employee.

58. **Night shifts.** For contracted workers, they may be required to work overtime, including night shifts, depending on the nature of the project and the progress of construction. Night shift (from 10:00 PM to 6:00 AM the following day) is allowed under Labor Code 2019, but it will not be encouraged under the project. If a night shift is required, for example, to meet project timelines, it should be discussed and agreed upon in advance with the workers. If a night shift is envisaged as a possibility, it should be specified in the contract for acceptance by the workers.

59. **Arrangement for night shifts.** When the night shift is required, work time and relevant rest arrangements, including related payment, have to be under the Code of Labor 2019, and relevant applicable Decrees and Circulars. Their work time arrangement may be varied by season (wet season versus dry season) to meet the quality and progress of the works.

60. **Rest per week**. Employees are entitled to rest for at least 24 consecutive hours. In some special cases, owing to the labor cycle, if employees cannot take weekly rest, employers are responsible for ensuring that their employees are entitled to 4 days off per month on average.

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61. **National holidays and New Year holidays:** Workers shall be entitled to a total of 11 public days a year.

62. **Annual leave.** Project workers who have completed a full 12-month work shall be entitled to 12 days of leave with full pay for every year. The minor or worker with disabilities and those who perform heavy or hazardous duties are entitled to 14 days. The employer is required to take the initiative in agreeing with the employees on how their annual leave is used and inform the employees of such agreement in advance.

63. **Maternity leave.** A female worker shall be entitled to 6 months of maternity leave before and after her confinement. The leave before the confinement shall not be over 2 months. In case a female employee gives birth to twins or more, from the second child onwards, for each child, the mother is entitled to 01 additional month of maternity leave. During maternity leave, the female employee is entitled to maternity benefits as regulated in the law on social insurance.

64. **Personal leave.** Personal leaves are allowed with full pay but with prior notice to employers, including 3 days for their marriage, 1 day for their children's marriage, and 3 days in case of death of their parent(s) and parent(s)-in-law.

65. **Female workers.** The 2019 labor code includes provisions to encourage women's participation in the labor force while also protecting them at work. Employers are required to consult with female employees on issues concerning their rights and benefits, such as appropriate bathroom and toilet facilities at the workplace. Pregnant workers can take maternal leave (6 months) as stipulated by the law and can request extra leave without pay if they need it. Decree 85/2015/ND-CP includes provisions to support female workers, such as equal job opportunities, pay, and health care. Female workers will be paid the same as male workers for the same work, without any discrimination.

66. **Payment arrangement**. The wage should be paid timely, sufficiently, and directly to the labor. Employers are not allowed to intervene in how the wage is spent. Payment can be made monthly or fortnightly. The wage for overtime should be a minimum of 150% of the rate for a normal day, a minimum of 200% of the rate for weekends, and 300% for national, Lunar New Year holidays. Employers must issue monthly pay statements with details on salary, including pay for overtime, night shift, and deductions. Payment can be made in cash or by bank transfer. In the case of bank transfer, costs related to the opening of a bank account for employees and transfer fees must be borne by employers.

67. **Deductions from remuneration.** Except for repayment of advances received from the employer and evidenced in writing, no deductions other than those prescribed by the Labor Code or any other law or collective labor agreement shall be made from a worker's remuneration. Contractors shall not demand or accept any cash payments or gifts of any kind from employees in exchange for admitting them to employment or for any other reason related to the terms and conditions of employment.

68. **Death benefit**. In case of the death of a worker during his contract of employment, the employer shall pay to his heirs an amount equivalent to 30 months' wages.

69. **Medical treatment of injured and sick workers.** Employers will be responsible for paying the copay; expenses not on the list covered by health insurance for employees who participate in

the health insurance scheme; and all medical expenses for employees who do not participate in the health insurance scheme.

70. **Collective agreements**. A collective agreement is an agreement regarding the terms and conditions of employment reached between the representatives of one or more trade unions and the representatives of one or more employers. Where there is a collective agreement in place between the employer and project workers, it will be followed where relevant.

10. GRIEVANCE REDRESS MECHANISM

10.1. General Principles

71. For this project, a GRM will be in place to address the concerns of project-affected parties. However, the nature of workers' workplace concerns is typically different, such as demand for employment opportunities; labor wage rates and payment delays; disagreement over working conditions; and health and safety concerns in the workplace. As a result, to meet the requirements of ESS2, a separate GRM will be developed for project workers.

72. Grievances should be handled objectively, promptly, and in response to the needs and concerns of the aggrieved workers. It should be possible for employees to submit grievances in a variety of ways, including in person, via phone, text message, mail, and email. The grievance should be recorded and acknowledged within a day. Despite the fact that the timing for remedy will depend on the nature of the grievance, health, and safety concerns in the workplace and other critical matters should be resolved immediately. When a grievance cannot be resolved within a reasonable timeframe, the worker should be notified in writing so that he or she might consider filing a claim with the state's labor inspection agency (see below for more details). In addition, the mechanism will enable anonymous complaints to be made and addressed. Individuals who submit comments or complaints may request that their identities remain confidential. The mechanism will incur no cost ensure no retribution; and will not prevent access to judicial or administrative remedies.

73. **Concerns of direct workers**: Periodically, An Giang PPMU will organize team meetings to discuss any workplace issues. Direct workers' complaints will be documented along with the PPMU's remedy actions. The summary of grievance cases will be reported to the WB as part of progress reports. If an aggrieved direct worker wishes to escalate his issue or raise his concern anonymously and/or to someone other than his line manager/PPMU, he may do so with relevant provincial authorities (e.g., DOHA).

74. **Concerns of contracted workers**. At the end of each working day, the site manager and the OHS officer (or any other appropriate officer) of contractors will hold a team meeting with all on-site contracted workers to discuss any workplace complaints. Any grievance will be recorded with the contractor's response. The summary of grievance cases will be included in the contractor's periodic report to the PPMU and CSC. When suitable and available, contracted workers should be permitted to use a GRM already in place within their contractor. If the aggrieved workers prefer to escalate their issues or voice their complaints anonymously or to someone other than their immediate supervisor, they may do so with the PPMU and/or the CSC. Prior to the start of work, contracted workers will be informed of the labor GRM. Contact information for the PPMU and/or the CSC will be provided to contracted workers.

75. **State Inspection on Labor, Sanctions Against Violations of Labour Legislation.** According to the Labour code, the labor inspector is responsible for receiving and resolving employee complaints and denunciations of labor law violations as prescribed by law.

76. **Grievance Handling Procedure.** The section provides different scenarios with responsibilities of grievances relating to the complaint handling linked to labor issue. The key purpose of this exercise is to present the GRM process in an effective and user-friendly manner.

Table 5: GRM Procedures for Complaint Handling Process

Steps	Complainants	GRM Functions	Timeframe
Community level GRM/mediation: The Affected Person (AP)/workers/complainant (or his/her representatives) may submit his/her complaint in several ways e.g., by written letter, phone, SMS messages, and email to the GRM or raise his/her voice in a public or individual meeting with project staff.			
1	Submission of complaint to the local or community level GRM/mediation	– Conduct public consultations among the affected communities to use grievance services. – Register a grievance in the project logbook and grievance database. – Segregate/sort and process. – Acknowledge and follow up on the grievance. – Verify investigate, and act. – Provide a written response to the complainants.	7- 14 days
Project or Site level GRM: (a) **Project Level GRM:** If resolution at local/community level is unsuccessful, or the Affected Person (AP) can take his or her complaint to project level GRM.			
2	Submission of grievance to the project level GRM through one of the channels	– Conduct coordinating meetings among complainants/public and appropriate administration levels. – Provide a written response to the complainant. – Provide a written response to the complainant	15 days
(b) **GRM for Workers:** 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 of addressing grievances by workers, including workplace complaints efficiently and effectively to meet national regulations on labor and World Bank ESS2.			
3	Workers or labor association will submit their grievances to the GRM for Workers through one of the channels	– Refer workers-related complaints to the Workers GRM (See Section 10.2 for more details)	7 days
Provincial Level GRM: In case the grievance is not resolved within 10 days of its receipt, or it is unattended, the complainant can approach the provincial level GRM or the court. The grievance will be examined and addressed within 30 days.			
4	Workers, labor associations, or the AP can refer the complaint to the provincial GRM	– Conduct coordinating meetings/ resolution sessions with complainants. – Investigate the complaints. – Provide a written response to the complainants.	30 days

Steps	Complainants	GRM Functions	Timeframe
Referee Level: If all the above fails, the last recourse is the stipulations in the Labor Code.			

10.2. Grievance Mechanism

77. The workers' grievance mechanism will be kept on the same page as the current national regulations on the workers' GRM. Before the start of the work, the PPMU will require contractors to develop and implement a grievance mechanism for their workforce, including subcontractors. The following items will be included in the contractor/subcontractor workers' grievance mechanism:

- Ways to receive grievances such as comment/complaint forms, suggestion boxes, email, and a telephone hotline.
- Stipulated timeframes to respond to grievances.
- Register to record and track the timely resolution of grievances.
- Responsible unit to receive, record, and track resolution of grievances.

78. The CSC will monitor the contractors' recording and resolution of grievances, and report these to the PPMU in their monthly progress reports. The process will be monitored by the GRM focal point. The workers' grievance mechanism will be provided to all project workers during staff induction training.

79. The mechanism will be based on the following principles:

- The procedure will be open and transparent, allowing employees to express their concerns and file grievances.
- There will be no discrimination against those who express their grievances, and all grievances will be treated confidentially.
- Anonymous grievances will be treated the same as those with a known origin.
- Grievances will be taken seriously, and appropriate response action will be taken promptly.
- All project workers (direct and contracted) will have easy access to information about the grievance mechanism via notice boards. As needed, "suggestion/complaint boxes" and other methods will be available.

80. **Grievance handling procedure.** The following procedure will be proposed to deal with workers' grievances of this project in a clear and user-friendly manner:

- *For the first-time complaint*: Employees can file complaints with their employers. Within 7 working days, the employer must notify the complainant (in writing) of the receipt of the complaints and the status of the complaint processing. The employer must decide within 30 days [45 days for difficult areas] of the receipt date. The decision must be sent to the complainant within three working days of the date the complaint decision is issued.
- *For the second-time complaint*, workers can file a complaint with competent agencies (DOHA) within 30 days (45 days for difficult areas) of receiving the decision on their complaint or when the prescription for the first-time complaint expires. Within 7 working days, the DOHA must inform (in writing) the complainant of the receipt of the complaints and the status of the complaint processing. In 45 days [60 days for difficult areas] from the

receipt date, DOHA must issue a decision. The decision must be sent to the complainant in 03 working days from the date when the complaint decision is issued.

- If the complainant disagrees with the complaint decision for the first or second time, they have the option of bringing the case to the Court within 30 days of the decision being issued. If the complainants accept the decision, it will be implemented by the relevant parties.

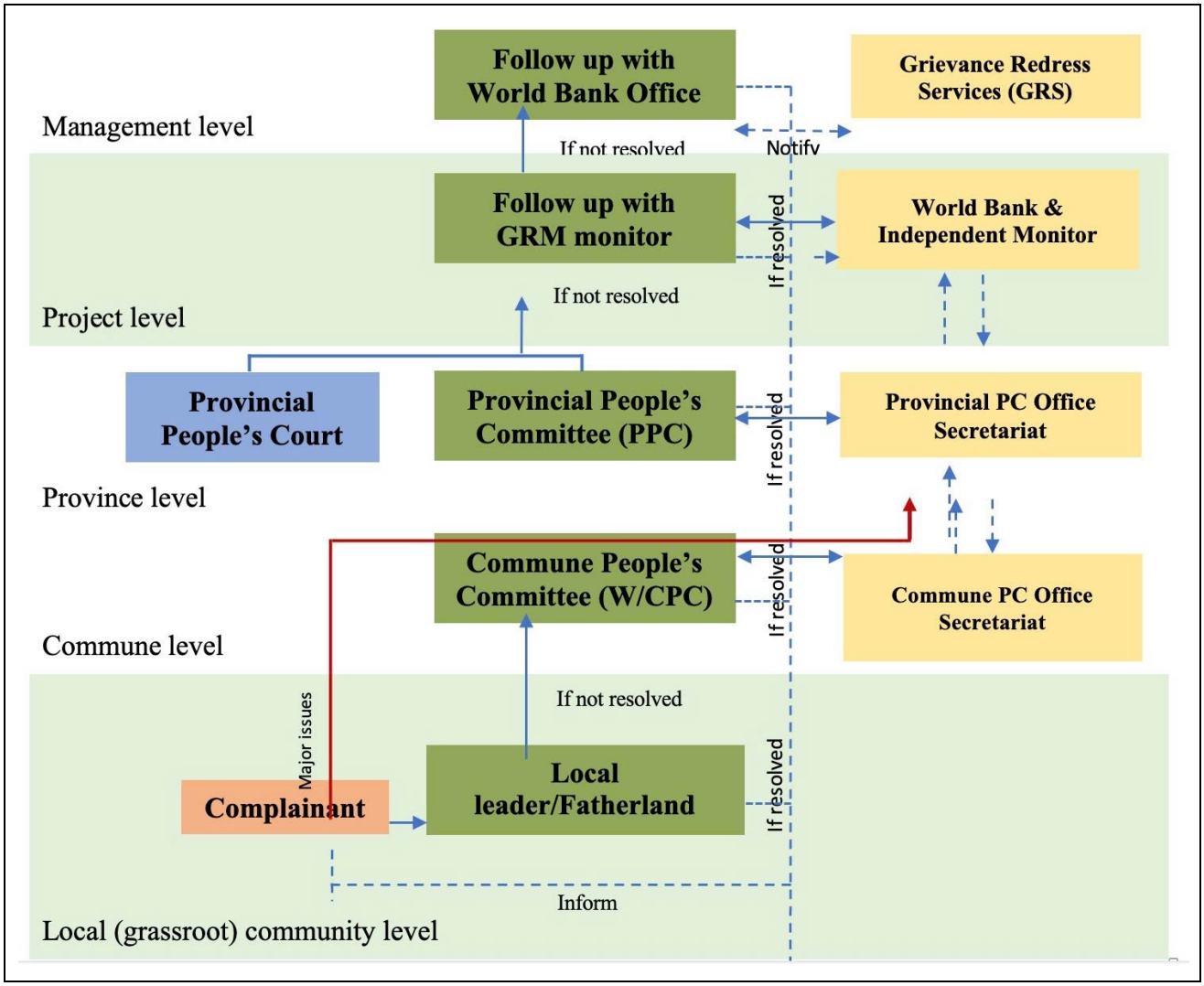


Figure 1: Grievance procedure for the project

10.3. Grievances Related to Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)

81. To avoid the risk of stigmatization, exacerbation of the mental/psychological harm, and potential reprisal, the GRM shall have a different and sensitive approach to GBV/SEA/SH-related cases with a focus on GBV/SEA/SH and Violence against children (VAC).

82. The PPMU will finalize the Codes of Conduct (CoC) on SEA in line with the project design and work closely with the responsible team to incorporate it as a separate section of the contractor contract. Results from the implementation will be included in the project progress report.

The GBV/SEA/SH and VAC Compliance Team

83. The project shall establish a 'GBV/SEA/SH and VAC Compliance Team' (GCCT). The GCCT will include, as appropriate to the project, at least four representatives ('Focal Points') as follows:

- An E&S specialist from the PPMU;
- The occupational health and safety manager from the contractor5, or someone else tasked with the responsibility for addressing GBV/SEA/SH and VAC with the time and seniority to devote to the position;
- The supervision consultant; and,
- A representative from a local service provider with experience in GBV/SEA/SH and VAC (the 'Service Provider').

84. It will be the duty of the GCCT with support from the management to inform workers about the activities and responsibilities of the GCCT. To effectively serve on the GCCT, members must undergo training by the local service provider prior to the commencement of their assignment to ensure that they are sensitized on GBV/SEA/SH and Child Protection.

85. The GCCT will be required to:

- Approve any changes to the GBV/SEA/SH and VAC Codes of Conduct contained in this document, with clearances from the Supervision Consultant for any such changes.
- Prepare the Action Plan reflecting the CoC which includes:
  - GBV/SEA/SH and VAC allegation procedures,
  - Accountability measures,
  - An awareness-raising strategy,
  - A response protocol.
- Obtain approval of the Action Plan by company management;
- Obtain the PPMU clearances for the Action Plan prior to full mobilization;
- Receive and monitor resolutions and sanctions with regard to complaints received related to GBV/SEA/SH and VAC associated with the project; and,
- Ensure that GBV/SEA/SH and VAC statistics in the GRM are up to date and included in the regular project reports.

86. The GCCT shall hold quarterly update meetings to discuss ways to strengthen resources and GBV/SEA/SH and VAC support for employees and community members.

87. The Action Plan and CoC shall be submitted for review to the CSC within 90 days from the contract signature date. Works will not commence unless the Engineer is satisfied with the measures in place, including the plan and codes. Failure to comply with such obligation should provide grounds for contract suspension cancellation – this shall be determined at the sole discretion of the contracting entity, whilst the intention to cancel the contract shall be notified to the World Bank team within 60 days from the proposed cancellation date.

GBV/SEA/SH and VAC allegation procedures

88. All staff, volunteers, consultants, and sub-contractors are encouraged to report suspected or actual GBV/SEA/SH or VAC cases. Managers are required to report suspected or actual

[5] Where there are multiple contractors working on the project each shall nominate a representative as appropriate.

GBV/SEA/SH and/or VAC cases as they have responsibilities to uphold company commitments and they hold their direct reports accountable for complying with the Individual Code of Conduct.

89. The project will provide information to employees and the community on how to report cases of GBV/SEA/SH and VAC Code of Conduct breaches through the GRM. The GCCT will follow up on cases of GBV/SEA/SH, VAC, and Code of Conduct breaches reported through the GRM.

Addressing complaints about GBV/SEA/SH or VAC

90. *Figure 2* shows the process for addressing complaints related to GBV/SEA/SH and VAC.

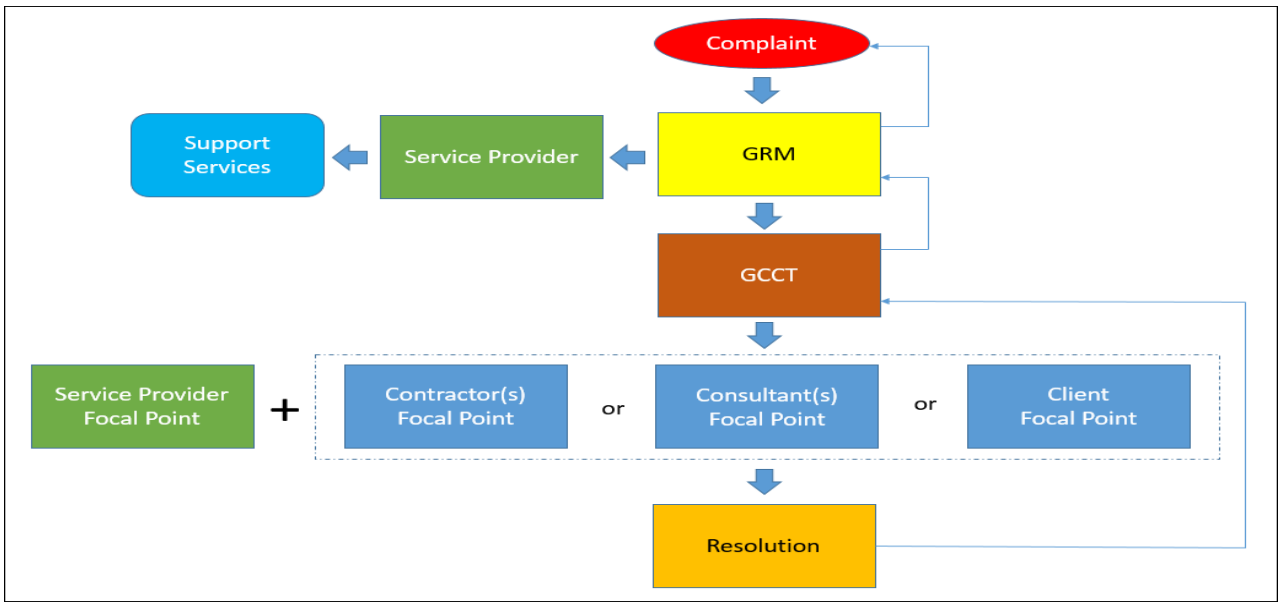


Figure 2: Process for addressing complaints related to GBV/SEA/SH and VAC

91. The project operates a GRM. Reports of GBV/SEA/SH or VAC, other complaints, or other concerns may be submitted online, via telephone or mail, or in person.

92. The GRM operator will refer complaints related to GBV/SEA/SH or VAC to the GCCT to resolve them. In accordance with the Action Plan, the GCCT through the Service Provider and Focal Point(s) will investigate the complaint and ultimately provide the GRM operator with a resolution to the complaint, or the police if necessary. The GRM operator will, upon resolution, advise the complainant of the outcome, unless it was made anonymously. Complaints made to managers or the Service Provider will be referred by them to the GRM for processing.

93. If the complaint to the GRM is made by a survivor or on behalf of a survivor, the complainant will be directly referred to the service provider to receive support services while the GCCT investigates the complaint in parallel.

Service Provider

94. The Service Provider is a local organization (possibly an NGO) that has the technical experience and ability to provide training to staff and to support survivors of GBV/SEA/SH or VAC. The contractor(s) will contract the services of a Service Provider so that GBV/SEA/SH and VAC cases can safely be referred to them. The Service Provider will also provide support and guidance to the GBV/SEA/SH and VAC Focal Points as necessary. The Service Provider will have a representative on the GCCT and be involved in resolving complaints related to GBV/SEA/SH or VAC. The service provider will develop and conduct mandatory training for employees on GBV/SEA/SH and VAC.

GBV/SEA/SH and VAC Focal Point

95. The GCCT will refer the complaint to the appropriate focal points for resolution (i.e. issues with the contractor's staff will be for the contractor to resolve; the consultant's staff the consultant; and PPMU's staff) and will advise the GCCT on potential resolutions, including referral to the police if necessary. They will be assisted by the Service Provider as appropriate.

96. All the focal points on the GCCT must be trained and empowered to resolve GBV/SEA/SH and VAC issues. All staff of the GRM and GCCT must understand the guiding principles and ethical requirements of dealing with survivors of GBV/SEA/SH and VAC. All reports should be kept confidential and referred immediately to the service provider represented on the GCCT[6]. In GBV/SEA/SH and VAC cases warranting police action, the focal points must appropriately refer the complaint to (i) the authorities; (ii) the service provider; and, (iii) management for further action. The employer and the WB are to be immediately notified.

Accountability Measures

97. All reports of GBV/SEA/SH or VAC shall be handled in a confidential manner in order to protect the rights of all involved. To ensure that survivors feel confident to disclose their experience of GBV/SEA/SH or VAC, the PPMU, contractor, and consultant must maintain the confidentiality of employees who notify any acts or threats of violence, and of any employees accused of engaging in any acts or threats of violence (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law). The contractor and consultant must prohibit discrimination or adverse action against an employee on the basis of the survivor's disclosure, experience, or perceived experience of GBV/SEA/SH or VAC.

Monitoring and Evaluation

98. The GCCT must monitor the follow-up of cases that have been reported and maintain all reported cases in a confidential and secure location. Monitoring must collect the number of cases that have been reported and the share of them that are being managed by police, NGOs, etc.

99. These statistics shall be reported to the GRM and the CSC for inclusion in their reporting.

100. In GBV/SEA/SH and VAC cases warranting police action, the PPMU and the WB are to be immediately notified.

Awareness-raising Strategy

101. It is important to create an awareness-raising strategy with activities aimed at sensitizing employees on GBV/SEA/SH and VAC on the work site and its related risks, provisions of the GBV/SEA/SH and VAC Codes of Conduct, GBV/SEA/SH and VAC Allegation Procedures, Accountability Measures and Response Protocol. The strategy will be accompanied by a timeline, indicating the various sensitization activities through which the strategy will be implemented and also the related (expected) delivery dates. Awareness-raising activities may be linked with training provided by the service provider.

Response Protocol

[6] Survivors of GBV/SEA/SH and VAC may need access to police, justice, health, psychosocial, safe shelter and livelihood services to begin on a path of healing from their experience of violence.

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102. The GCCT will be responsible for developing a written response[7] protocol to meet the project requirements, in accordance with national laws and protocols. The response protocol must include mechanisms to notify and respond to perpetrators in the workplace. The response protocol will include the GRM process to ensure a competent and confidential response to disclosures of GBV/SEA/SH and VAC. An employee who discloses a case of GBV/SEA/SH or VAC in the workplace shall be referred to the GRM for further action.

Survivor Support Measures

103. Appropriately respond to the survivor's complaint by respecting the survivor's choices to minimize the potential for re-traumatization and further violence against the survivor. Refer the survivor to the service provider to obtain appropriate support services in the community—including medical and psychosocial support, emergency accommodation, security including police protection and livelihood support—by facilitating contact and coordination with these services. The contractor may, where feasible, provide financial and other support to survivors of GBV/SEA/SH or VAC for these services.

104. If the survivor is an employee, in order to ensure the safety of the survivor and the workplace in general, the contractor, in consultation with the survivor, will assess the risk of ongoing abuse, to the survivor and the workplace, and make reasonable adjustments to the work schedule and work environment as deemed necessary. The contractor will provide adequate leave to survivors seeking services after experiencing violence.

Perpetrator Policy and Response

105. Encourage and accept notification through the GRM from employees and community members about perpetrators in the workplace. Through the GCCT and/or the Service Provider, oversee the investigation of these grievances, ensuring procedural fairness for the accused, and within the local laws. If an employee has breached the CoC, the contractor will take action which could include:

- Undertake disciplinary action in accordance with sanctions in the GBV/SEA/SH and VAC Codes of Conduct;
- Report the perpetrator to the Police as per local legal paradigms;
- If feasible, provide or facilitate counseling for the perpetrator.

Administrative Sanctions

106. Under the CoC, any employee identified as a potential GBV/SEA/SH or VAC perpetrator shall be considered for disciplinary measures in line with sanctions and practices as agreed in the Individual CoC. It is important to note that, for each case, disciplinary sanctions are intended to be part of a process that is entirely internal to the employer, is placed under the full control and responsibility of its managers, and is conducted by the applicable national labor legislation.

107. Such a process is expected to be fully independent of any official investigation that competent authorities (e.g. Police) may decide to conduct in relationship to the same case and per the applicable national law. Similarly, internal disciplinary measures that the employer's managers

[7] Develop appropriate protocol for written recording of GBV/SEA/SH issues and VAC raised in case the notes are subpoenaed. Develop processes for record keeping including activities undertaken by the GCCT.

may decide to enact are meant to be separate from any charges or sanctions that the official investigation may result in (e.g. monetary fines, detention, etc.).

10.4. Publicizing the GRM

108. The PPMU will be in charge of publicizing the GRM. The PPMU should ensure that GRM is explained during public meetings. The PPMU should also ensure that leaflets on GRM are distributed during public meetings and made available at commune levels with the contact numbers of the focal person for the GRM. Posters will be also posted at ward/commune levels.

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

- *Grievance Register Book*: A grievance register book shall be opened and kept in the office of the resident engineer. All grievances shall be registered when and upon the receipt of complaints from the aggrieved. The book shall have (i) the case reference number, (ii) the aggrieved name, (iii) the date the case is received, (iv) the date the case is resolved, and, (v) a remark column.
- *Responsibility for Registering Complains*: the resident focal point in the project area shall register in the Grievance Register Book all written complaints received.
- *Case Receipt*: Within 24 hours of receiving complaints, the monitoring consultant 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;
- *Public Access to the book*: The book shall be accessible to the public;
- GBV/SEA/SH grievances will not be documented in the public accessible book. GBV/SEA/SH risk assessment shows that the project is LOW risk of GBV/SEA/SH. Therefore, mitigation measures are recommended as follows: (i) Engage a qualified institution to conduct community and workers' training and awareness on HIV/AIDS, GBV/SEA/SH; (ii) Awareness raising on grievance/feedback processes for reporting GBV/SEA/SH cases (referral pathways and response protocol) as part of LMP and SEP; (iii) The contractor and PPMU are responsible to manage workers through the implementation of C-ESMP throughout project implementation; (iv) Independent monitoring consultant is responsible to monitor the implementation of mitigation measures set up in C-ESMP and ESHS for social risks and impacts related to labor influx; and (v) The all-level women's unions will be engaged for awareness raising and ensure a system that captures GBV/SEA/SH and HIV/AIDS-related issues will be developed.
- PAPs: All PAPs who have issues with their compensation and assistance are required to submit written complaints to the appropriate level of GRMs.
- Mediation meetings and outcomes will be recorded and kept by the GRM person-in-charge.

11. CONTRACTOR MANAGEMENT

110. **Selection of contractors**. The project will use the WB's Standard Procurement Documents for works for solicitations and contracts. These include labor and OHS requirements. An Giang PPMU shall make reasonable efforts to ensure that the contractor who will employ contracted workers is a legitimate and reliable entity capable of complying with the relevant requirements of

the LMP. Such requirements shall be included in the bidding documents. The PPMU may review the following information as part of the process of selecting contractors who will employ contracted workers:

- Business licenses, registrations, permits, and approvals.
- Public records, for example, corporate registers and public documents relating to violations of applicable Labor Code; accident and fatality records and notifications to authorities; labor-related litigations.
- Documents relating to the contractor's labor management system and OHS system (e.g., HR manuals, safety program); ESHS personnel and their qualification.
- Previous contracts with contractors and suppliers show the inclusion of provisions and terms reflecting ESS2.

111. **Contractual Provisions and Non-Compliance Remedies**. An Giang PPMU will incorporate the agreed-upon labor-management requirements specified in the bidding documents into contractual agreements with the contractor, as well as appropriate noncompliance remedies (For example, a provision to withhold 10% of the contractor's monthly payment in the event of non-compliance with relevant environmental, social, health, and safety requirements; removal of personnel from the works; or a lack of OHS performance security). In the case of subcontracting, the PPMU will require the contractors to include equivalent requirements and remedies for non-compliance in their contractual agreements with the subcontractors.

112. **Managing and monitoring the performance of contractors.** An Giang PPMU shall establish the resources and procedures necessary to manage and monitor the contractors' performance regarding the LMP. The PPMU will ensure that the CSC contract explicitly indicates that they are responsible for daily monitoring of the contractors' labor and working conditions performance. The monitoring may include inspections and/or spot checks of project construction sites and/or contractor-compiled labor management records and reports. The following are typical labor management records and reports of contractors to be reviewed:

- Representative samples of employment contracts and signed the CoC.
- Grievances received from the community and workers and their resolution.
- Reports relating to fatalities and incidents and implementation of corrective actions.
- Records relating to incidents of non-compliance with the Labor Code and the provisions of the LMP; and
- Records of the training provided for contracted workers to explain occupational health and safety risks and preventive measures.

113. Contractors will be required to monitor, record, and report labor management terms and conditions. Contractors must provide workers with proof of all payments made, including social security benefits, pension contributions, and other entitlements, regardless of whether the worker is on a fixed-term contract, full-time, part-time, or temporary. This requirement will be applied proportionately to the contract activities and size, in a manner acceptable to the PPMU and World Bank, as follows:

- Labor conditions: records of workers engaged in the project, such as contracts registration, induction/training of workers including the CoC, working hours, working overtime, remuneration and deductions, and collective bargaining agreements.
- Safety: recordable incidents with corresponding root cause analysis (time incidents, medical treatment cases, first aid cases, high potential near misses) and required remedial and preventive actions (for example, revised job safety analysis, new or different equipment, skills training, etc.).
- Workers: number of workers, origin (local, nonlocal nationals), gender, age with evidence that no child labor is engaged, and level of skill (unskilled, skilled, supervisory, professional, management).
- Training/induction: dates, number of trainees (males and females), and topics.
- Safety 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.
- 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.

12. PRIMARY SUPPLY WORKERS

114. As mentioned above, the project will require primary supplies such as HDPE, reinforced concrete, and gravel. Some contractors may be able to produce such construction materials through their workforce. However, where the contractor will source (a) essential materials, (b) directly from primary suppliers who do not have any known allegations of child labor/forced labor or serious safety violations/concerns for workers involved in the production of primary supplies, and (c) on an ongoing basis, workers employed by such primary suppliers who meet all three criteria are deemed "main supply workers", as defined in ESS2. If main supply workers are present, the following measures will be implemented to address labor risks:

- **Selection of primary suppliers**. When sourcing construction materials from primary suppliers, the contractor will require such suppliers to identify the risk of child labor/forced labor and serious safety risks in the production of the construction materials. An Giang PPMU and CSC will review and approve the purchase of primary supplies from suppliers following such risk identification/assessment and any other relevant due diligence.
- **Remedial process**. If child labor/forced labor and/or serious safety incidents involving primary supply workers under the project are identified, the PPMU and CSC will require the contractor to request that their primary supplier introduce procedures and take mitigation measures to address such issues. These will be monitored regularly to ascertain their effectiveness. Where remedy is not possible, the PPMU will, within a reasonable period, shift the project's primary suppliers to new suppliers that can demonstrate that they are meeting the relevant requirements of the ESS2.

APPENDICE

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Attachment 1 - Potential Procedures for Addressing GBV/SEA/SH and VAC

APPENDIX 2: CODE OF CONDUCT (CoC) FOR GBV/SEA/SH AND VAC

A. Company CoC: Preventing Gender-Based Violence/ Sexual exploitation and abuse/ Sexual harassment and Violence against Children

In the context of the project, the company is committed to creating and maintaining an environment in which gender-based violence (GBV)/sexual exploitation and abuse (SEA)/ sexual harassment (SH) and violence against children (VAC) have no place, and where they will not be tolerated by any employee, associate, or representative of the company. Therefore, to ensure that all those engaged in the project are aware of this commitment, and to prevent, be aware of, and respond to any allegations of GBV/SEA/SH and VAC, the company commits to the following core principles and minimum standards of behavior that will apply to all company employees, associates, and representatives including sub-contractors, without exception:

1. The company—and therefore all employees, associates, and representatives—commit to treating women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Acts of GBV/SEA/SH and VAC violate this commitment.
2. Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behavior are prohibited among all company employees, associates, and representatives.
3. Acts of GBV/SEA/SH or VAC constitute gross misconduct and are therefore grounds for administrative sanctions, which may include penalties and/or termination of employment. All forms of GBV/SEA/SH and VAC, including grooming are unacceptable, regardless of whether they take place on the work site, the work site surroundings, at worker's camps, or worker's homes.
4. In addition to company sanctions, legal prosecution of those who commit acts of GBV/SEA/SH or VAC will be pursued if appropriate.
5. Sexual contact or activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
6. Sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading, or exploitative behavior are prohibited.
7. Unless there is full consent[8] by all parties involved in the sexual act, sexual interactions between the company's employees (at any level) and members of the communities surrounding the workplace are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered "non-consensual" within the scope of this CoC.
8. All employees, including volunteers and sub-contractors, are highly encouraged to report suspected or actual acts of GBV/SEA/SH and/or VAC by a fellow worker, whether in the same company or not. Reports must be made in accordance with GBV/SEA/SH and VAC Allegation

Procedures.

9. Managers are required to report suspected or actual acts of GBV/SEA/SH and/or VAC as they have a responsibility to uphold company commitments and hold their direct reports responsible.
10. Comply with all relevant local legislation, including labor laws in relation to child labor.

To ensure that the above principles are implemented effectively the company commits to ensuring that:

11. All managers sign the 'Manager's CoC' detailing their responsibilities for implementing the company's commitments and enforcing the responsibilities in the 'Individual Code of Conduct'.
12. All employees sign the project's 'Individual CoC' confirming their agreement not to engage in activities resulting in GBV/SEA/SH or VAC.
13. Displaying the Company and Individual CoC prominently and in clear view at workers' camps, offices, and in public areas of the work space. Examples of areas include waiting, rest, and lobby areas of sites, canteen areas, and health clinics.
14. Ensure that posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
15. An appropriate person is nominated as the company's 'Focal Point' for addressing GBV/SEA/SH and VAC issues, including representing the company on the GBV/SEA/SH and VAC Compliance Team (GCCT) which is comprised of representatives from the client, contractor(s), the supervision consultant, and local service provider(s).
16. Ensuring that an effective Action Plan is developed in consultation with the supervision consultant and which includes as a minimum:
    a). GBV/SEA/SH and VAC Allegation Procedure to report GBV/SEA/SH and VAC issues through the project Grievance Redress Mechanism (GRM);
    b). Accountability Measures to protect the confidentiality of all involved; and,
    c). Response Protocol applicable to GBV/SEA/SH and VAC survivors and perpetrators.
17. The company effectively implements the Action Plan, providing feedback to the GCCT for improvements and updates as appropriate.
18. All employees attend an induction training course prior to commencing work on-site to ensure they are familiar with the company's commitments and the project's GBV/SEA/SH and VAC Codes of Conduct.
19. All employees attend two mandatory training courses per year for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project's GBV/SEA/SH and VAC Code of Conduct.

Company name: _____

Signature of Company's Representative: _____

Printed Name: _____

Title: _____

Date: _____

B. Manager's Code of Conduct: Preventing GBV/SEA/SH and VAC

Managers at all levels have particular responsibilities to uphold the company's commitment to preventing and addressing GBV/SEA/SH and VAC. This means that managers have an acute responsibility to create and maintain an environment that prevents GBV/SEA/SH and VAC. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere to this Manager's Code of Conduct and also sign the Individual Code of Conduct. This commits them to supporting and developing systems that facilitate the implementation of the Action Plan and maintain a GBV/SEA/SH-free and VAC-free environment at the workplace and in the local community. These responsibilities include but are not limited to:

Implementation

1. To ensure maximum effectiveness of the Company and Individual Codes of Conduct:
   a). Prominently displaying the Company and Individual Codes of Conduct in clear view at workers' camps, offices, and public areas of the workspace. Examples of areas include waiting, rest, and lobby areas of sites, canteen areas, and health clinics.
   b). Ensuring all posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
2. Verbally and in writing explain the Company and Individual Codes of Conduct to all staff.
3. Ensure that:
   a). All staff members sign the 'Individual CoC, including an acknowledgment that they have read and agree with the CoC.
   b). Staff lists and signed copies of the Individual CoC are provided to the GCCT and the client.
   c). Participate in training and ensure that staff also participate as outlined below.
   d). Staff are familiar with the Grievance Redress Mechanism (GRM) and that they can use it to anonymously report concerns of GBV/SEA/SH or VAC incidents.
   e). Staff are encouraged to report suspected or actual GBV/SEA/SH or VAC through the GRM by raising awareness about GBV/SEA/SH and VAC issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.
4. In compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired, or deployed.
5. Ensure that when engaging in partnership, sub-contractor, or similar agreements, these agreements:
   a). Incorporate the GBV/SEA/SH and VAC Codes of Conduct as an attachment.
   b). Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.

c). Expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against GBV/SEA/SH and VAC, to investigate allegations thereof, or to take corrective actions when GBV/SEA/SH or VAC has occurred, shall constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct.

6. Provide resources to the GCCT to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the Action Plan.
7. Ensure that any GBV/SEA/SH or VAC issue warranting police action is reported to the client and the World Bank immediately.

Training

8. All managers are required to attend an induction manager training course prior to commencing work on-site to ensure that they are familiar with their roles and responsibilities in upholding the GBV/SEA/SH and VAC Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the Action Plan for addressing GBV/SEA/SH and VAC issues.
9. Ensure that time is provided during work hours and that staff attend the mandatory project-facilitated induction training on GBV/SEA/SH and VAC required of all employees before commencing work on site.
10. Ensure that staff attend the mandatory refresher training course required of all employees. Ensure satisfaction surveys to evaluate training are conducted by the service provider.

Response

11. Managers will provide input to the GBV/SEA/SH and VAC Allegation Procedures and Response Protocol developed by the GCCT, as needed as part of the final cleared Action Plan.
12. Once adopted by the Company, managers will uphold the Accountability Measures set forth in the Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV/SEA/SH and VAC (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
13. If a manager develops concerns or suspicions regarding any form of GBV/SEA/SH or VAC by an employee, or by an employee working for another contractor on the same work site, s/he is required to report the case.
14. Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made.
15. Managers failing to report or comply with such provision can in turn be subject to disciplinary measures, to be determined and enacted by the company's CEO, Managing Director, or equivalent highest-ranking manager. Those measures may include:

    a). Informal warning.

    b). Formal warning.

    c). Loss of up to one week's salary.

d). Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.

e). Termination of employment.

16. Ultimately, failure to effectively respond to GBV/SEA/SH and VAC cases on the work site by the company's managers or CEO may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein, and understand my roles and responsibilities to prevent and respond to GBV/SEA/SH and VAC. I understand that any action inconsistent with this Manager's Code of Conduct or failure to take action mandated by this Manager's Code of Conduct may result in disciplinary action.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

C. Individual CoC: Preventing Gender-Based Violence/ Sexual exploitation and abuse (SEA)/ Sexual harassment (SH) and Violence against Children

I, _____, acknowledge that preventing gender-based violence (GBV)/Sexual exploitation and abuse (SEA)/ Sexual harassment (SH) and violence against children (VAC) is important. The company considers that GBV/SEA/SH or VAC activities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. All forms of GBV/SEA/SH or VAC are unacceptable be it on the work site, the work site surroundings, or at worker's camps. Prosecution of those who commit GBV/SEA/SH or VAC may be pursued if appropriate.

I agree that while working on the project I will:

1. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. Not use language or behavior towards women, children, or men that is inappropriate, harassing, abusive, sexually provocative, demeaning, or culturally inappropriate.
3. Not participate in sexual contact or activity with children—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
4. Not engage in sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading, or exploitative behavior.
5. Unless there is full consent[9] by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to

community members in exchange for sex—such sexual activity is considered "non-consensual" within the scope of this Code.

6. Attend and actively partake in training courses related to HIV/AIDS, GBV/SEA/SH and VAC as requested by my employer.
7. Consider reporting through the grievance redress mechanism or to my manager any suspected or actual GBV/SEA/SH or VAC by a fellow worker, whether employed by my company or not or any breaches of this Code of Conduct.
8. With regard to children under the age of 18:
   a). Wherever possible, ensure that another adult is present when working in the proximity of children.
   b). Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
   c). Not sleep close to unsupervised children unless necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
   d). Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or access child pornography through any medium (see also "Use of children's images for work-related purposes" below).
   e). Refrain from physical punishment or discipline of children.
   f). Refrain from hiring children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.

Use of children's images for work-related purposes

9. When photographing or filming a child for work-related purposes, I must:
   a). Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
   b). Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this, I must explain how the photograph or film will be used.
   c). Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner.
   d). Ensure images are honest representations of the context and the facts.
   e). Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

10. I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:
    a). Informal warning.
    b). Formal warning.
    c). Loss of up to one week's salary.

d). Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.

e). Termination of employment.

f). Report to the police if warranted.

I understand that it is my responsibility to avoid actions or behaviors that could be regarded as GBV/SEA/SH or VAC or breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to GBV/SEA/SH and VAC. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

APPENDIX 3: GUIDELINES FOR WORKER'S CAMPS

WORKER RECRUITMENT

The Contractor is required to prioritize the mobilization of local unskilled workers including a target of 25% females to minimize the number of workers coming from outside of the project province. The recruitment will be based on their skills and education. The Contractor will maximize the number of skilled and unskilled workers that are recruited from the local communities along with the project site. The Contractor will be required to provide justification for any skilled workers recruited from outside and explain why this position cannot be filled in locally. The project will not employ workers under 18 years. There will be no tolerance for forced labor.

WORKERS CAMP FACILITIES

All facilities in the workers' camp must be compliant with the stipulations of the ESMP, as follows:

- Construction sites, including concrete mixing stations and asphalt stations as well as construction camps, will minimize the land occupation by setting them at the interchange areas where relatively large areas of land will be needed eventually.
- Site offices shall be located at least 200 meters from any existing residential settlements.
- Camp facilities should not be located on steep slopes.
- Site offices or camps should be located at least 100 meters from any watercourses and be operated so that no pollutants enter the watercourses.
- Camp areas shall be located to allow effective natural drainage.
- All construction camps shall be zoned according to their use. For example, workers' camp zones, sanitary facilities, offices, etc.
- The workforce shall be provided with safe, suitable, and comfortable accommodations, which must be maintained in clean and sanitary conditions.
- At every site, adequate and suitable facilities for washing clothes and utensils shall be provided and maintained.
- Potable water for human consumption shall be provided at camps, site offices, medical facilities, and other areas. Potable water shall follow the National Standards for Drinking Water Quality, and the other municipal water will follow class B1 of QCVN 08-MT:2015/BTNMT - National technical regulation on surface water quality.
- The camp can be characterized as a housing estate, and the water quota could refer to class B1, QCVN 08-MT:2015/BTNMT - National technical regulation on surface water quality.
- Drainage, wastewater treatment, and solid waste disposal of the construction site shall follow national regulations and the mitigation measures presented in the contractor's waste management plan.
- Eating space and dormitories as required shall be constructed of suitable materials to provide a safe healthy environment for the workforce and which facilitate regular cleaning and the provision of ventilation and illumination. There should be separate dormitories for females.
- The Contractor will be required to provide adequate provisions for the workers for the duration of the project so as not to be a burden on the food or water security of the surrounding

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communities. The Contractor will strive to hire local labor to provide cleaning and food services.

Sanitary facilities.

- At every campsite, separate and adequate lavatory facilities (toilets and washing areas) shall be provided for the use of male and female workers. Toilet facilities should also be provided with adequate supplies of running water, soap, and toilet paper. Such facilities shall be conveniently accessible and shall be kept in clean and hygienic conditions.
- Sanitary arrangements, latrines, and urinals shall be provided in every workplace on the following scale: at least one latrine for every 15 females and at least one latrine for every 20 males.
- At every construction camp, there must be at least one mobile septic tank. The wastewater from the tank shall not be discharged into any watercourses. The wastewater shall be periodically transported away by a water tank to the nearest treatment plant.
- Sewage tanks shall be designed and installed by the contractor(s) in accordance with the National Design Code for the construction of camps.

Medical Facilities.

- A medical and first aid kit, medicine cabinets, condoms, etc., emergency phone number, phone number of the person in charge of safety, chief construction supervision engineer, and hotline shall be provided at each camp area. All consumables in the first aid kit should be checked and recharged regularly.

Firefighting equipment.

- Fire extinguishers must be provided and set up with safety instructions on fire prevention and an emergency phone number provided at the site office and camp.

Security. Some security measures shall be put into place to ensure the safe and secure running of the camp and its residents. Some of these security measures include:

- The list of workers must be registered with local authorities per existing Vietnamese regulations;
- Adequate, day-time and night-time lighting shall be provided;
- Access to the camp shall be limited to the residing workforce, construction camp employees, and those visiting personnel for business purposes;
- Prior approval from the construction camp manager for visitor's access to the construction camp;
- No overnight visitors will be allowed.
- A perimeter security fence at least 2m in height constructed from appropriate materials;
- Provision and installation in all camps of firefighting equipment and portable fire extinguishers.

MANAGEMENT OF WORKERS

The Contractor will prepare and ensure all staff sign and adhere to the individual CoC to describe the expected behaviors of their project workers regarding the local communities and their social sensitivities.

The Contractor is to ensure that all overseas project staff *[for both local and foreign workers if working in an area where ethnic minorities are present]* undergo a cultural familiarisation session as part of their induction training. The purpose of this induction will be to introduce the project staff to the cultural sensitivities of the local communities and the expected behaviors of the staff in their interactions with these communities.

The Contractor shall ensure that basic social/collective rest spaces are provided and equipped with seating within the workers' camp to help minimize the impact that the workers would have on the leisure and recreational facilities of the nearby communities. Provisions should also be made to provide the workers with an active recreation space within the camp.

PROHIBITIONS

The following activities are prohibited on or near the project site and/or campsite:

- Cutting of trees for any reason outside the approved construction area;
- Hunting, fishing, wildlife capture, or plant collection;
- Buying wild animals for food;
- Use of unapproved toxic materials, including lead-based paints, asbestos, etc.;
- Disturbance to anything with architectural or historical value;
- Building of fires;
- Use of firearms (except authorized security guards);
- Use of alcohol by workers during working hours;
- Gambling;
- Washing cars or machinery in streams or creeks;
- Doing maintenance (change of oils and filters) of cars and equipment outside authorized areas;
- Disposing of trash in unauthorized places and/or littering the site;
- Driving in an unsafe manner on local roads;
- Having caged wild animals (especially birds) in camps;
- Working without safety equipment (including boots and helmets);
- Creating nuisances and disturbances in or near communities;
- The use of rivers and streams for washing clothes;
- Indiscriminate disposal of rubbish or construction wastes or rubble;
- Spillage of potential pollutants, such as petroleum products;
- Collection of firewood;
- Poaching of any description;
- Explosive and chemical fishing;
- Latrine outside the designated facilities;
- Burning of wastes and/or cleared vegetation; and
- Any activity which violates the Code of Conduct.

Any project worker or any other person related to the project found violating these prohibitions will be subject to disciplinary actions that can range from a simple reprimand to termination of his/her employment depending on the seriousness of the violation.

WORKERS CAMP MANAGEMENT PLAN

A worker's camp management plan shall be submitted by the Contractor to An Giang